

Minutes of the Regular Meeting  
Of the Board of Trustees of the  
Village of Larchmont, N.Y.  
**held on Monday, October 17, 2022**

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

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

Mayor Walsh welcomed all who were in attendance and called the meeting to order at 7:55 PM.

Mayor Walsh announced that the Chair of the Budget Committee Paul Silverman, has stepped down. Mr. Silverman who was first appointed to the committee in June of 1988, has given wise and sound financial advice to many Boards throughout the years. The Mayor thanked Mr. Silverman for his service. Mr. Silverman will be replaced by current Finance Committee member Adam Bloom.

Silverman, P.

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

**RESOLVED,** to appoint Adam Bloom as Chair of the Finance and Budget Committee.

**RESOLUTION**

Bloom, A.  
Chair Finance &  
Budget

Mayor Walsh read the following statement:

As some of you might know, sanitation services are provided through the Larchmont Mamaroneck Joint Garbage Disposal Commission, which we share with the unincorporated Town of Mamaroneck. Several years ago we discovered some issues with the Sanitation Commission apportionment of costs between the Village and the Town. As a result, we have spent the past 3 years reviewing all things sanitation and the various potential options we have to correct these issues and make our service more efficient and flexible. At this point, the Village believes that simply modifying the existing Commission is the best option, whereas the Town believes that the best option is to add the Village of Larchmont into an expansion of their Town Garbage District #1. After additional discussion at this evening's work session, we have decided that for us to fully evaluate the potential of an expanded Town Garbage District, we will be requesting that the Town provide a written proposal outlining their plan for the expanded District. As we engage in this evaluation we will be providing our residents with more detailed information and updates on this process.

Mayor Walsh  
Statement  
Sanitation

Presentation  
Flint Park Conservancy  
Manice, M.  
Yestadt, R.  
Catalano, A.

Next Melissa Manice of the Flint Park Conservancy, Architect Rick Yestadt and Anthony Catalano of Woodard & Curran made a presentation of the proposed improvements to the 100 years old Flint Park Tennis Pavilion. Some of the items in the presentation were:

1. Installation of a wraparound terrace.
2. Interior food venue.
3. Glass doors on the front and back of the building.
4. Removal of 3 sections of a wall.
5. Installation of new bathrooms.
6. Maintaining the current handicap ramp.
7. Updated flooring.
8. Air Conditioning & Heating systems.

After a discussion between the Board and the presenters, Mayor Walsh thanked Ms. Manice, Mr. Yestadt and Mr. Catalano for their presentation.

Trustee Bauer  
Statement  
Historic Preservation

Prior to opening the opening of scheduled Public Hearing, Trustee Bauer read the following:

Following a comprehensive review of the Village's residential zoning laws – one of the recommendations made as part of that process was to consider implementing a historical protection law. As a result, the Mayor and Village Board created the Historical Preservation Task Force in February of 2017. They were tasked with conducting research on existing historic-preservation legislation, commissions, historic districts and sites within Westchester County and making recommendations regarding historic preservation in the Village. The Task Force has spent the past 5 and ½ years doing just that.

A Historical Resource Survey was conducted by Larsen Fisher Associates. Larsen Fisher is a firm that specializes in conducting historic resource surveys and the assessment of significance of historic properties and districts following the guidelines of the National Register and NY State Historic Preservation Office. The Survey can be found on the Village website and we have a hard copy for review in Village Hall. At this time we are unable to add the schedules to the Village website, because of their size. Based on the research that they have conducted and the survey, the Task Force has recommended that the Village pass the proposed Historical Protection Legislation, which is based on the NY Model Law.

