

Minutes of the Regular Meeting  
of the Board of Trustees of the  
Village of Larchmont, N.Y.  
**held on Monday, June 21, 2021**

The Board of Trustees held this meeting via Zoom with Mayor Walsh calling the meeting to order at 7:04 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  
Sarah Bauer  
Brigid Brennan

**ABSENT:** Administrator Datino

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

Mayor Walsh welcomed everyone and called the meeting to order at 7:04PM.

The Mayor made the following announcements.

1. Condolences to Town Supervisor Nancy Seligson on the passing of her father Alan. Mr. Seligson is survived by his wife Edith, daughters Nancy and Kate along with four grandchildren.

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

**RESOLVED,** to appoint Toni Porter as a member to the Parks and Trees Committee.

Next Trustee Bauer introduced Mauri Tamarin, Chair of the Historic Preservation Task Force along with members Amanda Berce and Rick Lefever. Ms. Tamarin will be presenting to the Board the results of the survey performed by Larson Fischer Associates of homes in the Village.

Ms. Tamarin began by thanking the following groups and individuals for their assistance with the creation of the survey:

The Board of Trustees especially Trustee Bauer and former Trustee Malcolm Frouman  
Larchmont Historical Society members Susan Emery & Lynn Crowley  
State Historic Preservation Office  
Preservation League of New York State  
Members of the Historic Preservation Task Force

**Mayor's**  
Announcements

**RESOLUTION**  
Appoint Porter, T.  
Parks & Trees

Presentation  
Tamarin, M.  
Historic Preservation  
Task Force Survey

Presentation  
Tamarin, M.  
Historic Preservation  
Task Force Survey  
Con't.

Ms. Tamarin stated that our community, Larchmont and really all of us in Westchester, have been undergoing tremendous development pressures and has led to demolition or threatened demolition of important residential and even commercial buildings in our in our village. And I think there's been a real move towards trying to stabilize the impressive and unusual nature of our community. And that was, the basis for the activism and interest that was generated in the community itself. The other thing is 20 of our neighboring Westchester, municipalities already are much more far along in their historic preservation efforts with already having produced these surveys and have instituted Historic Preservation legislation and the question was, why not us?

Ms. Tamarin said the survey can be viewed in Village Hall, the Library and soon on the Village website. Other items Ms. Tamarin spoke on in the survey: community interest, Village divided into 6 districts for survey, Village owned properties included, potential legislation and creation of a commission.

Mayor Walsh thanked Ms. Tamarin and the Task Force members for all their efforts on the survey and presentation.

To view the presentation in its entirety copy & paste the link below:

<https://lmcmedia.org/show/village-of-larchmont-board-of-trustees-meeting-6-21-21/>

**RESOLUTION**  
Open Public Hearing  
Village Officers live  
outside Village

On motion of Trustee Herman, seconded by Trustee Brennan, and unanimously carried, it was:  
**RESOLVED,** to open the Public Hearing on a proposed Local Law Providing that Appointed Larchmont Village Officers may Reside Outside of the Village.

The Mayor asked if there were any comments on this proposed local law. There were none.

**RESOLUTION**  
Close P. H.

On motion of Trustee Bauer, seconded by Trustee Fanelli, and unanimously carried, it was:  
**RESOLVED,** to close the Public Hearing.

**RESOLUTION**  
Adopt L. L. No. 6-2021

On motion of Trustee Herman, seconded by Trustee Fanelli, and unanimously carried, it was:  
**RESOLVED,** to adopt Local Law No. 6-2021.

**A LOCAL LAW PROVIDING THAT APPOINTED LARCHMONT  
VILLAGE OFFICERS MAY RESIDE OUTSIDE  
OF THE VILLAGE**

**Local Law No. 6-2021**

Section One: There is hereby added to the Code of the Village of Larchmont a new Chapter 56 to read as follows:

Chapter 56.  
RESIDENCY OF VILLAGE OFFICERS

§ 56-1. Purpose.

The Village of Larchmont wishes to improve its ability to find qualified candidates to serve as appointed Village officers. To increase the pool of eligible candidates, the Village of Larchmont is expanding the area in which Village officers may reside.

