

Minutes of the Regular Meeting
Of the Board of Trustees of the
Village of Larchmont, N.Y.
held on Monday, July 20, 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

ABSENT: Treasurer Kimberly Gutwein

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

Mayor's announcements.

1. In the next 7-8 days the Board will hold a work session. Look on the website calendar for the date and info on how to view this work session.
2. Congratulations to Village Attorney Jim Staudt on the birth of his first grandchild, Emily Grace. Mom, baby, dad and grandpa are doing fine.

Attorney Staudt thanked everyone for the kind thoughts for his family.

On motion of Trustee Frouman, seconded by Trustee Bauer, and unanimously carried, it was: **RESOLVED,** to appoint Allen Kassenoff as an alternate member of the Planning Board.

Next Carmen Santos of Sustainable Westchester addressed the meeting.

Ms. Santos said for those of you who do not know what sustainable Westchester is we are a nonprofit consortium of local Westchester County governments. Our goal is to facilitate sustainability programming so that we can have a better future within our communities. Out of the 45 municipalities within the county, 44 of them and the county itself participate and sustainable Westchester. Tonight I am here to speak about Westchester Power, but we do work in other areas. Such as in the renewable energy side, we have a community solar program where program participants get financial benefits for supporting solar development. We also are conducting a heat smart campaign where we are helping residential and commercial property owners evaluate their properties to find solutions for their heating and cooling systems. And clean transportation. We're working with electric vehicles and working to secure the infrastructure for charging them into zero waste. So no, our biggest highlight is the recycle right app, which municipalities use to upload their recycling schedules is helps them improve their waste management and reduce costs.

To see the entire presentation copy and paste the link below:

https://lmcmmedia.org/videos_list/village-of-larchmont-board-of-trustees-meeting-7-20-20/

On motion of Trustee Bauer, seconded by Trustee Herman, and unanimously carried, it was: **RESOLVED,** to appoint Celeste Sharpe as a member of the Library Board of Trustees.

Chief Poleway made the following report.

1. Police Response in NYC – I would like to begin by reading a letter from the President of the Westchester County Chiefs of Police Association, Chris McNerney, to New York City Police Commissioner Dermot Shea regarding police actions taken by Westchester Law Enforcement Officers within the confines of New York City. SEE ATTACHED

As a result of the new legislation signed into law by Mayor DeBlasio last week, I am advising all members of the Larchmont Police Department to refrain from taking law enforcement action in New York City. Although every effort is taken to deescalate and minimize the use of force, it

remains a possibility that a police officer's knee may end up on the chest or back of a violent suspect during a scuffle or arrest, especially during a one-on-one situation. Therefore, I will not subject our officers to the threat of a year in jail each time they potentially encounter a violent or mentally ill subject resisting arrest while performing a police action within the confines of New York City.

Mayor Walsh and Chief Poleway began a discussion on this matter and the proposed state laws regarding police. Attorney Staudt and Chief Poleway agreed to meet on the proposed state laws.

To view the discussion copy and paste the link below:

https://lmcmmedia.org/videos_list/village-of-larchmont-board-of-trustees-meeting-7-20-20/

2. Over the last two months there have been several dozen vehicles stolen and hundreds of vehicles broken into throughout Westchester County. There are organized groups coming into different areas to commit these larcenies and some encounters with police officers have shown these groups to have a propensity for violence with little regard for law enforcement. In almost every instance, the vehicles that were stolen or where property was removed were unlocked. I urge all of our residents to always lock your car and not leave your keys or fobs in your car and remove any valuables that may entice someone to enter your vehicle. If an area becomes less attractive to a criminal because it is more difficult to commit these types of larcenies, crime patterns have revealed that they will simply move to other areas or counties. Our midnight patrol units will continue to be vigilant in identifying suspicious activity in order to prevent these crimes.

3. County Executive George Latimer and FEMA Encourage Preparedness for the 2020 Hurricane Season - During these unprecedented times, it is important to remember disasters won't wait. As we continue our efforts with the whole of America to respond to and recover from coronavirus (COVID-19), we are also leaning forward and preparing for the upcoming hurricane season. As past hurricane seasons have shown us, it only takes one major hurricane to impact our community or state and cause widespread damage. COVID-19 may potentially influence your hurricane evacuation and sheltering plans so the Federal Emergency Management Agency (FEMA) is calling on individuals and families across the nation to prepare for the 2020 Atlantic Hurricane season, which runs from June 1st through November 30th. The National Oceanic and Atmospheric Administration's (NOAA) seasonal outlook for 2020 predicts an above-normal 2020 Atlantic hurricane season, but uncertainty about the formation of Atlantic storms makes predicting this season especially difficult. For 2020, NOAA's Climate Prediction Center is forecasting a likely range of 13 to 19 named storms (winds of 39 mph or higher), of which 6 to 10 could become hurricanes (winds of 74 mph or higher), including 3 to 6 major hurricanes (category 3, 4 or 5; with winds of 111 mph or higher). Preparing ahead of a disaster is the responsibility of all levels of government, the private sector, and the public

For more information on how best to prepare for an emergency or severe weather please go to the websites [fema.gov](https://www.fema.gov) or www.noaa.gov

4. The Police Department and Village would like to be able to contact you in the event of an emergency. So if you have not enrolled to receive the Village's mass callings and e-mails, please visit our website at www.villageoflarchmont.org and supply us with any contact information that you may have.