Under the law:

- A Historical Protection Commission would be created.
- The Commission's first task would be to use the Historic Resource Survey as a roadmap to begin to put together recommendations on properties and districts that it thinks the Village should designate as historic. Please note that just because a property is old or built within a certain time period it does NOT automatically qualify for designation. There is very detailed process laid out in the law which includes public hearings and specific criteria that have to be met for a property or district to qualify for designation.
- The Village Board would then review those suggestions and would pass a local law, which requires another public hearing, to designate any districts or properties it believes should be designated as historic
- Once properties have been designated, the commission would become a review commission for designated properties or contributing properties in a historic district.
- This Commission is only looking at external changes and would function similarly to the existing ARB, so at the time it is ready to begin those review activities, it would be combined with the ARB so that we are not adding an extra step to the process for homeowners. This process should be very similar to the one that homeowners currently go through when they have to appear before the ARB. Our goal is to not make this any more complicated or burdensome for residents, so whether a house is designated or not or in a district and contributing or non-contributing you would go through the same land use process and go before the same commission – the only difference is the criteria that they will apply to any proposed changes.
- For designated properties or contributing properties in a historic district that apply for demolition – this would be allowed with a certificate of appropriateness from the Commission
- Not every property located within a district would be a contributing property and under definition section it clearly lays out what would be excluded from a district as non-contributing property – so please read through the definitions at the end of the law.
- There are at least 23 other communities in Westchester that have some form of historical protection and we have not seen any studies or evidence that would indicate that this would negatively impact property values or the ability to sell property.
- Like with most things in our Village this is primarily volunteer driven and we received a grant to cover part of the cost of the Survey, so the cost to the Village has been and should continue to be minimal.
- We intend to adjourn this public hearing and hold a second one, so if anyone would like to send in their comments please submit your comments by email to the Village Clerk at [VillageClerk@larchmontNY.gov](mailto:VillageClerk@larchmontNY.gov) with the subject line: Historic Preservation Law.

Tamarin, M.  
HTPF

Mauri Tamarin Chair of the Historic Preservation Task Force spoke next. Ms. Tamarin thanked Mayor Walsh and past trustees Carol Casazza Herman and Malcolm Frouman who served as Board liaison to the task force, for all their support.

Trustee Bauer reminded everyone that there is a button on the front page of the Village website for the Historic Preservation page.

**RESOLUTION**

Open P.H.  
Historic Preservation

On motion of Trustee Bauer, seconded by Trustee Fanelli and unanimously carried, it was:  
**RESOLVED**, to open the public hearing on a proposed Local Law relating to the Establishment of Landmark & Historic Districts in the Village of Larchmont.

The following residents addressed the Board on the proposed local law:

Residents speakers  
Edelstein, M.  
Nahr, S.  
Manin, M.  
Rosensweig, S.  
Robb, K.  
Cohen, I.  
McAndrews, A.  
Bloom, A.  
Hazan, R.  
Bucci, E.  
Shufro, G.  
Sewell, A.  
Spieglman, M.  
Cumella, B.

Michael Edelstein- 5 Soundview Ave.  
Sasha Nahr- 106 Beach Ave.  
Matthew Manin-7 Prospect Ave.  
Steve Rosensweig- 41 Wendt Ave.  
Karen Robb- 6 Locust Terr.  
Irving Cohen- 36 Magnolia Ave.  
Anne McAndrews- 4 Lyons Pl.  
Adam Bloom- 55 Sherwood Dr.  
Rachael Hazan-7 Lyons Pl.  
Erica Bucci- 78 Willow Ave.  
Gwen Shufro- 3 Woods Way- Matthew Manin read statement  
Alexis Sewell- 14 Hall Ave.  
Matthew Spieglman- Kilmer Rd.  
Bob Cumella- Kilmer Rd.

**RESOLUTION**

Close P.H.  
Historic Preservation

On motion of Trustee Bauer, seconded by Trustee Brennan and unanimously carried, it was:  
**RESOLVED**, to adjourn the public hearing to Monday, November 21, 2022.

Mayor Walsh thanked everyone for their comments.

Police Chief's Report

Chief McNerney made the following report.

1. In the past month there were no reports on auto theft.
2. A woman on Palmer Ave spotted someone under her car. She called out to him and he fled with 4 others. The man was holding an electric saw. It is believed he was attempting to steal the catalytic converter.
3. A resident reported the theft of his bicycle at the train station. He stated the bike was worth \$8,000 dollars.
4. On October 12<sup>th</sup> a vigil took place to observe the 46th anniversary of the death of Officer Arthur DeMatte.

Chief Caparelli gave the following report.

