

Minutes of the Regular Meeting
Of the Board of Trustees of the
Village of Larchmont, N.Y.
held on Monday, June 15, 2020

The Board of Trustees held this meeting via Zoom with Mayor Walsh calling the meeting to order at 7:30PM. 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, Dep Treasurer Mangeri

Mayor Walsh made the following announcements.

1. Condolences to the family of Joyce Callahan, Larchmont Recreation Director, on the passing of her mother Mary Fraioli. Mary was a longtime employee of Mamaroneck High School. She passed last week on June 6th at the age of 86. She will be missed not only by her many friends and in the community, but by her three children, their spouses and her six grandchildren.
2. Thanks to the Village of Mamaroneck for hosting the Tri- Municipal community gathering in Harbor Island for us to show support for racial justice and equality last Wednesday. I also want to thank the Mamaroneck High School students, but specifically Kayla Yan for organizing a peaceful march from Harbor Island Park to Flint Park on June 5.
3. The Village has received many emails from you community members regarding local police funding and policies. Governor Cuomo has issued several executive orders and signed legislation over the last few days. And at this time, we're waiting for detailed guidance from the division of budget in the state, which is supposed to be preparing that guidance and distributing it out to all the municipalities. Before we begin planning our review and community input process.
4. We are just about to start the second week of phase two, where retail is open along with hair salons, barbershops, offices and outdoor dining for restaurants with limitations. So far, it's going really well. It's nice to see some energy back in the village. Nice to see familiar faces on the street again. I just want to let everyone know that our businesses in order to reopen, all had to sign affidavits that they would comply with all of the rules and regulations regarding face covering social distancing and other issues. And so it's important for us to help them in their success. Wearing a mask when you are in the downtown is important. It is required in most circumstances. If you go into any indoor space, you must have a mask on. If you are less than six feet from people you must have a mask on. If you are waiting for a table at an outdoor restaurant, you must have a mask on. The only time that you are permitted to remove your mask is when you are actually seated at a restaurant table for outdoor dining. So please help our businesses don't put an extra strain on them right now and make them put them in the uncomfortable position of having to you know to their customers about following these rules, help them and help everybody.
5. The Chamber of Commerce of Larchmont has planned to have their annual sidewalk sales a week from Thursday, June 25th, 26th and 27th. I want to encourage everyone to come out. This is an opportunity for the retailers who really had a rough time over the last few months to get themselves out in front of everyone of people to look at their merchandise and have some sales. So I hope everyone will find an opportunity within those three days to go and do some shopping on the sidewalks.
6. Early in person voting for the June 23 primary has begun it opened this past Saturday and it continues until and through Sunday, June 21. You probably hopefully received an absentee ballot or an application for an absentee ballot and have since gotten your absentee ballot and mailed that in. If you did, that's great. If you did not request one or you requested it and it has not come you do have the opportunity to go to the Mamaroneck Town Center. Do early voting

in person all this week through Sunday. You can look at the village of Larchmont homepage on the website. We do have the days and hours that early voting is open. Um,

7. Many people have contacted us about playgrounds have been closed since the beginning of this crisis sometime in March. The governor has determined that playgrounds can be opened by municipalities. And it's each municipality's decision how they go about doing that. We are waiting for guidelines which Westchester County is preparing for all of us. We really would prefer to wait until we have those guidelines. We want to be able to open in a manner that's going to be safe and appropriate for the current circumstances so we shouldn't have that information by the end of the week, I hope and then we can start to figure out how we can potentially open the playgrounds in a safe manner sometime in the following weeks.

8. The 2020 census. It's still going on. It has been extended quite a bit due to Coronavirus. Right now we are at 67% response rate, which is not bad but it's also not as good as we want to have. In 2010. Our response rate for the village of Larchmont was 71%. For every person under counted, it is estimated we lose 20 \$500 a year in funding funds that are distributed on a per capita basis that deal with schools, hospitals, infrastructure Money. Sales tax is distributed on a per capita basis. It's really important that we have a fair and accurate count of our population so that we can get all the funding that is due to us. So please, the census workers will start knocking on doors beginning August 11. If you want to avoid having a census worker knock on your door, please go on 2020.census.gov and complete the response for your household do not have to be a citizen in order to respond to the census. And all information is kept completely confidential.

Trustee Herman said that long time Co-Chairs of the Parks and Trees Committee Ann Mangone and Toni Porter are stepping down as chairs. Ann is leaving the committee while Toni will remain a member. The new Co-Chairs will be Karen Hall and Laura Treadway.