§ 56-2. Residency of Village officers; statutory authority.

- A. The Village officers of the Village of Larchmont may reside outside of Village of Larchmont as long as such officers reside in the State of New York.
- B. Pursuant to the Municipal Home Rule Law, this section supersedes all other laws inconsistent with its provisions, including but not limited to Village Law § 3-300.

Section Two: 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 Three: Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

On motion of Trustee Herman, seconded by Trustee Bauer, and unanimously carried, it was:  
**RESOLVED**, to open the Public Hearing on a proposed Local Law to amend Chapter 273, Vehicles and Traffic, regarding Penalties and Offenses.

**RESOLUTION**  
Open Public Hearing  
Amend Ch. 273  
Vehicles & Traffic

The Mayor asked if there were any comments on this proposed local law. There were none.

On motion of Trustee Fanelli, seconded by Trustee Herman, and unanimously carried, it was:  
**RESOLVED**, to close the Public Hearing.

**RESOLUTION**  
Close P. H.

On motion of Trustee Brennan, seconded by Trustee Bauer, and unanimously carried, it was:  
**RESOLVED**, to adopt Local Law No. 7-2021.

**RESOLUTION**  
Adopt L. L. No. 7-2021

**LOCAL LAW NO. 7-2021**

**A LOCAL LAW TO AMEND CHAPTER 273, VEHICLES AND TRAFFIC,  
REGARDING PENALTIES FOR OFFENSES**

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

Section 1. Section 273-36C(1) Penalties for offenses, is hereby amended as follows:

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

**§ 273-36 Penalties for offenses.**

**[Amended 11-1-1988; 6-20-1994 by L.L. No. 2-1994; 6-11-2012 by L.L. No. 1-2012]**

C. Schedule of fines for specific violations of this chapter. Every person convicted of violating the following sections of this chapter shall receive the specified penalty:

(1) Section **273-22** (Parking prohibited certain hours): \$25, except that the penalty shall be \$50 with respect to the following described streets or portions thereof:

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Addison Street	North/south	From Beach Avenue to Chatsworth Avenue
Boston Post Road	North/south	From Beach Avenue to Monroe Avenue
Chatsworth Avenue	Both	Between Addison Street and Boston Post Road
Chatsworth Avenue	Both	From North Avenue southerly to Vanderburgh Avenue
Depot Way West	Both	From Railroad Way to Palmer Avenue
Gilder Street	North/south	From Beach Avenue to Larchmont Avenue
Larchmont Avenue	North/south	From Forest Park Avenue to Cherry Avenue
Palmer Avenue	Both	From Depot Way West to Pine Brook Drive
Post Alley	North/south	Entire length

**Fire Chief's Report**

Chief Caparelli made the following report.

1. The Newest Firefighter to join the ranks of the career staff, James Shanahan, will be graduating the WCCFC Academy on July 9, 2021 after completing 18 weeks of intensive training. James will undergo another 4 weeks of in-house training where he will learn Larchmont's procedures, equipment, streets and familiarize himself with the unique characteristics of Larchmont. We look forward to having James on board to serve the residents of Larchmont alongside his fellow firefighters.
2. Lieutenant Charles Boettcher has been busy conducting fire prevention classes for the Au pairs of Larchmont, the L&M Girl Scouts and small at home pods of local children. If you would like to have Lt. Boettcher conduct a class for your group, please call 914-834-0016 to speak to Charlie and schedule your group. You may have seen photos of his classes in the Larchmont News Letter.

3. Fire Safety inspections continue to be conducted. Please prepare your business for the annual inspection by ensuring all fire suppression systems, fire alarms, including smoke and c/o detectors, fire extinguishers and emergency contact information are up to date and in good working order. To schedule your inspection please call 914-834-0016 and speak to one of the on-duty staff.
4. The Volunteer staff will be participating in the annual fireman's parade in the VM on June 30, 2021. They will march with our apparatus behind a color guard of our own military veterans from the career staff, FF. Bogart, FF Murnane, FF. Jones and FF. Montemarano. Vol ex Chief Donn Keck will be participating in his 51 fireman's parade. Please come out to honor his contribution to the department and the Village of Larchmont.