#### Fire Chief's Report

1. The Fire Dept. responded to 861 alarms to date. We are on track to exceed our highest total of 1108 alarms in a calendar year. One of the newest and most challenging alarms we have been seeing is Lithium Ion Battery fires. The Village's Public Safety Newsletter outlined numerous safety tips for these types of batteries. Please go to: [Emergencyservices.westchestergov.com](https://www.emergencyservices.westchestergov.com) and click on the link for Lithium Ion Batteries to view more.
2. Fire Prevention Week was last week. The on-duty staff educated 298 students from local nursery schools, day cares and preschools on fire safety.
3. Fire Dept. Inspection is on October 27, 2022 at 6:30 pm at the firehouse  
Halloween on October 31, 2022 Glow sticks and candy will be given out by the on-duty staff.  
Light up Larchmont is on December 3 from 7-9pm sponsored by the Larchmont Professional Firefighters Association and the Larchmont Police Benevolent Association.
4. Village Code 180 – Leaf Blowers allows the use of Electric Leaf Blowers from October 15 to December 15. No Gas fueled Leaf Blowers are allowed at any time. The operator, employer and property owner will be held liable for violations of this code.

All apparatus are in service

Trustee Brennan made the following report.

#### Trustee Reports

1. The LEC aided the Board in adopting the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022.
2. The Native Plant Festival held in Constitution Park was a great success along with being very informative about the Monarch Butterfly.
3. From October 15<sup>th</sup> to December 15<sup>th</sup>, electric powered leaf blowers are allowed in the Village. As a reminder gas powered leaf blowers are no longer allowed.

Trustee Fanelli gave the following report.

1. The Arts Festival had a great turnout with the feature artist, Melinda Blue.
2. The Ragamuffin Parade takes place this Saturday. The line-up will begin at 2:30PM and the parade starts at 3:00PM.
3. The Flint Park Paddle courts are open. To get a permit go to the Village website.
4. The Village is looking for volunteers. There are many committees looking for members along with the volunteer fire department.

Trustee Bauer thanked the Arts Committee for this year's Arts Festival.

Trustee Post thanked all involved with the Native Plants Festival.

**RESOLUTION**

**Non-Union Employees  
& Elected Officials  
Policy**

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

**RESOLVED**, to approve the Non-Union Compensation Policy.

**RE: NON-UNION EMPLOYEES AND ELECTED OFFICIALS  
FRINGE BENEFIT POLICY**

POLICY: #xxx  
ORIGINAL DATE: xxx  
APPROVED BY: xxxx

**1. Purpose**

1.1 The Village of Larchmont shall provide certain fringe benefits to annual salaried employees who are (i) not represented by a recognized bargaining unit or (ii) not covered by an individual agreement approved by the Village Board with respect to fringe benefits.

1.2 The Village of Larchmont shall provide certain fringe benefits for elected officials as provided in Section 15 of this policy.

1.3 All benefits shall be administered by the Village Administrator's Office and all absences shall be approved by the employee's Department Head.

**2. Vacation. Employees shall be entitled to:**

2.1 6 vacation days granted after 6 months;  
12 vacation days earned per year after completion of 1 year;  
18 vacation days earned per year after completion of 5 years;  
20 vacation days earned per year after completion of 10 years;  
25 vacation days earned per year after completion of 15 years.

2.2 Senior management or supervisory staff, new appointments or transfers may be granted one or more additional week(s) of vacation as provided in 2.1 at the discretion of the Village Administrator.

2.3 Vacation time accrues at the rate of 1/12<sup>th</sup> of the annual entitlement for each month of continuous service. New Employees are not entitled to take any vacation with pay until after the completion of six (6) months of continuous service.

**3. Hours of Work**

3.1 The work schedule for all employees covered by this policy shall be determined and subject to change by the Village Administrator. The hours of work may vary depending upon the needs of the Department to which the employee is assigned.

3.2 Non-Managerial/Administrative employees are entitled to overtime pay pursuant to the Fair Labor Standards Act (FLSA) for authorized hours of work.

3.3 Up to 35 hours of compensatory time may be granted by the Village Administrator annually for Managerial/Administrative employees of the Village to balance their attendance at evening and weekend meetings and other work-related obligations. This benefit is not intended as an hour per hour entitlement for any compensatory time off and employees are expected to spend as much time as necessary to complete duties and tasks. The use of compensatory time must be approved by the Village Administrator or his/her designee.

