

Minutes of the Regular Meeting  
Of the Board of Trustees of the  
Village of Larchmont, N.Y.  
**held on Monday, July 18, 2022**

**PRESENT:** Mayor Lorraine Walsh  
Trustees Sarah Bauer  
Peter Fanelli  
Dana Post

**ABSENT:** Trustee Brigid Brennan, Attorney James Staudt

**Also present:** Dep. Clerk Rilley, Administrator Datino, Asst. Administrator Katzin, Treasurer Cazzorla

Mayor Walsh welcomed all who were in attendance and called the meeting to order at 7:43 PM.

Dan Welsh of Sustainable Westchester made a presentation to the Board about the Westchester Community Choice Aggregate and electric energy supply in Larchmont as well as other S.W. programs.

Some of the items he discussed were:

Power Program is 6 years old with 30-40% of households participating

Pricing factors of Con Ed rates and energy markets

Letters to residents to be mailed soon

September 30<sup>th</sup> is deadline for residents to opt out

November meter read is the start date for participants

Solar Power Credit & Demand Response programs

Mayor Walsh thanked Mr. Welsh for the presentation and stated that the MOU with Westchester Power has been completed and that the Village and Sustainable Westchester needs to sign the contract.

Chief McNerney made the following report.

1. Several vehicle larcenies of catalytic converters and items taken from unlocked cars.
2. There was damage to the Post Road retaining wall at Village Hall from a hit and run driver. Driver was arrested after an investigation by Village detectives.
3. A report of identity theft. Residents should know there are ways to block their credit reports.
4. PD continues to interview candidates to join the department.
5. The Annual PBA Poker Night will take place at Mamaroneck Beach and Yacht Club on August 5<sup>th</sup>. Proceeds go to the March of Dimes.
6. The PD responded to several reports of flooding today in the Pine Brook area.

Chief Caparelli made the following report.

1. The career and volunteer staff conducted training this past weekend at a home slated for demolition. Both groups trained on ladder work, hose stretches, search and rescue and hose practices. This is invaluable hands on skill proficiency training not always available to us in a real-life setting. We were able to notify the neighbors ahead of time to minimize disruption to their routine and allow them to observe from a safe distance. No brown water was reported and the training session was very successful.

2. It is with great pride and always my pleasure to inform you all of some exciting new developments within our department. I believe change is a cornerstone to progress and the influx of new personnel and new ideas is what fuels that progress.

After 33 years of dedicated service to the Village of Larchmont and the Department, my good friend, Lieutenant Anthony (Tony) Martyn will be retiring as of July 31, 2022. Tony has served with distinction as a firefighter and Lieutenant earning numerous medals of merit for his outstanding efforts in the performance of his duties throughout his career. He served with me

alongside our members and members of other Westchester County Fire Departments at Ground Zero. Tony was always the first to respond to major incidents such as Hurricane Irene, Super Storm Sandy and Hurricane Ida. He has always been the go to for EMS, Training and Mutual Aid for our department. Tony is and has always been the first firefighter in and the last firefighter out of any major incident for as long as I can remember. He will be missed and his devotion to the job will be hard to match.

3. With huge shoes to fill, I am happy to announce the promotion of Firefighter Michael Ettere to the position of Lieutenant of the Larchmont Fire Department. Lt. Ettere has been with the department since 2013 and has demonstrated outstanding leadership qualities and a work ethic commensurate with his promotion. His duties will include scheduling, inventories and other equipment related tasks as well as leading the firefighters of "D" crew. I am confident he is up to the task and I know he has the support of his fellow firefighters.

4. Finally, the retirement of Lt. Martyn and the promotion of Lt Ettere has created a vacancy within the firefighter ranks. This vacancy is being filled by newly hired firefighter Kristopher Walters. Kris graduated from the WCCFC Academy on July 15, 2022 and will begin his career here in Larchmont today, July 18, 2022. Kris will work 3 weeks of 4 – 10 hr. days followed by 1 week of nights before joining "B" crew under the supervision of Lt. Adams. Kris has been involved in the fire service for many years, first as a volunteer here in Larchmont where he showed the utmost respect for the job and the Village as well as demonstrated proficiency in all firefighting skills. Kris worked DES Training facility as part of the support staff helping departments from all over Westchester with training evolutions, equipment needs and general site maintenance. Kris performed well during his 18 weeks at the Academy and I am sure he will be a great addition to our staff.

I would like to congratulate Lt. Martyn, Lt. Ettere and FF Walters on their good fortune and wish them all well going forward.

