

Minutes of the Regular Meeting  
Of the Board of Trustees of the  
Village of Larchmont, N.Y.  
**held on Monday, September 17, 2018 at  
the Village Center, 119 Larchmont Avenue**

**PRESENT:** Mayor Lorraine Walsh  
Trustees Carol Casazza Herman  
Peter Fanelli  
Malcolm Frouman  
Sarah Bauer

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

Mayor Walsh welcomed all in attendance and called the meeting to order at 7:30 PM.

Mayor Walsh began the meeting by discussing Larchmont Day which took place this past Saturday. The 3<sup>rd</sup> Annual Larchmont Day, is a celebration of the Village's incorporation. 2018 is the 127<sup>th</sup> Anniversary of Larchmont. The event which lasted four hours, had live music, games, food and local community group's information tables. With the weather cooperating, more than 2,000 were in attendance.

The Mayor then extended thanks to the following for their efforts on Larchmont Day: LFD & families, PBA & families, DPW, Board & families, M. McCarthy & J. Hofstetter of Coldwell Banker Realty, Joyce Callahan, Zsuzsanna Baan-Jonas, Iraci DiBuono, Ken Dircks & bands, Glenna Lee & Girl Scouts, Andrew Gristina & Boy Scouts, One River School of Art & Design, Plaster Palace, Sound Movement, Chamber of Commerce, Randy Stavis, Coach Chap & MHS baseball team, Town Highway Dept., VAC, LMC-TV, Larchmont Historical Society, Historic Preservation Task Force, At Home on the Sound, Friends of the Family, Larchmont Women's Club, Mamaroneck Environmental Coalition- Food Waste Compost Program, Newcomer's Club.

Mayor Walsh added thanks to County Executive George Latimer, State Senator Shelly Mayer, State Assemblyman Steve Otis, Town Supervisor Nancy Seligson, Town Board members Jaine Elkind Eney, Jeff King and Village of Mamaroneck Mayor Tom Murphy.

Mayor Walsh next spoke about a letter Con Edison has sent out on gas leaks. Residents should be aware of what to do in case of a gas leak. Natural gas smells like rotten eggs and if you smell that, do not turn appliances on or off or do anything that may cause a spark. Exit the premises immediately and call 911. Do not call from inside. For more information go to: [conEd.com/gassaftey](http://conEd.com/gassaftey).

Next the Mayor said a letter has been sent to residents on corrected water bills. Anyone with questions should contact Frank Longo in the Treasurer's office.

On motion of Trustee Bauer, seconded by Trustee Herman, and unanimously carried, it was: **RESOLVED**, to reappoint Chris Belisle and Anne Kimball to the Traffic Commission for a term of three years.

On motion of Trustee Frouman, seconded by Trustee Herman, and unanimously carried, it was: **RESOLVED**, to reappoint Rick Lefever to the Architectural Review Board for a term of three years.

On motion of Trustee Bauer, seconded by Trustee Herman, and unanimously carried, it was: **RESOLVED**, to appoint Katherine Martin to the Architectural Review Board for a term of three years.

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

**RESOLVED**, to reappoint to the Zoning Board of Appeals David Kriss as Chair, Bruce Frankel, Sal Alini, Jr. and Brett Forman as members and Jack Callahan as an alternate member for a term of three years.

Mayor Walsh said the Village always needs volunteers. If interested contact the Clerk's office.

Mayor Walsh then talked about the Skull Patrol Program that promotes bicycle safety by awarding children for wearing helmets while biking. This is the second year of this program that is sponsored by the Recreation Committee and the Police Department. When a police officer sees a child riding a bicycle with a helmet on they give the child a ticket. That ticket is redeemable for items at participating merchants. They are also automatically entered to win a new bike donated by Miller's. The Mayor asked Police Chief John Poleway to draw the winning ticket. The winner was Will Norman. Mayor Walsh thanked everyone involved with this program.

Chief Poleway made the following report.

1. The New York State Fiscal Year 2017-18 Budget included legislation to raise the age of criminal responsibility to 18 years of age. This newly enacted legislation includes statutory amendments that a) create new Adolescent Offender (AO) classifications; b) establish a new Youth Part in the Superior Court; and c) require misdemeanor cases, with the exception of Vehicle and Traffic Law (VTL) misdemeanors, to be heard in Family Court.

Approved by the New York State Assembly by a vote of 81-40, the legislation mandates that the state no longer automatically prosecutes 16- and 17-year-olds as adults, moving all cases for those youths charged with misdemeanor and nonviolent felony cases to Family Court. Until this change in the law, New York was one of two states (the other being North Carolina) to prosecute individuals of this age as adults. Individual counties still retain the right to prosecute certain cases differently based on the nature of their offense through an area of the adult court system called the youth part. Approximately 28,000 youthful offenders prosecuted each year would now be diverted from adult correctional facilities, where they would be among the most vulnerable members of the general population.

If the judge determines there is a need for pre-trial detention, AOs will be held in newly created "specialized secure juvenile detention facilities for older youth." AOs diverted to Family Court will be eligible for adjustment services through probation. These programs will be tailored to the specific needs of each individual. Parental notification requirements will also be extended to include 16- and 17-year-olds.