Fire Chief's Report  
Con't.

CODE ENFORCEMENT:

1. Village Code 180, Leaf Blowers, has been in effect for some time now and both the police and I have been enforcing the code with good results. Please remember, the operator, landscaper and the homeowner are liable for escalating penalties under the new code. Leaf blowers of any kind are banned from the month of May to October 15 and after January 1, 2022 leaf blowers with an internal combustion engine, gas powered, are banned entirely. We appreciate your cooperation.
2. Village Code 241, Solid Waste, outlines the collection procedures for organic waste or yard debris. All yard debris, leaf bags, tree branches, etc. shall be placed out for collection the night before your second trash pick-up day. I have been placing reminders on yard waste out on the wrong day, a green round sticker, and a notice in your mailbox. I will begin issuing court appearance tickets to offenders starting next week. Please read and abide by the code and notify your landscapers not to leave debris out for pick up before your scheduled day.
3. Village Code 115, Brush, Grass and Weeds, outlines the responsibilities of homeowners for the maintenance of their respective properties with regard to streets and sidewalks. Homeowners are required to restore the full width of travel on the public right of way, street or sidewalk, for safe and unobstructed passage by pedestrians and vehicles. Plantings have begun to grow now that the warm weather is upon us, please take a look at your yards and perform maintenance where necessary.

All Apparatus and equipment are in service and fully operational.

Trustee Fanelli made the following report.

Trustee Reports

1. Anyone interested in playing tennis, paddle and pickle ball in Flint Park should go to the Village website to buy a permit.
2. There is still room in the 2021 Flint Park Day Camp. Contact the recreation Department at Village Hall.
3. The 4<sup>th</sup> of July Barbeque in Constitution Park has gotten many sign-ups. There will be hot dogs, games and maybe watermelon.
4. Concerts in the Parks will be returning this year through July and August in Constitution Park. On the 4<sup>th</sup> of July the Dixie Dandies be performing in Manor Park.

**RESOLUTION**

Approve use of Flint Park  
Mam'k Schools Foundation  
Jr. Triathlon 9/18/2021

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

**RESOLVED**, to approve the use of Flint Park by the Mamaroneck Schools Foundation for the 2021 Junior Triathlon on September 18, 2021.

**M**ayor's Statement  
Proposed Local Law for  
July Meeting

The Mayor stated that on the agenda is a resolution to set a public hearing for proposed local law opting out of licensing cannabis dispensaries and on site cannabis consumption establishments. She added, to explain to those of you out there who may not be aware, New York State has legalized the sale and consumption of and growth and cultivation of cannabis. Municipalities have been presented with an option to either opt out or opt in of allowing retail sales of cannabis and onsite consumption establishments. Now, there are a lot of details that we're going to be putting out to the community to explain this a little bit further. But basically, we're presented with one opportunity to opt out and that's through a local law. There's a deadline by which that law has to be adopted by the village. If we adopt an opt-out law, we can at a later date, should the Board and or the community choose to rescind the law and opt back in. But if we don't opt out now, we will be default in and will never have the opportunity to opt out. This Board has made the decision to opt out now so that we can continue to gather additional information about what this may mean to us personally here in Larchmont and the reason we don't yet know that is in the legislation which legalized cannabis cultivation, sales and use. It calls for the creation of a cannabis control board similar to the State Liquor Authority, which is going to be setting up lots of rules and regulations as to the licensing of establishments. Additionally, we have some follow up questions on how the cannabis sales tax would flow through to the village should we allow retail sales. It seems at this moment that perhaps a portion of the sales tax that would come to the Village may actually flow and stop at the Town.