Code Enforcement:

1. Village Code 241 Article II Yard Waste, Leaf bags, yard debris and other organic waste shall be placed out for collection on the night before your second trash collection day. That is Wednesday for those residents East of Boston Post Road and Thursday for those residents West of Boston Post Road. This debris is unsightly and when it gets wet it gives off an unpleasant odor. Please be a good neighbor and take note of these rules to avoid fines and court appearance tickets.

All apparatus are in service

Trustee Fanelli made the following report.

1. The Concerts in Constitution Park on Thursday evenings continue till August 4<sup>th</sup>. Go to the website to see who is playing. Thanks to John Feldman for getting the performers.

2. Tennis and Pickle Ball permits are still available on the website.

3. The Recreation Committee is looking for someone to become chair of the committee. If interested contact Recreation Director Joyce Callahan.

4. Volunteers are needed for the Fire Department. Stop by the fire house and speak with the chief.

5. Upcoming Village Events:

Larchmont Day Street Fair, September 17<sup>th</sup>.

The 100<sup>th</sup> Anniversary of Village Hall, September 18<sup>th</sup>.

Trustee Fanelli added his congratulations to Tony Martyn on his retirement, Mike Ettere on his promotion to lieutenant and Kristopher Walters on his hiring as fire fighter.

Mayor Walsh said that the next Regular Meeting of the Board of Trustees on August 15<sup>th</sup> will be held in the daytime with a Bills only agenda.

Administer Datino made the following report.

1. Paving is scheduled to begin on July 25<sup>th</sup>. Notices will be sent out for the streets that are on the scheduled to be paved.

Administrator Datino extended his congratulations to Tony Martyn, Mike Ettore and Kristopher Walters.

Next Administrator Datino began discussing proposed policies that is before the Board this evening. Interim Treasurer Mary Lou McClure was instrumental in putting these documents together for this evening's meeting. The policies are, Internal Control, Investment of Village Monies, Fund Balance and Gifts to the Village.

Administrator Datino stated that New York State Municipal Law says to establish guidelines for purchasing goods and services for the Village in order to document the purchasing and internal control practices of the Village and to identify the roles and responsibilities of the individuals involved in purchasing. The importance of approving this policy is that it will determine a clear line on who, how and what taxpayer money is spent on.

Mayor Walsh asked if the Board had any comments on this proposed policy. There were none. The Mayor opened up the discussion to public comment on all 4 proposed financial policies.

John McGarr, a member of the Finance and Budget Committee, spoke about the proposed Investment Policy and the Fund Balance Policy. Mr. McGarr noted that the legislation requiring the policies dates back to 2009-10. He encouraged the Board to take a little more time with the policies. In the Investment Policy, rather than name the banking institutions in sections 2.8,3.8,3.10 and 3.11, he suggested that the policy should set forth the criteria for the institutions which the Village would work with. He also asked that the Investment Policy specify to whom the Treasurer would report investment activity as well as the format for such communication. In the Fund Balance policy, he asked if the LPL had reviewed the definition which was included in section 5(i).

Michael Gottfried, a resident, asked to hear the opinion of the Liaison Trustee as well as the members of the Finance and Budget Committee. He suggested that the Fund Balance policy should reflect more of the criteria in the New York State Comptroller's office guidance, and that the policy allow for different percentages in the various Village funds based upon the Comptroller's Office criteria.

Mayor Walsh thanked Mr. McGarr and Mr. Gottfried for their comments.

The Board deferred 3 of policies for edits and additional review.

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

**RESOLVED**, to adopt the Gifts to the Village Policy.

**1. Purpose**

- 1.1 To establish guidelines for the acceptance of gifts to the Village of Larchmont from individuals, groups, or organizations.

**2. Policy**

- 2.1 Acceptance of all gifts valued at \$500 or more must be approved by the Village Board of Trustees. Acceptance of gifts valued at less than \$500 must be approved by the Village Administrator or, at the Administrator's discretion, the matter may be referred to the Village Board for decision. The Village Administrator shall report to the Village Board any action taken by the Administrator to accept or refuse a gift.

- 2.2 Gifts to the Village should be for the benefit of the entire community or for a large neighborhood area or for a broad segment of the population.
- 2.3 Gifts should not impose current or future financial burden on the Village unless the Village Board determines that such burden is justified in the particular case.
- 2.4 No Village official or employee shall engage in any fund-raising activity, or in any way solicit any person, group or organization, for the purpose of offering a gift to the Village without the prior knowledge of the Village Board and approval of the Mayor.

### 3. Procedure

- 3.1 Prospective donors are encouraged to consult informally with the Mayor or the Village Administrator before offering a gift to the Village or before engaging in any fund-raising activity for such purpose.