5. 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. There have been complaints of people using our parks and playgrounds without wearing masks and unfortunately that puts everyone at risk. We need everyone to show more of an effort to socially distance and to wear a face-cover. This is absolutely not business as usual and please follow the rules or refrain from using our parks. Patrol units have been making a concerted effort to patrol the parks and playgrounds and provide masks for individuals who are not in compliance and advise them of the current health mandates.

6. The Police Department continues to observe individuals that are using Alma Field without a permit. Unless you obtain a permit, you may not use the field for any purpose. The gate for the field is locked when use is restricted but individuals continue to climb over the fence, often causing damage. The police department has been removing people without authorization from the field and issuing warnings but if this type of conduct continues, we will be forced to begin issuing summonses for any observed violations. To obtain a permit, simply contact Joyce Callahan from the Parks & Recreation Department.

7. 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. We are continuing to receive complaints of leaf blower use and the police department has been attempting to actively educate landscapers about the emergency order and the ordinance and our enforcement efforts will continue. If you are a homeowner, I would request that you have a conversation with your landscaper about the importance of adhering to the ban so that compliance can be obtained.

8. Finally, I would like to remind everyone to stay vigilant in reporting any suspicious activity that may be observed. As you are aware, New York State participates in the nationwide "If you see something, SAY SOMETHING" program regarding suspicious or possibly terrorist activity. 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.

This concludes the police department report for this evening. Are there any questions?

Chief Caparelli gave the following report.

1. The Fire Department has resumed the administration and enforcement of the NYS Fire Codes by resuming Fire Safety Inspections at all local businesses and assembly occupancies in operation under the Phase 4 COVID guidelines. Fire Department personnel will begin with those occupancies which require a permit to operate due to an ongoing process which involves the public, cooking, cleaning, repairing, manufacturing, sales and/or occupancy of more than 50 persons. These are our priority at this time and as more businesses open we will expand inspections to all occupied spaces. Please be prepared for your inspection by having your fire extinguishers, fire alarms, fire sprinkler systems, cooking hoods and overcooking suppressions systems, exit and emergency lights inspected for proper operation. Thank you in advance for your cooperation.

2. Marine 34, the Fire department's watercraft was mentioned last month as being in full operation for response. On June 24, 2020 at 1224 pm a resident was collecting shells along dog beach at the far end by LSC when she dislocated her hip and fell into the water. The tide was rising at the time so she was in danger of being in deeper water shortly. Personnel from the Fire Department, Larchmont Police, LVAC and the shore club all worked to assist the patient while she remained in the rising water. No way to move her to dry ground and the awaiting ambulance was available due to her injuries. Marine 34 was brought in via the open water in short order and she was placed on a backboard on the deck and transported to awaiting personnel on a nearby dock for transport to the hospital This was the first time the Fire department watercraft was used in an emergency situation and it performed as expected. I would like to thank all those involved and report to you this was a well-coordinated joint effort to assist a resident in need.

3. I have received three applications for membership into the volunteer staff. 1 Larchmont resident home from college and 2 New Rochelle residents. The applications are in the final stages of vetting and will be presented to the Board for approval at the next Village Board meeting.

4. Finally, what you need to know about the "new" smoke alarms. For years the Fire service has been responding to multiple false alarms due to activated smoke alarms set off by cooking, steam from the shower or another non-hazardous cause. The new UL 217 smoke alarm standard is in effect. Basically, the new smoke alarms must alarm when there is fire but cannot alarm for nuisance smoke. It must alarm for a flaming polyurethane foam sofa but not for a smoking burger on the stove. It will take years for the new technology to cycle out of every home but when you change your clocks, you can change to the new smoke detectors instead of

just replacing your batteries. Look for the words “Helps reduce cooking nuisance alarms” beneath the UL label when purchasing a new device. Due to COVID the kick off date was extended to June 2021 so there is time to make the change.

Code Enforcement

1. Residents may have noticed that I have been placing reminders on their doors regarding organic waste placed out for collection on the wrong day, hedges, trees and shrubbery blocking signage, sidewalks and intersections and water discharging into the roadway from their property. I will continue to notify residents in violation of these Village Codes but corrective action must be taken before a serious incident occurs. Village Code 215-27 allows for a reasonable amount of time to correct a violation. I will issue final notices in the coming months after which, violations and appearance tickets will be issued. I urge residents to maintain their properties to ensure safe access to sidewalks, safe visible crossing at intersections and eliminate water discharge to avoid flooding in summer and icing in winter.
2. Enforcement of the leaf blower ban, monitoring of the outdoor dining in the Business district to ensure compliance with COVID Restrictions and Guidelines and distributing facial coverings is all ongoing.