3.4 Vacation may be carried over from one year to the next with approval of the Village Administrator. The maximum vacation time permitted to be carried over is the amount earned in one (1) year.

**4. Sick Leave**

4.1 Employees shall be entitled to 1.08 days per month sick leave in accordance with the present procedures, and all days of sick leave not taken may be accumulated by the Employee in question and as so accumulated may be applied by them, at the time of their retirement, at the then rate of compensation, toward the cost of medical insurance in accordance with the provisions of Section 167, subdivision 5, of the Civil Service Law of the State of New York. There shall be unlimited accumulation of unused sick leave. However, in the event of termination of employment of an Employee for just cause, voluntary resignation or death, his or her accumulated sick leave time shall be canceled and not paid. An Employee shall earn one additional sick leave day per month for each three (3) consecutive months within any calendar year in which sick time is not used by the Employee. An Employee may earn a maximum of four (4) additional sick leave days per calendar year.

**5. Personal Leave**

5.1 Employees shall be eligible for personal leave with pay for personal business and obligations including religious observance, attendance at funerals not covered by bereavement leave, necessary absences due to extraordinary weather conditions, personal or family business appointments or examinations. Personal leave is based on a calendar year basis. Each employee will be permitted three (3) personal leave days per year. Unused personal days shall be converted to sick time at the end of each calendar year.

6. **Holidays**

Employees are entitled to the following holidays with pay:

1. New Year's Day
2. Martin Luther King, Jr.'s Birthday
3. President's Day
4. Good Friday
5. Memorial Day
6. Independence Day
7. Labor Day
8. Columbus Day
9. Election Day
10. Veterans' Day
11. Thanksgiving Day
12. Day after Thanksgiving Day
13. Christmas Eve (½ day)
14. Christmas Day

7. **Health / Hospitalization Insurance**

7.1 Employees while actively employed will be provided with health insurance coverage for an individual or family in conformance with the New York Empire Plan, or comparable insurance coverage determined by the Village;

7.2 Employees hired on or after January 1, 2015 shall contribute 20% of the health insurance premium while actively employed with the Village. Such employees shall be eligible to maintain their health insurance benefits during retirement provided that the employee meets the criteria set forth in paragraph "7.4" of this section and contributes 25% of the health insurance premium into retirement. When the retiree becomes Medicare eligible, Medicare becomes the primary health insurance provider and MediPrime of the New York State Health Insurance Plan becomes the secondary health insurance coverage.

7.3 Employees hired after January 1, 2015 shall not be entitled to Village paid health insurance while actively employed by the Village if the employee is eligible to receive comparable coverage through another source including spousal coverage or other employment. Should the employee lose eligibility, the employee will be entitled to coverage upon the next enrollment date available as per plan regulations;

7.4 For the purposes of Section 8 retirement shall mean an employee who has met the requirements of the New York State Retirement and Social Security Law; has at least 20 years of service in the retirement system; is at least 55 years of age and has been employed by the Village of Larchmont for at least 15 years. The employee must be actively employed with the Village of Larchmont when retirement occurs to be eligible for the health insurance benefits into retirement.



8. **Retirement**

8.1 All Employees, as prescribed by the Retirement and Social Security Law of New York State (RSSL), are members of the New York State Retirement System. The plan and tier are determined by the New York State and Local Retirement System based on certain criteria, including, but not limited to the year of hire.

9. **Dental Insurance**

9.1 Employees shall receive dental insurance pursuant to coverage provided by the Village in accordance with the Civil Service Employees Association (CSEA) collective bargaining agreement.

10. **Funeral Leave**

10.1 In order to permit participation in and attendance at funeral services for a member of the immediate family of an Employee, a leave of absence without loss of pay shall be granted to the Employee not to exceed three (3) consecutive work days starting with the day of death. Absence not to exceed one (1) day without any deductions will be allowed for the death of any other near relative of the Employee.

11. **Jury Duty**

11.1 An Employee who serves on jury duty shall continue to receive full pay. Employees must utilize any "on call" procedures which are offered by the court to which they are summoned.