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

**WHEREAS**, the Village of Larchmont is the owner of real property known as Flint Park which is a recreation facility that encompasses approximately 27 acres and currently home to a number of active and passive amenities, many of which are at or past their useful life and require a significant investment to improve their condition; and

**WHEREAS**, the Flint Park Conservancy approached the Village expressing interest in raising funds to renovate areas the park over sequentially over three Phases, with Phase 1 including the turf field, playground, basketball court, Fields A & B, the tennis building including the restroom facilities; and

**WHEREAS**, following the Village's Public Parks Capital Project policy, the conceptual design of the Flint Park Improvement Project was vetted by the Parks & Trees Committee and the Village Board where it has received full support; and

**WHEREAS**, on May 16, 2022 the Village Administrator advertised the attached RFQ to solicit proposals from qualified engineering firms and on June 3, 2022 the Village received 4 responses to the solicitation; and

**WHEREAS** staff performed a thorough review of the responses including follow up conversations with some of the firms to request additional information and clarification of their responses; and

**WHEREAS**, after a comprehensive review of the responses, discussion with members of the Village Board and the Flint Park Conservancy, a crucial partner in this joint effort, verification of references and consideration of prior work done for the Village, staff recommend that Woodard & Curran be selected as the firm to perform the design, engineering and construction administration services for the Flint Park Improvement Project; now therefore be it

**RESOLVED**, that the Village Administrator is herein authorized to execute a professional services agreement incorporating the aforementioned RFQ as the basis for the scope of work with Woodard & Curran 800 Westchester Avenue, Rye Brook, New York, in an amount not to exceed \$155,000 for Tasks 1 – 4 identified in the RFQ; and be it further

**RESOLVED**, that the Village Treasurer is hereby authorized to transfer \$155,000 from the General Fund Unassigned Fund Balance to the Capital Fund and establish a GL Account for this project.

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

**WHEREAS**, the current Village of Larchmont website, created in 2005 on Wordpress, and has reached the end of its useful life; and

**WHEREAS**, the Village Board has established the goal in recent years of renovating the Village website into an active, vibrant, modern, and user-friendly portal for residents, merchants, and visitors alike; and

**WHEREAS**, the Village's Technology Committee began the framework of a new Village website by creating a sample menu hierarchy for a new website in 2019, by which a new website would then be structured; and

**WHEREAS**, the Village Board allocated funding of \$20,000 in the FY 2021-22 Capital Budget for the purpose of creating a new website; and

**WHEREAS**, staff engaged six prominent website vendors and evaluated them based on a set of criteria that included, but was not limited to, responsiveness, customization, system flexibility, training methodology, ADA compliance, user-friendliness externally and internally, and inclusion of several key features such as community and emergency notifications, agenda calendar management, story highlights, and social media integration; and

**WHEREAS**, after interviewing the vendors through initial website demonstrations, two finalist vendors were chosen to provide a secondary presentation and demonstration to the Village Board of Trustees on June 30, 2022; and

**WHEREAS**, after consideration of the demonstrations and review of answers to follow-up questions, staff recommends Revize Software Systems, 150 Kirks Blvd, Troy, MI 48084 ("Revize LLC"), as the Village's new website vendor at a cost of \$14,300 for implementation and \$3,400 per year in maintenance; now therefore be it

**RESOLVED**, that the Village Administrator is herein authorized to execute a professional services agreement with Revize LLC for a combined implementation and first-year maintenance cost of \$17,700, in substantially the same form as attached hereto, subject to the review and approval by the Village Attorney; and be it further

**RESOLVED**, that funds from the Village Website Capital Project Account H1-1997-1620-500-14 be used to fund the combined implementation and first-year maintenance cost totaling \$17,700, with future annual maintenance costs being allocated to the appropriate General Fund account beginning in FY 2023-24; and be it further

**RESOLVED**, that the Village Administrator is here in authorized to undertake all administrative acts required pursuant to the Agreement.

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

**WHEREAS**, the Village of Larchmont is fortunate to have a thriving, diverse, and lively merchant community located within two business districts, Palmer District and Post Road District, delineated in the Village of Larchmont Zoning Code as zones RB – Retain Businesses, and RC – Retail Center; and

**WHEREAS**, the Village's business districts are intertwined with the Village's identity as a community enjoyed by both residents and visitors for its renowned dining options, retail shops, and professional services, and have been selected as the locations of a resurgence of new business openings in recent months coming out of the COVID-19 pandemic; and

**WHEREAS**, since the adoption of the Village's Master Plan in 1966, the Village has conducted several initiatives to modernize its land use coordination, including an update in 2001 by the 2020 Task Force, a comprehensive update to the Zoning Code in 2017, and a Parking Study in 2018; and