On motion of Trustee Herman, seconded by Trustee Bauer, and unanimously carried, it was: **RESOLVED**, to approve the appointments of Karen Hall and Laura Treadway as Co-Chairs of the Parks and Trees Committee.

Next Co-Chair of the Larchmont Environmental Committee, Lisa McDonald addressed the meeting on the proposed yearlong ban of leaf blowers. This was discussion was carried over from the committee's presentation at the May 18, 2020 Board meeting. She stated:

1. Gasoline blowers would be banned effective January 1, 2020.
2. The ban would be in effect year round except in the months of November and December.
3. All landscapers would have to get a permit to work in the Village.

Others who spoke in favor of the ban were:

Bonnie Weinbach

Phyllis Jacobs

Luke Brussel

Elizabeth Poyet

Marlene Kolbert

David Reavy

Environmental Committee Co-Chair, Kristin Andersen

The Board and the participants then discussed this matter.

Mayor Walsh thanked everyone who spoke and added the Board will discuss the ban further.

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

https://lmcmmedia.org/videos_list/village-of-larchmont-board-of-trustees-meeting-6-15-20/

Chief Poleway made the following report.

1. I join our state and national law enforcement colleagues in denouncing the actions, and inactions, of the Minneapolis police officers that caused the death of George Floyd. The officer's tactics, and the officers' failure to intervene are inexplicable, and they must be held accountable. The actions and inactions of the officers in question are not a reflection on all the hard-working men and women in uniform who serve and protect us every day. In Westchester, and here in Larchmont, we are committed to responding and investigating incidents of alleged

police misconduct swiftly, transparently, and fairly. We strive to treat everyone with dignity and respect, while embracing the principles of community-based policing. We are committed to partnering with our communities to develop strategies to build trust and promote safety for all. We stress that police-community communication is critical to effective policing and we must maintain open lines of communication- now more than ever. While we train and expect our officers to practice de-escalation, we need our community partners to encourage the same. We support non-violent civil disobedience, not criminal actions that result in injuries to people and damage to property. We stand ready to listen to our community members and our leaders in an effort to better serve our constituents.

2. There were two protests that occurred in our area recently that involved the planning and coordination of police operations amongst the three municipalities, specifically the Town and Village of Mamaroneck and the Village of Larchmont Police Departments. The first occurred on Friday June 5th and traveled from Harbor Island down Boston Post Road and into Flint Park. Despite adverse weather conditions, the protest attracted more than a thousand people. The second event, a community gathering, occurred in Harbor Island on Wednesday June 10th and was attended by approximately 600 people. Both events had speakers that discussed the ongoing dilemma of racism in our country and actions that can be taken to eradicate it. Each event was peaceful and ended without incident and I would like to thank all of the participants for their cooperation. I would also like to acknowledge the positive efforts of all of the officers from each of the police departments as well as the troopers from the New York State Police in ensuring the safety of all involved.

3. If you have recently driven through Larchmont, you surely have noticed barriers that have been placed in our business districts. These barriers are located in areas on Palmer Avenue, West Avenue, Chatsworth Avenue, and Larchmont Avenue. They are being utilized in order to accommodate additional seating for our restaurants as we are now in Phase 2 of our state reopening efforts. I would like to urge all motorists to please abide by any signage that may be posted and slow down and use caution when passing through these areas.

4. I just wanted to take a moment to remind everyone that we are still contending with the coronavirus and that physical distancing is important. Crowds amplify the spread of the virus so please keep a proper distance in any situation when you are out in public. Also, amid the ongoing COVID-19 pandemic, all people in New York are required to wear a mask or a face covering when out in public and in situations where social distancing cannot be maintained.

5. There continue to be numerous complaints of parking and moving violations on the side streets in the Manor, especially near Manor Park. As people travel into the area to recreate and take advantage of the park I urge everyone to please reduce your speed and abide by all the parking and traffic regulations. On any given day, there are numerous pedestrians – many of them kids, walking through the side streets and it is imperative that we do all that we can to keep everyone safe. Patrol units and parking enforcement officers are being assigned to the area to address some of the recurring problems and a summons will be issued if violations are observed.

