

Minutes of the Regular Meeting
Of the Board of Trustees of the
Village of Larchmont, N.Y.
held on Monday, August 17, 2020

The Board of Trustees held this meeting via Zoom with Mayor Walsh calling the meeting to order at 7:38M. 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 made the following announcements.

1. Tropical Storm Isaias last week caused a large amount of damage with most of the Village losing power, internet and phones for an extended period of time. Many of the complaints from residents were about Con Edison. The Public Service Commission will hold hearings about Con Ed's response.
2. Before the Board are applications for three individuals who wish to volunteer for the fire department. I did circulate the Larchmont Fire Department application pages to the Board of Trustees earlier today for their review. The Mayor asked the Fire Chief to explain the process to becoming a volunteer.

Chief Caparelli stated that first the application goes in front of the volunteer council, then they are posted on the bay floor for 30 days for comment, then they are interviewed by the Chief who then does a background check and if everything comes back positive the application goes before the Board.

On motion of Trustee Fanelli, seconded by Trustee Frouman, and unanimously carried, it was: **RESOLVED,** to approve the appointments of Luis Briseno, David Mullan and Kevin Kovacs as volunteer members of the Larchmont Fire Department.

Chief Poleway gave the following report.

1. As was reported last month, over the last several 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. Two weeks ago, a vehicle was stolen from Mayhew Avenue – it was unlocked with the key fob inside. Additionally, four other cars were broken into in the surrounding area and property was removed – again all the cars 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.
2. 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 has been an increase in compliance as our complaints have decreased, especially in our parks. We need everyone to continue to follow the safety protocols and to wear a face-cover

when appropriate. Patrol units have been making a concerted effort to patrol the parks, playgrounds, and business areas and provide masks for individuals who are not in compliance and advise them of the current health mandates.

3. 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.

4. Tropical Storm Isaias certainly caused considerable damage to trees and power lines in Westchester County and here in Larchmont. As we continue to recover, I would like to take a moment to remind our residents of the importance of sheltering in place during and immediately after such significant weather events. At the height of the storm, I was patrolling the village and responding to emergency calls and observed individuals in and around Manor Park watching the storm in what can only be described as an extremely dangerous situation. There were mangled tree limbs and active downed power lines strewn about the village and people still felt compelled to witness it firsthand. After the worst part of the storm had passed, the sun came out and at least 200 people began to walk throughout the village to see the damage but there were still significant wind gusts that were bringing down limbs and power lines. Larchmont is, by and large, a very educated community but this type of behavior certainly defies common sense and logic and is unnecessarily dangerous. In future severe weather events, I would encourage all of our residents to remain inside for the duration of any storm event and not to venture outside until it is absolutely safe to do so. To do otherwise only invites the potential for injury or serious physical injury to yourself or your family.

5. See something – Say something Finally, 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.

Chief Caparelli made the following report.

1. Hurricane Isaias hit us pretty hard with trees, wires, transformers and poles down all over the village. In a 24-hour period the on-duty staff answered over 75 calls for assistance. The bulk of our response actually came after the hurricane moved out of the area and restoration began. Over 45 alarms were related to C/O alarms due to exhaust from portable generators. Residents placing generators too close to windows and doors, under tents to protect them from rain and even inside garages attached to homes caused carbon monoxide levels to rise inside homes triggering detector alarms. Portable generators and any carbon monoxide producing device should be placed outside the home, at least 10 feet from any opening and at least 10 feet from any combustibles. Check your C/O detector batteries, they save lives.

2. On July 22 at 1407 hrs. Rescue 1 responded to the City of Mount Vernon to a reported structure fire to provide rehab services to the firefighters working on the scene. Trustee Fanelli, Theresa Fanelli, Steve Harris and Carroll Hudders responded and offered cold water, cold towels, a place to rest in the shade from the extreme heat and filled air bottles for the responding departments. I would like to thank them for their service to our mutual aid partners and for representing the department in a positive light.

3. On August 10 at 1146 hrs. TL-7 responded to the Hommocks Apartments for a reported structure fire. Lt. Augsburgh, FF Allen and FF Valentine responded and provided assistance in locating and extinguishing the fire alongside firefighters from the TMFD.

4. Lt. Donn Andersen of the career staff retired on August 10, 2020. Donn served the Village with distinction for over 20 years and developed many positive relationships with fellow employees, local business owners and residents alike. Donn will be missed greatly and we all wish him well in the next chapter of his life.

