

Minutes of the Regular Meeting  
Of the Board of Trustees of the  
Village of Larchmont, N.Y.  
**held on Monday, October 19, 2020**

The Board of Trustees held this meeting via Zoom with Mayor Walsh calling the meeting to order at 7:33 PM. 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 Rilley, Attorney Staudt,  
Administrator Datino, Treasurer Gutwein,

Mayor Walsh reminded everyone to wear masks in public spaces. The numbers have been good but there was a slight blip lately. County Executive George Latimer said there has been a recent rise in hospitalizations due to Covid-19. Testing is being done at Glen Island in New Rochelle with a turnaround time of 24 hours.

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

**RESOLVED,** to appoint Alexandra Gatti and Brooke Brandt as members of the Parks and Trees Committee.

**RESOLUTION**

**G**atti, A.  
**B**randt, B.  
**P**arks & **T**rees

On motion of Trustee Frouman, seconded by Trustee Herman, and unanimously carried, it was: **RESOLVED,** to open the public hearing to consider a local law to Amend Ch. 195, Noise, by deleting Leaf Blowers now under Ch. 180.

**RESOLUTION**

Open **p**ublic hearing  
Amend Ch. 195  
**N**oise- **l**eaf blowers

The Mayor said at the September 15<sup>th</sup> meeting, the Board adopted a new leaf blower law and placed leaf blowers in Chapter 180 of the Village Code. The previous law that dealt with leaf blowers was part of Chapter 195/Noise. This proposed local law would delete the leaf blower portion of Chapter 195.

Mayor Walsh asked if the public or the Board had any comments on this proposed law. There were none.

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

**RESOLVED,** to close the public hearing.

**RESOLUTION**

Close **P**.H.

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

**RESOLVED,** to adopt Local Law No. 7-2020.

**RESOLUTION**

Adopt **L**.L No.7-2020

Local Law 7 OF 2020

A LOCAL LAW

Amending Chapter 195, Noise, of the Code of the Village of Larchmont, to delete regulation of Leaf Blowers, which will now be regulated under Chapter 180 of the Code of the Village of Larchmont

Be it enacted by the Board of Trustees of the Village of Larchmont as follows:

(deleted language in ~~strikeout~~, added language is underlined)

**SECTION 1.** Section 195-3 of the Code of the Village of Larchmont is hereby amended to read as follows:  
§195-3 Maximum Sound Pressure Levels; measurement standards.

A. Except for noise emanating from the operation of motor vehicles, power tools, construction equipment, gardening equipment and leaf blowers (all of which are dealt with separately below or in Chapter 180 of this Code), the permissible intensity of noise from any source not specifically exempted herein between the hours of 8:00 a.m. and 10:00 p.m. and from 10:00 p.m. to 8:00 a.m., respectively, whether such noise is intermittent, impulsive, sporadic or continuous, is as follows: the maximum sound-pressure level [A-scale reading of standard calibrated sound meter, instrument calibration frequency of 100 cycles per second (hertz)]:

- (1) From 8:00 a.m. to 10:00 p.m.: 70 decibels.
- (2) From 10:00 p.m. to 8:00 a.m.: 62 decibels.

**SECTION 2.** Section 195-5 of the Code of the Village of Larchmont is hereby amended to read as follows:  
§ 195-5 Motorized gardening equipment and leaf blowers.

A. Leaf Blowers are separately regulated under Chapter 180 of this Code, and are not subject to this Section 195-5.

B. No person shall operate within the Village of Larchmont any gardening equipment powered by an internal combustion engine, including but not limited to lawn mowers ~~and leaf blowers on dates when leaf blowers are allowed to be operated~~, except at the following times:

- (1) Monday through Friday, excluding holidays: between 8:00 a.m. and 5:30 p.m., except grass may be cut with an internal combustion engine lawn mower by an occupant of the premises where it is being cut on weekdays between the hours of 5:30 p.m. and 8:00 p.m.
- (2) Saturday: 9:00 a.m. to 6:00 p.m.
- (3) Sunday and holidays: 10:00 a.m. to 5:00 p.m.