6. The use of any type of leaf blowers within the confines of the Village of Larchmont continues to be strictly prohibited as outlined in the Village Emergency Order dated April 3, 2020 and Village Code section 195.5 subsection (b). Failure to obey and comply with these mandates is punishable by a court appearance ticket and a fine. The police department has been actively educating landscapers about the emergency order and the ordinance and police department enforcement efforts will continue.

7. As things begin to return to a degree of normalcy, many of our residents will be going on vacation and traveling. If you plan on being away for more than a couple of days, please stop by the police department and fill out a dark house form. These forms supply our officers with current contact information and advise us if anyone will have access to your residence while you are away. The forms are placed in binders that the officers take out on patrol, and when time is available, visual inspections of the dark houses are performed and documented. This process assists the police department in determining if any criminal mischief has occurred to your residence or if any suspicious conditions exist.

8. I would again 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.

Mayor Walsh thanked the Chief and the police for their help with the protest marches.

Chief Caparelli gave the following report.

1. The career Chiefs Fire Academy will officially begin on August 31, 2020. FF. John Pilla will be attending and Lt. John Adams as well as FF. valentine will assist in instructing classes.
2. Marine 34, the Fire Departments water craft is now in the water and ready for service. Capable of pumping 200 GPM for fire suppression and equipped for full medical emergencies. Annual hose Testing has begun this month. Look for the men outside the firehouse testing all sizes of fire hose.
3. May found us providing drive by graduations and birthday processions for local residents. Volunteer and career personnel participated in the MHS Senior graduation procession at MHS. Nice weather is upon us I would like to remind al residents to clean and have their outdoor grills and fire pits maintained before use. Keep all used ash and coals in a metal container at least 10 feet from combustibles. In the event of a grill fire, close the lid and call 911.

Code Enforcement:

1. Outdoor dining has begun this past weekend and it was a huge success. I advise all restaurant owners to follow all CDC guidelines for reopening of businesses, maintain 6 ft social distancing, wear masks and sanitizing high touch areas.
2. Many residents are walking around these days. Please check your hedges, shrubs and trees for overhanging or overgrowth which may be blocking the sidewalk. The full width of the sidewalk must be exposed according to Village Code. Please trim back all overgrowth so as to permit free travel along the sidewalk.
3. I have cloth masks for distribution at the fire house if anyone should be in need.

Trustee Fanelli made the following report.

1. The 2020 Flint Park Day Camp has been canceled because of the coronavirus.
2. All 6 Flint Park tennis courts are opened for singles play only.
3. The may be a movie in the park on July 25th.
4. The Fire Department needs volunteers. Call Trustee Fanelli at 403-2387.
5. Congratulations to the 2020 Graduating Class of MHS.

Trustee Frouman gave the following report.

1. During the pandemic the Planning and Architectural Review Boards have continued to meet. The Planning Board will next meet on June 16th and ARB on June 23rd.
2. THE HPTF Survey continues but has been limited due to the pandemic.
3. The Larchmont-Mamaroneck Hunger Task Force continues to see an increased need for food from the community. Last Tuesday at the Food Bank's drive-up distribution center at Mamaroneck Avenue School, over 700 bags of groceries were handed out. That is 4 times more than normal. Thanks to the continued generous donations from the community, the Food Bank has been able to keep up with the demand.

Mayor Walsh thanked Trustee Frouman for his efforts with the Hunger Task Force.

Trustee Bauer made the following report.

1. The Library is now having books that have been out, returned. If you have been on a waitlist for book you be able get it at the curbside pick-up at the Library.

Trustee Herman gave the following report.

1. The Parks and Trees Committee needs volunteers. Contact Trustee Herman if interested.

Trustee Herman began discussing when Constitution Park will be ready to open after its renovation. Mayor Walsh said the play area has not been completed and the gazebo platform is not ready. Administrator Datino said the platform fabricator told him the end of July but will try to make it sooner.

Next Mayor Walsh said there are two resolutions before the Board that concern Village elections. One would move the elections from March to November and the second would hand over the conducting of the Village elections to the Westchester County Board of Elections. She added that this has been discussed by other Boards over the years.

Trustee Herman stated she is in favor of moving the elections because it will reduce the burden on Village Staff.

Trustee Bauer recalled when she was first elected. She was sworn in as trustee the first week of April and by the 3rd week she was asked to cast her vote on the budget which she was unfamiliar with. With the elections in November a new trustee would take the oath of office in December and then be able to fully participate in the budget process that begins in January.

