

Minutes of the Work Session Meeting
of the Board of Trustees of the Village
of Larchmont, N.Y.
held on Monday, June 5, 2023

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

ABSENT: Trustee Charles Manice

Also Present: Administrator Datino, Asst. Administrator Katzin

On motion of Trustee Post, seconded by Trustee Brennan, and unanimously carried, it was:
RESOLVED, that the Board entered into Executive Session.

On motion of Trustee Post, seconded by Trustee Brennan, and unanimously carried, it was:
RESOLVED, that the Board exited into Executive Session.

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

Resolution Supporting New York State Senate Bill S1856 And New York State Assembly Bill A3226, The New York State Birds And Bees Protection Act Referred to:

WHEREAS, the Birds and Bees Protection Act concerns use of neonicotinoids, or "neonics," which is a class of neurotoxic pesticides that includes imidacloprid, thiamethoxam, clothianidin, dinotefuran, and acetamiprid; and

WHEREAS, research shows that widespread use of neonics is a leading cause of decline in honeybees as well as pollinators and a threat to birds, fish, whitetail deer, and entire ecosystems; and

WHEREAS, New York's agricultural economy depends on healthy populations of bees and other pollinators to produce valuable and healthy foods like apples, squash, tomatoes, cherries and other top crops, worth an estimated \$439 million annually; and

WHEREAS, the United States Environmental Protection Agency and other independent research has found that neonics can harm human health, and the Centers for Disease Control and Prevention have found that half of Americans are regularly exposed to neonics; and

WHEREAS, the bill would: (1) prohibit sale and use of neonic-treated corn, soybean, and wheat seeds effective January 1, 2025; (2) prohibit non-agricultural uses of neonics on turf and ornamental plants, effective January 1, 2024; and (3) allow the New York Department of Environmental Conservation (DEC) to permit use of neonics to combat invasive species, including but not limited to emerald ash-borer and hemlock woolly adelgid; and (4) require DEC, in collaboration with the Department of Agriculture and Markets, Cornell University, and the New York College of Environmental Science and Forestry to study alternatives to neonics; and

WHEREAS, the Birds and Bees Protection Act addresses a serious threat to pollinators and ecosystems and safeguards the future of New York's food system by banning high risk, low-to-no benefit uses of neonicotinoid insecticides;

Now, therefore be it RESOLVED, that the Village of Larchmont does hereby support and encourage advancement of S1856 / A3226, banning neonic-treated corn, soybean, and wheat seeds and most outdoor, non-agricultural uses of neonicotinoid insecticides; and, be it further RESOLVED, that the Village Clerk shall provide a copy of this resolution to Governor Kathy Hochul; Basil Seggos, NYS Commissioner of Department of Environmental Conservation; Mary T. Bassett, M.D., M.P.H., NYS Commissioner of Health; Richard Ball, NYS Commissioner of the Department of Agriculture; and our local New York Senate and Assembly representatives, Honorable Shelley Mayor and Honorable Steve Otis, and move its adoption.

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

WHEREAS, the life and health of the Village of Larchmont's (the "Village") residents are our utmost priority; and

WHEREAS, Vision Zero is a data-driven safe systems approach to create safer streets for all, whether walking, biking, driving, or taking transit, regardless of age or ability; and

WHEREAS, the Village recognizes that no one should die or be seriously injured while traveling on our streets or walking on our sidewalks;

WHEREAS, the Village will continue to invest in and prioritize the highest risk corridors and intersections based on evidence-based analysis of crash data; and

WHEREAS, the Village is working toward reducing vehicle speeds, because the average risk of severe injury for a pedestrian struck by a vehicle reaches 10% at an impact speed of 16 mph, 25% at 23 mph, 50% at 31 mph, 75% at 39 mph, and 90% at 46 mph; and

WHEREAS, The Village strives to provide Safe Routes to Schools to hundreds of children every year.

NOW, THEREFORE, BE IT RESOLVED, that the Village adopts the goal of Vision Zero – that no loss of life or serious injury is acceptable on our Village streets; and

BE IT FURTHER RESOLVED that a Vision Zero Task Force will be formed to advise the Board of Trustees on the development and implementation of a Vision Zero Safety Action Plan; and shall be comprised of individuals with expertise and/or interest in transportation, enforcement, education, public health, transit, biking, walking, vehicles, and freight; and

BE IT FURTHER RESOLVED that the Board of Trustees directs the Vision Zero Task Force to reduce injuries while traveling on the streets in the Village through data, outreach, projects, and community feedback.

On motion of Trustee Post, seconded by Trustee Brennan, and unanimously carried, it was: **RESOLVED**, authorizing the Administrator to execute a professional services agreement with ARKF to prepare a grant application.

On motion of Trustee Post, seconded by Trustee Brennan, and unanimously carried, it was: **RESOLVED**, authorizing the Treasurer to transfer \$10,000 from fund balance to cover the cost of grant preparation services.

On motion of Trustee Brennan, seconded by Trustee Post, and unanimously carried, to amend Section C-"Cost for Event Permit":

EVENT PERMIT RULES AND REQUIREMENTS POLICY

General Information:

A. Events for Which Permits Are Needed

Any organized activity in a Village of Larchmont (the "Village") park or street with **15 or more** people, requires an event permit from the Village. The following are parks within the Village of Larchmont: Addison Park, Constitution Park, Flint Park, Kane Park, Lorenzen Park, Playhouse Plaza Park, Pine Brook Park, Woodbine (Willow) Park, and Turtle Park (collectively, "Parks" and individually, "Park").