12. **Benefit Coordination**

12.1 Notwithstanding the above benefits, and not in duplication thereof, employees may, in the discretion of the Village Administrator, receive similar benefits to union employees in their department, as authorized by the Village Administrator, for benefits not enumerated above i.e. PBA, LPFFA, CSEA, AFSCME. An example of these benefits is uniform allowance for certain employees.

13. **Benefit Administration**

13.1 All benefits are coordinated and administered by the Village Administrator.

14. **Conflicts**

14.1 Any conflict arising between the terms of this policy and an individual employment agreement shall be resolved by applying the term(s) of the employment agreement.

15. **Elected officials**

15.1 **Village Justices**

- i. Shall be eligible to receive an annual salary as set by the Village Board while serving as a Village official;
- ii. Justices elected on or before January 1, 2015 shall be eligible for health insurance benefits while serving as a Village official at the Village's expense. Elected Justices who have served at least 12 years and have reached age 55 shall be eligible to maintain their health insurance benefits into retirement provided they contribute 20% of the premium while retired. When the retiree becomes Medicare eligible, Medicare becomes the primary health insurance provider and MediPrime of the New York State Health Insurance Plan becomes the secondary health insurance coverage.
- iii. Justices elected after January 1, 2015 shall be eligible for health insurance benefits while serving as a Village official provided, they contribute 20% of the cost of the annual premium. Contributions shall be made through payroll deductions administered by the Village. Retiree benefits to be provided in accordance with section 15.1.2.

15.2 **Mayor and Trustees**

15.2.1 Mayor or Trustees elected to the Village Board shall not receive an annual salary but are eligible to submit expenses to the Village Treasurer for reimbursement which are directly attributable to their official duties;

15.2.2 Members of the Village Board who have a minimum of 10 years service as Mayor and or Trustee and have reached age 55 shall be eligible for retiree health insurance benefits provided, they contribute 20% of the cost of the annual premium. When the retiree becomes Medicare eligible, Medicare becomes the primary health insurance provider and MediPrime of the New York State Health Insurance Plan becomes the secondary health insurance coverage.

**RESOLUTION**  
**Fire Dept**  
**Consolidation**

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

**WHEREAS**, Village staff recently attended a meeting organized by Westchester County's Commissioner of Emergency Services to discuss an update to the 2009 Fire Department Consolidation Study; and

**WHEREAS**, the meeting included municipal managers, Fire Chiefs and union representatives of the Sound Shore communities of Pelham Manor, Pelham, New Rochelle and Larchmont, which would be the focus areas of the study; and

**WHEREAS**, the proposed scope of the study is to determine if consolidation of the Sound Shore departments would allow for the delivery of emergency services in a more financially prudent manner, meeting the minimum standards of NFPA 1710 for the delivery of fire suppression and EMS by sharing existing resources and improving conditions for the firefighters and communities they serve; and

**WHEREAS**, Westchester County has agreed to fund the full cost of the study provided they receive formal support from all of the communities to be included in the study; and

**WHEREAS**, participation in the study does not commit the Village to make any changes based on the findings of the study; now therefore be it

**RESOLVED** that the Board of Trustees supports the intent of the study and hereby formally requests to be included in the study; and be it further

**RESOLVED**, that the Village Board of Trustees appreciates the on-going efforts of Westchester County Officials to review opportunities to share and improve services with the goal of reducing the financial burden on our residents.

The Mayor announced resolutions approved at recent work sessions.

Work Session  
Resolutions

1. In support of the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022- 10/3/2022
2. Auth. Administrator to enter into agreement w/ DTS Provident Design- 10/3/2022
3. Free Holiday Shoppers Parking in Metered Zones 12/9 to 12/26- 10/17/2022

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

RESOLUTION  
Minutes 9/19/2022

**RESOLVED**, to approve the minutes of September 19, 2022.

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

RESOLUTION  
Work Session  
Minutes 10/3/2022

**RESOLVED**, to approve the minutes of the work session of October 3, 2022.

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

**RESOLVED**, to approve the Bills List, dated October 13, 2022 in the amount of \$320,370.29.

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

**RESOLVED**, to approve the Bills List, dated October 17, 2022 in the amount of \$434,939.10, pending Trustee Brennan’s final review.

On motion of Trustee Fanelli, seconded by Trustee Post and unanimously carried, the meeting adjourned at 10:07PM.