Trustee Fanelli said by moving the elections candidates will no longer be nominate by a caucus but rather by petition. Candidates would have to get signatures by going out meet the voters.

Trustee Frouman believes that voter turnout will increase by moving the elections to November. Residents will be able see their local official's names on the ballot with Federal and State candidates.

Residents Dana Post and Darren Moss spoke in favor of the proposed resolutions.

Michael Gottfried of 16 Ocean Avenue addressed the proposed resolutions.

1. He is against moving the elections.
2. A referendum vote on this matter should be added to the September 15th ballot.
3. The financial savings to the Village would be minimal.
4. There is no guarantee voter turnout would increase.
5. The last lines on both resolutions says; "authorizes the Village Administrator". He said it should read the "Village Clerk".

The Board and Mr. Gottfried discussed the matter further.

Attorney Staudt said the resolutions will be amended to say "Administrator/Clerk".

The Mayor thanked Mr. Gottfried for his comments.

On motion of Trustee Fanelli, seconded by Trustee Bauer, and unanimously carried, the following resolution was adopted with the amended language "Administrator/Clerk":

WHEREAS, historically the Village of Larchmont has conducted its own elections pursuant to Article 15 of the New York State Election Law and Article 3 of the New York State Village Law; and

WHEREAS, the Village Board of Trustees has determined that it would be more efficient for the Village to transfer the conduct of Village elections to the Westchester County Board of Elections (the "County Board"), given the County Board's personnel and equipment resources and their experience and expertise in conducting municipal elections; and

WHEREAS, if the County Board conducts the Village elections, the Village may choose its own election inspectors from within the Village, from a list provided by the County Board; and

WHEREAS, if the County Board conducts the Village elections, the Village Clerk and other Village Officials may be present at the polls when they close and observe the counting of the votes, including all absentee ballots; and

WHEREAS, the County Board will receive nominating and other petitions in accordance with New York State Law and provide all required publication and notices and compensate all election workers in accordance with New York State Law.

NOW THEREFORE, BE IT:

RESOLVED, that in accordance with Section 15-104(1)(c) of the New York State Election Law, this Board hereby determines that Larchmont Village elections shall be conducted by the Westchester County Board of Elections; and it is further

RESOLVED, that this Resolution is subject to a permissive referendum as provided in Article 9 of the New York State Village Law; and it is further

RESOLVED, the Village Board of Trustees authorizes the Village Administrator/Clerk to take such administrative and ministerial action as may be necessary to effectuate the terms of this Resolution.

On motion of Trustee Herman, seconded by Trustee Bauer, and unanimously carried, the following resolution was adopted with the amended language "Administrator/Clerk":

WHEREAS, the Village of Larchmont currently holds Village elections annually on the third Tuesday of March (except for any year in which the seventeenth day of March falls on such Tuesday, in which case the Village election shall take place on the eighteenth day of March); and

WHEREAS, holding Village elections on the same date as the general election in November may result in an increase in voter turn-out, particularly during Presidential election years or other major elections; and

WHEREAS, pursuant to Section 15-104(1)(c) of the New York State Election Law, the Village Board of Trustees may, by resolution subject to permissive referendum, change the date of the Village election from the third Tuesday in March to the first Tuesday after the first Monday in November, to correspond with the general election.

NOW THEREFORE, BE IT:

RESOLVED, that the Village election shall be held on the first Tuesday after the first Monday in November, the same date as the general election, starting in the year 2021; and it is further

RESOLVED, that this Resolution is subject to a permissive referendum as provided in Article 9 of the New York State Village Law; and it is further

RESOLVED, the Village Board of Trustees authorizes the Village Administrator/Clerk to take such administrative and ministerial action as may be necessary to effectuate the terms of this Resolution.

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

RESOLVED, to approve the following tax certiorari settlements:

2001 Palmer Ave Co. LLC (6/2/370) \$5,180.00

Dennis Barry:

2364 Boston Post Road (6/15/245) \$9,708.00

2362 Boston Post Road (6/15/250) \$8,790.71

Spadaro Rental Properties Inc. (6/15/290) \$8,910.70

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

BE IT RESOLVED by the Board of Trustees of the Village of Larchmont, Westchester County, as follows:

Section 1. It is hereby determined that the Board adopting this resolution has declared itself to be the lead agency under the State Environmental Quality Review Act ("SEQRA") and the regulations promulgated thereunder for purposes of determining the environmental impact of the project described in Section 3 hereof.