Events for which permits are required include, for example, block parties, school picnics, wedding ceremonies, educational workshops, birthday parties, concerts, and field days.

The event permit only gives the Permittee permission to use the Park on the designated day and time of the event. Permittee will respect public's right to access all areas of Park during event.

Events which include 50 people or more are subject to the approval of the Village Board.

While a permit does not guarantee exclusive use of an area within the Park, it gives Permittees the right to hold their event in a specific area and ensures that other groups are not issued a permit to use the same space. Permittee should always keep a copy of the permit with them on the day of the event.

This event permit does not apply to the use of fields or parks for any sporting events organized by leagues, schools, or individuals.

This event permit also does not apply to any commercial filming in Village parks.

B. Holiday Weekends and Other Village Events

The Village will try to accommodate requests for event permits. However, it is sometimes necessary to offer the applicant different times, locations, or dates for events, due to the volume of requests and Park rules and conditions.

Depending on the details of the permit, the Village may be able to accommodate permits on holiday weekends. However, permits will not be issued for the holiday day proper. For example, while permits may be issued for events on the Saturday and Sunday prior to Memorial Day, a permit would not be issued for Memorial Day itself.

In addition, an event permit will not be issued on dates where the Village will host an event in a park, such as Larchmont Day.

C. Cost for Event Permit

The costs for an Event Permit will be set by the Village Board from time to time and will be included on the Village's Fees and Charges Schedule. The Event Permit fee shall be waived for non-profit organizations (i) providing programs at the request of the Village, or (ii) who are affiliated with the Village or the Mamaroneck School District, and that are hosting an event that is open to the public and free of charge, provided however, that the Village Board may, in its discretion, require an Event Deposit and/or reimbursement for expenses related to the use of Village resources.

D. Where to Apply for Permit

Permit applications will be submitted to and processed by the Village Clerk.

E. Indemnification

The Permittee shall be required to defend, indemnify, and hold harmless the Village of Larchmont and its members, officers, agents, and employees from and against damages for injury to or death of persons and for damage to or destruction of Village property or others occurring in connection with the Permittee's event permit and caused by the acts, omissions, neglect, or misconduct of Permittee or any of its employees, agents, contractors, licensees, or guests in the conduct of Permittee's operations under the event permit. The Permittee assumes all risk of loss of the Village's property or that of its agents, employees, contractors, and guests. Permittee's liability is not limited to the insurance coverage provided.

F. Insurance

Private groups larger than 50 persons, businesses, and non-profit organizations must provide the Village with a Certificate of Insurance naming the Village of Larchmont as additionally insured for the event and date(s) in the minimum limits of \$1,000,000 General Liability (occurrence), \$5,000,000 Excess/Umbrella Liability (occurrence), Workers' Compensation and Employers' Liability (if applicable) \$100,000 each accident.

Some other events may require a certificate of insurance, to be determined by the Village Administrator.

Rules and Restrictions

Amplified Sound

Amplified sound is generally not permitted and is decided on a case-by-case basis.

Clean-Up Requirements

Permittees will provide their own trash and recycling bags, and clean up during and after event, using trash cans provided in the area, if any. For any event that takes place on a weekend, Permittees must take their trash with them and may not leave it in any Village trash can.

Permittee agrees to leave the premises in the same conditions found at the start of the event. If food is being catered or delivered, Permittee is responsible for the removal of containers and/or boxes.

Damage

The Permittee is responsible for any damage related to the Permittee's acts or omissions occurring under the event permit and is responsible for all costs associated with promptly restoring the damaged premises subject to the Village's reasonable satisfaction.

Food and Beverages

Permittees may serve food and non-alcoholic beverages provided they comply with the Clean Up Requirements. Barbecuing (propane or fire of any sort) is prohibited.

Food tosses, of any kind, are not permitted.

Equipment

Any equipment the Permittee plans to use during an event must be disclosed in the permit application and is subject to Village approval.

Inflatables

Permittees may not use inflatables which means balloons or displays that are expanded with air or gas and used for event promotion, logo placement, product display, or recreational purposes.

Refundable Deposit

A Refundable Deposit may be required based on the type of event. The deposit is to ensure that the condition of the premises used by Permittees in connection with the event permit is unaffected by the event, and to cover any repair or restoration costs related to the event.

The foregoing repair/restoration cost coverage obligations do not apply to any damage existing prior to Permittee's access and use of the premises. Permittee's obligation to pay for the repair and restoration costs associated with the Permit is not limited to the amount of the Refundable Deposit.

Refundable Deposit amounts unused by the Village shall be returned to Permittee within fifteen (15) days.

Tables and Chairs

Tables and chairs are permitted and must be included on the permit application.

Tents, Signs, and Banners

Tents are not permitted. Signs and banners require permission and must be included on the permit application. No signs or banners can be affixed to trees. Permittees must hang signs or banners in a way that does not cause damage to physical structures.

Water, Electricity, or Other Park Services

Depending upon the Park, the Village may be able to provide access to electricity or water at events. Any requests for services should be clearly included in event permit application.

On motion of Trustee Brennan, seconded by Trustee Post, and unanimously carried, it was: **RESOLVED**, authorizing the Administrator to execute a master service agreement to join Equalis Group, and Intergovernmental cooperative purchasing consortium.