~~C. Between June 1 and September 30, inclusive, of each calendar year, no person shall operate any leaf blower within the Village of Larchmont. Between October 1 and May 31, inclusive, no person shall operate any leaf blower within the Village of Larchmont except at the times specified in Section 195-5D(1), (2), and (3) of this chapter.~~

~~D. For purposes of this chapter, the term "leaf blower" shall mean any device powered by an internal combustion engine which is used or designed to move leaves, grass, clippings, dust, dirt or other matter by blowing them with air emitted by such device.~~

C. Notwithstanding anything to the contrary herein, it shall be a violation hereof to operate any gardening equipment powered by an internal combustion engine in the Village of Larchmont without a properly functioning muffler.

**SECTION 3. Severability**

If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

**SECTION 4. Effective Date**

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

Next Carmen Santos of Sustainable Westchester gave a presentation on the Westchester Power Program. Westchester Power is our county community energy program established in 2016, to buy clean electricity together by aggregating residents and small businesses, and we purchased this electricity at competitive fixed rates. 27 municipalities participate in the program 24, of them have chosen green supply and we are very happy to share that Larchmont has chosen green supply that is they've chosen 100% renewable energy as their default supply for their residents and small businesses. Four suppliers put in bids for the 2021 contract with Constellation submitting the winning bid. The bid results for 18 months:  
Residential Standard Supply- 6.749 cents  
Residential Green Supply- 7.05 cents  
Commercial Standard Supply- 6.445 cents  
Commercial Green Supply- 7.100 cents

Presentation  
Santos, C.  
Sustainable  
Westchester

Residents will receive letters starting on November 4<sup>th</sup> and between November 9<sup>th</sup> and December 9<sup>th</sup> will be the opt-out period.

Mayor Walsh asked if all Village residents will get the letter. Ms. Santos said only recent participants will be notified.

The Mayor thanked Ms. Santos for the presentation.

Fire Chief's Report

Chief Caparelli made the following report.

1. Annual apparatus maintenance by Village mechanic Mike Schnabel. Aerial ladder and pump testing was performed by a third party.
2. Firefighter Charlie Boettcher participated in a book reading with Rebecca Teglas of the Library in Constitution Park.
3. Jean Taylor will be doing a reading of her children's book, Just Bunny and the Great Fire Rescue, along with the on duty staff from the Fire Department who will present some fire safety tips for all the attendees, as well as have a fire truck on display and some equipment for the children to check out.
4. The volunteer staff will be in front of CVS on October 31<sup>st</sup> between 10AM and 1PM for a recruitment drive. There will be coloring books and candy for children.

Code Enforcement:

1. Inspections and location visits continue for winter dining.
2. Covid compliance and property maintenance inspections continue.

Presentation

Elk Homes

Kraut, J.

Butterfield, J.

Mayor Walsh said tonight the Board will get a presentation on the proposed architecture of the development project called Centro by Elk Homes. The design team lead architect James Butterfield will be sharing his documents with us and walking through the presentation of the proposed architecture. I just want to let everyone who's watching know that tonight the Board is getting this presentation from the team at Perkins Eastman and we are not going to be approving the design tonight. The Board will meet with our advisory group, who has been working with the team for Elk Homes for a couple of months on the design. Until we've had that meeting and that conversation, we won't hold a vote. But at the point that we are satisfied that we have received all of their advice and information, then we will hold the vote. Trustee Bauer has been leading the way with scheduling for the communications and meetings between the advisory group and the Elk Homes team.

Jonathan Kraut and James Butterfield of Perkins Eastman began the presentation on the proposed architecture of the Elk Chatsworth Centro Project.

Mr. Kraut said that Trustee Bauer and your advisory committee has done quite a good job. I think of refining the design to where it is. I think it would be a fair statement that at the last committee meeting, they were quite satisfied where there were a couple of minor details. None of which, under any set of circumstances would be showstoppers that we're working through. And I think with each set of comments, there have been iterations that have carried forward, I know I'll probably sound a bit like a broken record with this because it's come up before.