**WHEREAS**, the Village Board allocated funding in the FY 2022-23 Capital Budget of \$50,000 for a Comprehensive Plan focused on the Business Districts with the focus on smart growth and sustainable initiatives that include requiring for new projects to obtain LEED certification and/or mitigate environmental concerns, encouraging responsible growth through the Village's relationship with landlords, determining affordable and senior housing requirements, improving code enforcement for property improvements and life safety, and mitigating impacts on infrastructure, traffic, parking, and schools; and

**WHEREAS**, the 2022-2023 New York State Consolidated Funding Application (CFA) cycle has made available a Smart Growth Comprehensive Planning Grant Program, with available funding up to \$100,000, to fund the development of comprehensive plans that incorporate smart growth principles including promoting efficient and sustainable land development and redevelopment patterns that optimize infrastructure investments; and

**WHEREAS**, the Village is desirous of applying for the Smart Growth Comprehensive Planning Grant Program to achieve the goal of a business districts comprehensive plan based on smart growth principles, and has allocated sufficient funding for the required 10% Village share for funding through the Comprehensive Plan – Business Districts Capital Account H1-1989-1620-500-00; and

**WHEREAS**, in a showing of community backing, the Village has received support for the Business Districts Comprehensive Plan project from the Larchmont Chamber of Commerce and One Larchmont, LLC, two organizations that proved instrumental in the continuation and sustainment of Larchmont’s merchant community during the COVID-19 pandemic; now therefore be it

**RESOLVED**, that the Village Board of Trustees hereby directs the Village Administrator to submit a CFA application to the New York State Department of State for the Smart Growth Comprehensive Planning Grant Program for the 2022-2023 cycle; and be it further

**RESOLVED**, that in the event of a successful grant application, the Village Administrator is authorized to perform all required administrative acts associated with the execution of the CFA agreement and to effectuate the identified business districts comprehensive plan project.

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

**RESOLVED**, to approve the Tax Certiorari agreement with JRH Spadaro and Harry Spadaro for 10-12 Chatsworth Avenue (6/13/273) and 153 Larchmont Avenue (6/13/348) in the amount of \$16,844.39.

On motion of Trustee Post, seconded by Trustee Bauer, and unanimously carried, the following resolutions were adopted:

**RESOLUTION TO ESTABLISH NO PARKING REGULATIONS ON WENDT AVENUE**

To Amend the Vehicles and Traffic Code as follows:

§273-54, Schedule XV: Parking Prohibited at All Times, is hereby amended by adding thereto the following language:

<b>NAME OF STREET</b>	<b>SIDE</b>	<b>LOCATION</b>
Wendt Avenue	East	From a point 127 feet south of the intersection with Palmer Avenue for a distance of 17 feet

**RESOLUTION TO AMEND FOUR HOUR TIME LIMIT PARKING ON PALMER AVENUE TO EIGHT HOUR PARKING**

To Amend the Vehicles and Traffic Code as follows:

§273-60, Schedule XXI: Time Limit Parking, is hereby amended by amending thereto the following language:

<b>Name of Street</b>	<b>Side</b>	<b>Time Limit; Hours/Days</b>	<b>Location</b>
Palmer Avenue	North	<del>8 hrs. 4 hrs.</del> 8:00 a.m. to 6:00 p.m./Except Sundays and legal holidays	From Depot Way West to the east Village Line

**RESOLUTION TO ELIMINATE METERED PARKING IN FRONT OF CONSTITUTION PARK**

To Amend the Vehicles and Traffic Code as follows:

§273-67, Schedule XXVIII: Metered Parking, is hereby amended by amending thereto the following language:

**ZONE****DESCRIPTION**

Parking Meter Zone No. 9

Larchmont Avenue on west side from Beach Avenue south to ~~southern~~ northern boundary of Constitution Park

The Mayor announced resolutions adopted at recent work sessions.

1. Auth. Mayor to execute MOU with Westchester Power.
2. Benefits agreement with the widow of retired firefighter John Veteri.

On motion of Trustee Post, seconded by Trustee Fanelli, and unanimously carried, it was: **RESOLVED**, to approve the minutes of June 20, 2022.

On motion of Trustee Fanelli, seconded by Trustee Post, and unanimously carried, it was: **RESOLVED**, to approve the minutes of the Work Session of June 20, 2022.

On motion of Trustee Bauer, seconded by Trustee Post, and unanimously carried, it was: **RESOLVED**, to approve the Bills List of July 8, 2022 in the amount of \$381,145.82.

On motion of Trustee Fanelli, seconded by Trustee Bauer, and unanimously carried, it was: **RESOLVED**, to approve the All Paid Bills List dated July 18, 2022 in the amount of \$1,716,713.35.

On motion of Trustee Bauer, seconded by Trustee Fanelli, and unanimously carried, the meeting adjourned at 9:25PM.