5. FF John Pilla will be attending the Career Chiefs Fire Academy on September 1, 2020. He will join over 25 new recruits from all over Westchester for an 18-week high intensity training academy where he will learn tactics and skills to prepare him to rejoin the department after his

graduation on December 18, 2020. We wish him well and look forward to having John on staff serving the residents of Larchmont.

6. The Fire Department has been awarded a grant from FEMA for turnout gear extractor and dryer.

Code Enforcement

1. I have been busy notifying and assisting residents with storm damage mitigation. Monitoring compliance for the NYS Covid -19 guidance on outdoor dining and following up on notifications of non-compliance of which there have been only a few. Reports of overgrown trees and shrubs blocking sidewalks have been increasing due to residents doing more walking around the village and I have been notifying residents to correct these conditions.

Treasurer Gutwein gave the following report.

1. The Treasurer's office is moving into the review for the 2019-20. fiscal year, we have spoken to our auditors and we're working on scheduling our audit for to begin it the end of September beginning of October, they will be in to do some preliminary work in three weeks, they'll be looking at compliance like policy and procedures and doing some field testing. And then they'll come back in September and pull trial balances. We are setting a goal for September to do projections if we're looking at the first quarter, three months of solid data to project out to year end, closely monitoring revenue and expenditures in relation to COVID.

Trustee Frouman made the following report.

1. Announced at last month's meeting, the Historic Preservation Task Force expects to have a draft version of the historic preservation survey it next month in December for review, with the final report being completed by the end of the year.

Trustee Fanelli gave the following report.

1. Flint Park Tennis courts are opened. When you buy your permit you can make a reservation to play.
2. Tennis lessons are being done at Flint Park by New Rochelle Racquet Club.
3. If you would like to become a volunteer fire fighter call Trustee Fanelli at 403-2387.
4. Thanks to all the volunteers who manned the cooling station and charging stations at the Village Center and Constitution Park.
5. Thanks to Lt. Don Anderson for all his years of service like his father and brother did before.
6. Thanks to DPW, FD, PD and the administrator for their efforts after the storm.
7. This year's Art Show has been canceled. The Arts Committee is trying to organize a virtual art show.

Mayor Walsh thanked Trustee Fanelli for organizing the volunteers.

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

WHEREAS, pursuant to the Governor's Executive Order 202.26, the annual General Village Election that had been scheduled to take place on Wednesday, March 18, 2020 will now be held on Tuesday, September 15, 2020; and

WHEREAS, on July 13, 2020 the Village Board adopted a resolution providing 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

WHEREAS, the Board's July 13th resolution is subject to a Board-directed referendum; and

WHEREAS, the issue of changing the Larchmont Village Election date to November shall be presented via a ballot proposition to the voters for their approval at the time the General Village Election is held; and now therefore be it

RESOLVED, that the Village Clerk/Administrator is authorized to hire up to four (4) election inspectors at an hourly rate of \$20.00 per hour to inspect the Village Election relative to the ballot proposition which shall be held on Tuesday, September 15, 2020 between the hours of 9:00 a.m and 9:00 p.m., and to designate a chairperson from said inspectors; and be it further RESOLVED, that the Village Clerk/Administrator is authorized to hire four (4) additional election inspectors, if needed, to inspect the Village Election relative to the ballot proposition.

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

WHEREAS, on July 13, 2020 the Larchmont Board of Trustees adopted a resolution providing 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

WHEREAS, the Village Board directed that the above-referenced resolution be submitted to a referendum at the General Election to be held on September 15, 2020; and

WHEREAS, Village Law Section 9-904 requires that the Village Clerk prepare an abstract of the resolution (ballot proposition) and seek the approval of the Board of Trustees of said abstract; now therefore be it

RESOLVED, the following language shall be printed in substantially the following form on the ballot proposition for the September 15, 2020 election:

“Should the annual Village of Larchmont Election Day be changed from the third Tuesday in March to the first Tuesday after the first Monday in November (the same date as the General Election), starting in the year 2021?”

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

Whereas, Larchmont has enacted local law 4-2015 establishing a Community Choice Aggregation electricity supply program to promote the transition to renewable energy and provide new electric supply options for its residents and small businesses, and

Whereas, through its participation to-date Larchmont has significantly decreased its carbon footprint and provided access to additional beneficial initiatives to its residents, and

Whereas Larchmont desires to continue its participation in the Westchester Power Community Choice Aggregation program after the conclusion of the current contract on December 31, 2020,

Therefore, it is resolved that the Village Administrator is hereby authorized to sign the Memorandum Of Understanding for continued participation in the Westchester Power Community Choice Aggregation Program in the next contract term beginning January 1, 2021, and that Larchmont selects the 100% renewable power option as its default supply.