Section 2. It is hereby determined that the project described in Section 3 hereof is a Type II Action which as such, it has been determined will not have any significant adverse impact upon the environment, pursuant to 6 NYCRR Part 617.5(c)(1) and (2).

Section 3. The project which is the subject of this resolution is described as follows:

Reconstruction of elements of the sanitary sewer system of the Village of Larchmont, Westchester County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith.

Section 4. This resolution shall take effect immediately.

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

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE RECONSTRUCTION OF ELEMENTS OF THE SANITARY SEWER SYSTEM OF THE VILLAGE OF LARCHMONT, WESTCHESTER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$800,000 AND AUTHORIZING THE ISSUANCE OF \$800,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to 6 NYCRR Part 617.5(c)(1) and (2) of the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, such regulations provide will not result in any significant adverse environmental impacts; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Larchmont, Westchester County, New York, as follows:

Section 1. The reconstruction of elements of the sanitary sewer system of the Village of Larchmont, Westchester County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$800,000.

Section 2. The plan for the financing of such specific object or purpose is by the issuance of \$800,000 serial bonds of said Village, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3 It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Larchmont, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Village Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as she shall deem best for the interests of said Village, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Village Treasurer shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Village Treasurer shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 8. The Village Treasurer is hereby further authorized, at her sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portions thereof, by a bond, and/or note issue of said Village in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Village Treasurer. Such notes shall be of such terms, form and contents as may be prescribed by said Village Treasurer consistent with the provisions of the Local Finance Law.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 13. Pursuant to the provisions of Section 36.00 of the Local Finance Law, this resolution is adopted subject to permissive referendum.

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

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE PURCHASE OF A NEW STREET SWEEPER, FOR THE VILLAGE OF LARCHMONT, WESTCHESTER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$175,000 AND AUTHORIZING THE ISSUANCE OF \$175,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

WHEREAS, THE CAPITAL PROJECT HEREINAFTER DESCRIBED HAS BEEN DETERMINED TO BE A TYPE II ACTION PURSUANT TO THE REGULATIONS OF THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PROMULGATED PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT, THE IMPLEMENTATION OF WHICH AS PROPOSED, SUCH REGULATIONS PROVIDE WILL NOT RESULT IN ANY SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACT; AND

WHEREAS, it is now desired to authorize such capital project and its financing; NOW, THEREFORE, BE IT

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Larchmont, Westchester County, New York, as follows:

Section 1. The purchase of a new street sweeper, for the Village of Larchmont, Westchester County, New York, including original apparatus and incidental expenses in connection therewith, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$175,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$175,000 serial bonds of said Village hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is 15 years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Larchmont, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the

Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. Pursuant to the provisions of Section 36.00 of the Local Finance Law, this resolution is adopted subject to permissive referendum.

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

WHEREAS, to manage the disposal and processing of solid waste and recyclables county-wide, Westchester County created a solid waste district, and constructed facilities to process materials collected by municipalities; and

WHEREAS, the Village of Larchmont has been a participating municipality for several decades, approximately 2,600 tons of solid waste are collected annually in the Village and is desirous in continuing its participation in the program; and

WHEREAS, the existing IMA expired on October 21, 2019, and Westchester County has proposed a new agreement for a five term commencing retroactively on October 22, 2019 and ending on March 31, 2023; and

WHEREAS, Westchester County's hauling fee under the new IMA is, \$29.28 per ton, subject to an annual adjustment factor equal to the percentage change in the Consumer Price Index in our region; and

WHEREAS, continued participation requires the execution of the attached Intermunicipal Agreement with the County of Westchester; now therefore be it

RESOLVED, that the Village Administrator is hereby authorized to execute the attached Intermunicipal Agreement with Westchester County, in substantially the same form as attached hereto and to undertake any administrative acts required under the terms of the agreement.

Mayor Walsh announced resolutions adopted at recent work sessions.

1. Site Plan and Special Permit Application for Mix-Use Development Notice of Intent to Serve as SEQRA Lead Agency.
2. License Agreement w/Michael Gapen & Rachael Grishman- Planting on Village Property.

On motion of Trustee Frouman, seconded by Trustee Herman, and unanimously carried, it was: **RESOLVED**, to approve the minutes of the meeting held on May 18, 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 May 18, 2020 and June 1, 2020.

On motion of Trustee Herman, seconded by Trustee Frouman, and unanimously carried, the meeting adjourned at 10:02PM.