But as with one of your more recent speakers just a few minutes ago, the weather is closing in, we have been in this process for an extraordinary length of time. We did learn today that your plan was this evening to essentially receive this presentation, but yet scheduled a further meeting of the Board of Trustees. Obviously, if that is your desire and your intention, there's nothing we can do to change that, obviously, we would have liked for there to be a vote this evening, because the design really is in a position where there should be an approval, at least from our viewpoint. So the only thing I would ask is, James is going to give you a very short presentation, there's no reason to go on and on about it. Because it sounds like we're going to be back in short order to have a presentation yet again, I would just plead with the board to set a very short date for your next meeting, being a special meeting for us, if necessary, so that we can get the project built. Because ultimately, that is I think, our common goal. And we have been in this process for just a really, really long time. And if we're really just down to the design, and your committee already, is quite in favor of the design. Let's have at it. So with that. I'll flip it over to James again with a request. Mayor Walsh that that date for you to reconvene to vote on it be set as soon as possible. We would be ready to do it at the end of this week, if that would work for you. And if not at the very beginning of next week, we would be ready as well.

**P**resentation  
**E**lk Homes  
Con't.

Mayor Walsh thanked Mr. Kraut.

Mr. Butterfield began the presentation by showing drawings of the exterior of the proposed structure. The views were from Chatsworth, Vanderburgh and Wendt Avenues. Some items were:

1. Building entry and retail space with setbacks.
2. Brick color variations.
3. Pedestrian way to back parking lot with wood canopy.
4. Plantings along pedestrian way.
5. Garage ventilation on pedestrian way.
6. 5<sup>th</sup> floor terrace.

Mr. Butterfield thanked Trustee Bauer and the Advisory Committee for their efforts.

The Board and Mr. Butterfield discussed the presentation.

To view the presentation and discussion copy & paste into browser, click item #7:

<https://lmcmedia.org/show/village-of-larchmont-board-of-trustees-meeting-10-19-20/>

Trustee Fanelli gave the following report.

1. Paddle courts are opened. Permits are \$150 and get one go the Village website.
2. Paddle Clinics are starting. Go to the website to sign-up.
3. Halloween Window painting sign-up id available on the Village website.
4. On October 31<sup>st</sup> the volunteer firefighters will be in front of CVS with coloring books and candy for the kids and fire safety info for the parents.
5. The Fire Department needs volunteers. Go to the fire house or call 403-2387.

**T**rustees Reports

Trustees Reports  
Con't.

Trustee Fanelli thanked Trustee Bauer for her social media campaign and the Recreation Department for their efforts.

Trustee Bauer gave the following report.

1. The roof work over the Children's Library is going well with completion nearing.

Trustee Herman made the following report.

1. The Parks and Trees Committee has recently planted 8 trees. They received a donation of 20 trees and shrubs from Joanne Grossman of Larchmont Nurseries.
2. LMC Media held a gala that honored Nita Lowey. The event raised \$45,000.
3. The Finance and Budget Committee has been working with the Board on the pay parking and the budget impact from Covid.

Administrator's  
Report

Administrator Datino gave the following report.

1. We presented the program, at the October 5 meeting with regard to the nuts and bolts of how we were going to implement paid parking in Larchmont. Trustee Herman, Treasurer Gutwein and myself met with our financial advisor over the last week to discuss the project. The implication to our rating in terms of how we were seen by our rating agencies, as well as how the project overall fits with our finances and it would not negatively impact our bond rating. In the coming weeks, we will be providing the Village Board with a bond resolution. That's part of the legal process for us to go out and borrow money.

Gottfried, M.  
Sanitation meetings

Next to address the Board was Michael Gottfried of 16 Ocean Avenue who asked about the annual meeting for the sanitation commission that was held this past Thursday.

Mayor Walsh replied it wasn't an annual meeting. It was a meeting to discuss our presentation for the joint Board meetings. Mr. Gottfried asked this was not the meeting to discuss the budget and the Mayor said no and added I don't know that we set the date.

Mr. Gottfried then asked that the Village notice residents within 72 hours of all Joint Sanitation Commission meetings and that information on the sanitation budget be more available to the public.

Mayor Walsh thanked Mr. Gottfried for his comments.

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

**RESOLVED**, that Abstract Audit Voucher#16, dated October 19, 2020, in the amount of \$118,926.23, per copies filed with the Clerk, be paid, subject to review by Trustee Herman.

On motion of Trustee Frouman, seconded by Trustee Bauer, and unanimously carried, the meeting adjourned at 9:05PM.