Next Mayor Walsh asked if there was anyone who would like to address the Board on a non-agenda item.

MHS students Caitlyn Carpenter, Jena Vicinelli and Carl Albano addressed the Board on the possible opening of a new power plant in upstate New York. Also speaking on this matter was Satish Nandab of Food and Water Watch.

The Board and the students discussed a resolution that if approved by the Village, would be sent to Governor Cuomo objecting to the constructing of the Danskammer Power Plant. Many other communities and elected officials support this resolution.

Mayor Walsh asked the Board if they were prepared to vote on the resolution. The Board replied they were.

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

WHEREAS, climate change requires immediate action, we need to stop incrementally expanding fossil fuel energy generation and fully ramp up on renewables and we need to make tough choices in the face of entrenched, narrow, short-term interest; and

WHEREAS, these seemingly small and scattered decisions that extend fossil fuel dependency are neither small or insignificant, as they cumulatively add up to the whole system that supports and reinforces the continuation of our reliance on fossil fuels, and we need to diverge from this path; and

WHEREAS, Danskammer, LLC is seeking to build a new, baseload year-round fracked natural gas and diesel-burning power plant in Newburgh, New York, increasing emissions of methane and carbon dioxide, and so accelerate climate change; and

WHEREAS, according to Food and Water Watch, “The Danskammer would be a massive 550 MW fracked gas plant posing significant risks to the air and water of the local community – and worsening our climate crisis by burning dirty fossil fuels around the clock”; and

WHEREAS, science research clearly shows the need to transition to clean, green economy to decelerate climate change and its destabilizing effects on our ecosystems and communities; and

WHEREAS, the Danskammer, LLC build out proposal is against the stated goals of our Governor, laid out in the Climate Leadership and community Protection Act, is wrong for our economy, our health and the environment; and

WHEREAS, there is no proven need for gas to meet our energy needs. The 2018 Reliability Needs Assessment of the New York Independent System Operator (dated October 2018) found no statewide gap in power generation or transmissions capacity in the next decade, notwithstanding the impending closure of the Indian Point nuclear power plant; and

WHEREAS, Westchester County is committed to growing the investment and workforce in clean energy, including a \$250 million grant provided by the state this year to free up existing natural gas capacity and incentivize more energy efficient measures; and

WHEREAS, The Village of Larchmont, New York, as a certified Climate Smart Community, is committed to continuing its efforts to combat climate change, lower greenhouse gas emissions, and increase climate resiliency efforts; and

WHEREAS, the Danskammer plant has already flooded once during Hurricane Sandy and is at risk of flooding again due to sea level rise. Containments including, but not limited to, aqueous ammonia and diesel on site stand to pollute the Hudson River if Danskammer’s expansion were to be approved; and

NOW, THEREFORE, BE IT RESOLVED, that The Village of Larchmont, New York, calls upon the Public Service Commission to reject the Danskammer application; and be it further RESOLVED, that the Larchmont Village Clerk is directed to submit this statement to the Public Service Commission and to send a copy of this Resolution to New York State Governor Andrew M. Cuomo, U.S. Senator Kirsten Gillibrand, U.S. Senator Charles Schumer, U.S. Congresswoman Nita Lowey, New York State Senator Shelly Mayer, New York State Assemblyman Steve Otis, Westchester County Executive George Latimer, and Westchester County Legislator Catherine Parker.

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

https://lmcmmedia.org/videos_list/village-of-larchmont-board-of-trustees-meeting-8-17-20/

On motion of Trustee Frouman, seconded by Trustee Fanelli, and unanimously carried, it was: **RESOLVED**, to approve the minutes of July 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 held on July 13, 2020.

On motion of Trustee Herman, seconded by Trustee Fanelli, and unanimously carried, it was: **RESOLVED**, to approve the minutes of the work session held on July 27, 2020.

On motion of Trustee Herman, seconded by Trustee Bauer, and unanimously carried, it was: **RESOLVED**, to approve the payment of bills made in advance of a Board of Trustees review for the period of March 26 to June 1 2020. In the amount of \$352,942 and 62 cents.

On motion of Trustee Herman, seconded by Trustee Frouman, and unanimously carried, it was: **RESOLVED**, to approve the payment of bills in advance of a Board of Trustees review in the amount of \$650,029.32 for the period of July 15 through August 11.

On motion of Trustee Herman, seconded by Trustee Frouman, and unanimously carried, the meeting adjourned at 8:46 PM.