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

**BE IT RESOLVED**, that a Public Hearing is hereby scheduled by the Board of Trustees of the Village of Larchmont to be held on Monday, July 19, 2021, at 7:30 PM to review and take comment on a proposed local law to amend the Code of the Village of Larchmont by adding a new Chapter 133 Opting Out of the Licensing and Establishing of Retail Cannabis Dispensaries and On-Site Cannabis Consumption Establishments within the Village of Larchmont; and be it further

**RESOLVED**, that the Village Clerk is hereby directed to advertise said Public Hearing.

**RESOLUTION**

Set Public Hearing for  
7/19/2021- 7:30PM  
New Ch. 133  
Opt Out Cannabis Law

Next Treasurer Gutwein addressed the Board on a proposed resolution to approve the hiring of auditors to provide provisional Audit Services for fiscal year 21, which runs from June 1 2020 to May 31 2021. The Village issued an RFP for the services and received interest from three possible firms. Of those only one firm PKF O'Connor Davies submitted a proposal for the current year. I compare the proposal to the requirements which included were included in the RFP and found the proposal to be satisfactory. I'm asking you to approve the hiring of PKF O'Connor Davies for a term of one year at \$41,700. The proposal includes an option to renew for a second year at the same price.

Treasurer Gutwein  
Proposed RFP  
Auditors

Mayor Walsh added that this agreement is contingent on PKF O'Connor Davies having read the Village Regulatory Code of Ethics.

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

**RESOLUTION**  
Auth. AAdministrator to  
Enter agreement w/  
PKF O'Connor Davies  
Audit Services

**WHEREAS**, pursuant to New York State Municipal Finance Law, the Village must complete an annual independent audit of the Village and Justice Court financial statements; and

**WHEREAS**, the Village issued an RFP for independent auditing services on February 03, 2021, and received interest from three (3) qualified firms, with the firm PKF O'Connor Davies (PKF) being the only qualified firm available to perform services for the 2020-21 fiscal year; and

**WHEREAS**, staff discussed PKF's response to the Village's RFP and are confident that the proposal meets or exceeds the scope of work requested, and although a three (3) year agreement was proposed PKF has agreed to a one-year agreement for lump fee of \$41,700 with the option to renew for a second year at the same price (\$41,700); and

**WHEREAS**, PKF has provided independent auditing services to the Village in prior years and the Village has been satisfied with the work performed by PKF; now therefore be it

**RESOLVED**, that the Village Administrator is herein authorized enter into a professional services agreement with PKF O'Connor Davies, LLP, 500 Mamaroneck Avenue, Ste. 301, Harrison, NY 10528, to perform an independent audit and related services for the Village and Justice Court for fiscal year ending May 31, 2021 (\$41,700), and if extended with consent of the Village Board, 2022 (\$41,700).

Next Michael Gottfried of 16 Ocean Avenue addressed the Board. He thanked the Board for the opportunity to speak. SEE NEXT PAGE

Gottfried, M.

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

**RESOLUTION**  
Approve minutes  
5/17/2021

**RESOLVED**, to approve the minutes of May 17, 2021.

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

**RESOLUTION**  
Approve work session  
Minutes  
6/7/2021

**RESOLVED**, to approve the minutes of the Work Session of June 7, 2021.

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

**RESOLVED**, to approve the list of Bills dated June 16, 2021 in the amount of \$529, 559.83.

On motion of Trustee Fanelli, seconded by Trustee Herman, and unanimously carried, the meeting adjourned at 8:15PM.

M. Gottfried's comments BOT Meeting 6/21/2021  
Approved 7/19/21

He deferred his questions on the recently enacted water rate increase until the board next meets to discuss tiered billing.

He asked when residents would have the opportunity to ask questions of the Commissioners in context of a Sanitation meeting where residents can speak, noting that Sanitation meetings have been work sessions where residents are not permitted to ask questions. .

He suggested that while the Village Board is getting to a point of decision making, the Commission be required to count and allocate all of the tonnages including recyclables and organic waste in order to show the Town Board the reasonableness of the Village's proposal to eliminate the tonnage based allocation formula in favor of another methodology. He disagreed with the Mayor's contention that commingled recyclables were not being reported by Westchester County and that organic waste tonnage was being reported. He urged that organic waste tonnage be counted.

Lastly, Mr. Gottfried asked the Board to consider appointing a "secretary treasurer" to the Sanitation Commission as is permitted under the Enabling Law of 1938, as amended. He believes this would augment the Village's presence on the Commission.

He thanked the Board for their commitment and efforts to represent the interests of Village residents