Trustee Herman made the following report.

1. The new Parks and Trees co-chairs who have jumped in feet first and is working very closely to get Constitution Park through its last paces and are looking to see if we can have some sort of ribbon cutting the opening perhaps in September.

Mayo Walsh thanked new two co-chairs on Parks and Trees, and thanked the former co-chairs Ann and Toni, for all their many years of service. She added that she just sent to the Board a letter from the Arbor Day Foundation, naming Larchmont yet again, Tree City USA for 2019.

Trustee Frouman gave the following report.

1. As I've been reporting recently, the historic preservation survey has been ongoing and despite the limits that the pandemic has placed on the ability of the surveyors to get out and document a lot of things. I have seen some preliminary work and things are moving along, and we hope to have a preliminary report early in September.

Trustee Bauer made the following report.

1. The Larchmont Library is starting to reopen but by appointment only. Go to the Library website to make a reservation.

Trustee Fanelli made the following report.

1. With summer camp canceled, the Village has created programs in Flint Park for children grades 1-8 conducted by local merchants. Go to the website for information.
2. Flint Park Tennis Courts are opened and permits are required. Go to the Village website to get a permit and make a court reservation.
3. Tennis lessons are available at the Flint Park Courts through New Rochelle Racquet Club.
4. Wednesday August 5th, there be two movies shown in Flint Park. First, at 7:45 PM, a kids movie, "Trolls World Tour". The second for teens and adults "Baby Driver" at 9:45 PM.
5. Anyone interested in becoming a volunteer fire fighter call Trustee Fanelli at 403-2387.

On behalf of Village resident Michael Gottfried, Trustee Herman asked Administrator Datino the status of the audit. The Administrator said that recently he and Treasurer Gutwein spoke with the auditors and updated them on litigations and the possible payments the Village may have to make. Once completed the Board will be presented the audit for review.

The Mayor announced resolutions adopted at recent work sessions.

Rescind Previous Resolution of 6/15/2020-County Board of Elections Conduct Village Elections.

Resolution Providing That the County Board of Elections Conduct Village Elections.

Rescind Previous Resolution of 6/15/2020- Changing the Village Election Date from March to November.

Resolution Changing the Village Election date from March to November.

Mayor Walsh asked is anyone would like to address the Board.

Gary Hirsch of Centro addressed the Board on his proposed project. He stated little over three months ago, we filed a complete special permit application with the Village. With the anticipation of it moving along on an expeditious basis as it had been a thoroughly vetted project. We have been told several times that we would have an option to present the application to the Board of Trustees for their consideration. As recently as last Friday, we were told that we would be on the agenda for this evening. We're very disappointed that this process has not moved along in any visible way. And we would appreciate for the benefit of the community. And, frankly, for us, if the members of the Board and Mayor would consider moving towards a special meeting and a public hearing to consider application. And if not, if you would explain to us why not.

Mayor Walsh replied this was discussed in a work session last week that the public hearing for the special permit we would need to have referral memo back from the Planning Board. I believe the last item that we're waiting on would be the memo from the Planning Board. And if there's any memo follow up memo from Pat Cleary from the Planning Board meeting, which was just this past Thursday night. I understand today that an engineering report from that meeting was made available to the public, the Board still needs to look at that. So we have to have those documents in hand before we move to the public hearing for the special permit. But what I did say was that as soon as we had all that those documents in hand, we would set the date for a public hearing. It won't need to wait until our next scheduled meeting.

Attorney Staudt said he conveyed that information to Mr. Hirsch's attorney earlier today and he expects the Board to have that Planning Board report within the next day or two at the most. He told Mr. Hirsch he will receive a copy of the engineer's memo.

On motion of Trustee Herman, seconded by Trustee Fanelli, and unanimously carried, it was: **RESOLVED**, to approve the minutes of the meeting held June 15, 2020 and the work session held on July 13, 2020.

Trustee Herman asked that the Approval of the Bill be postponed until the next work session because of the transitioning to an on-line bills review system. There are few glitches that need to be taken care of.

Mayor Walsh said that she was in her office going through folders full of full of mail. And this little wooden carved heart was in an envelope sent to me with a note from Antonio Vinnie Aversa, of Aversa Woodcrafts in Larchmont And it said, please accept this token of thanks for all you're doing for your community during these difficult times. It is a little heart taped on here as a memento. I just want to thank Mr. Aversa for sending this it definitely put a smile on my face. And you know, there's been a lot of difficult times in the last few months and so it's certainly a very nice moment when someone reaches out in that kind of way.

On motion of Trustee Frouman, seconded by Trustee Herman, and unanimously carried, the meeting adjourned at 8:39 PM.