Unfortunately, it appears the law was passed without much consideration about how it would be implemented in terms of the infrastructure and the personnel that is required for the practical application of the statute. The most pressing issue is that convicted adolescent offenders would be required to be interred in separate, specialized facilities from adult jails and prisons, few of which currently exist. This has led to some concerns among local officials over where some of these adolescent offenders will be sent. With limited beds, counties across the state may find themselves competing with others for places to house those convicted of crimes. It is unclear what other areas of government will incur hidden costs related to unanticipated impacts from the legislation, whether it means adding staff in the County Attorney's office, improving aspects of the county's Mental Health Department or introducing modifications to the Department of Social Services. Local police departments will also be responsible for temporarily housing AO's before they are arraigned and placed into a secure detention facility and this would require constant one-on-one police supervision for each offender taken into custody. This potentially will create staffing and overtime concerns for many departments at a time when resources are already limited. Hopefully this legislation will not prove to be simply another unfunded mandate from the state.

*All statutory amendments pertaining to 16-year-olds take effect on October 1, 2018, and 17-year-olds are effective October 1, 2019.*

For further information regarding the new legislation and to view frequently asked questions please visit [www.ny.gov/programs/raise-age-0](http://www.ny.gov/programs/raise-age-0).

2. According to the County District Attorney, residents in Westchester have reported a rash of mail thefts. In some instances, mail is stolen directly from mailboxes using keys or other fishing techniques, while other reports have included an entire mailbox being taken with the mail, which sometimes contains sensitive items like personal checks. If checks are stolen, thieves can also “wash” a check by removing the ink used to fill in the amount and potentially empty victims’ bank accounts by forging their own information.

Residents have increasingly reported stolen mail from areas in New Rochelle, Bronxville, Purchase, Tarrytown, and elsewhere across the County. In the City of Yonkers alone, \$660,000 was stolen by mail thieves since January from 85 different victims. These thefts threaten the livelihoods of residents of Westchester County and often impact some of the most vulnerable populations. County Legislators have urged U.S. Post Master General Megan Brennan to bolster the number of mail inspectors assigned to combat fraud in the area as there are currently only three full-time inspectors that cover the Bronx, Westchester, and Rockland Counties.

There are certain steps that can be taken by residents to minimize their chances of becoming a victim of mail fraud. Specifically, avoid sending checks in the mail and opt instead for online payments, if possible. Also, immediately report mail that has not arrived at its’ destination and be conscientious about checking bank and credit card statements. Using gel pens on checks is a good practice as well as the ink from these pens are less easily “washed” by scammers.

3. I would like to remind all motorists that school is back in session and I urge you to please be careful in and around school zones for children walking and biking to and from school. The school zones are also designated speed zones and the village speed limit decreases from 30 MPH to 20 MPH in these areas. In addition, be mindful and watch for stopped school buses loading and unloading children. The NYSVTL requires vehicles to stop, in both directions, for school buses loading and unloading students. While police officers will be patrolling school zones for driving violations, we ask everyone to please slow down and be patient to ensure the safety of all our students.

4. The ban on the operation of all gas powered leaf-blowers within the Village, which has been in effect since June 1<sup>st</sup>, will end on October 1<sup>st</sup>. As you are aware, Village Code section 195-5 prohibits the use of these devices and anyone found in violation of this statute is subject to receiving a court appearance ticket and a fine. Again this year the Larchmont Committee on the Environment sought to educate people on this issue and thereby gain voluntary compliance with the Village code. As part of this process, the police department also increased its’ enforcement efforts and the overall initiative was successful as we saw a decrease in the number of complaints being received as the summer progressed.

5. Since August 1<sup>st</sup>, the police department has responded to: 69 Burglar Alarms, 24 Motor Vehicle Accidents, 38 Aided Cases, and 330 other Calls for Service. In addition, there were 4 Vehicle and Traffic Law Arrests as well as 8 Penal Law Arrests.

6. I would like to remind our residents to stay vigilant in reporting any suspicious or possible terrorist related activity that may be observed. If you observe something that may be suspicious, please, do not keep it to yourself – call the 24 hour NYS Terrorism Tips Line at **866 SAFE-NYS (866-723-3697)** or simply call the Larchmont Police Department at (914) 834-1000.

Fire Chief’s report.

1. The Fire Department acquired a new water craft from the NYS Office of General Services. The previous Fire Department vessel was a 17 foot RIB with a 95 hp jet drive engine. It served us well for almost three years and has been sold. Its replacement is a 22 foot Boston Whaler Guardian series with a 225 hp Mercury outboard. The new vessel is now available for service to answer water related calls for assistance. Both vessels were acquired through the States surplus equipment program where surplus government equipment is redistributed to other municipalities once the Government no longer has a need for it. Fire Department water craft

are utilized for race week, July 4 fireworks, regattas, lost or stranded boaters and other events on the water to offer medical and fire related services should it be needed. The Fire Boat is moored at the LYC and can be accessed for deployment without delay.

2. September is National Preparedness month and residents can visit [www.ready.gov](http://www.ready.gov) to view the theme for this week and other helpful tips for being ready for this year's storm season. This week's theme is Check your coverage. Insurance is your first line of defense. Documenting your belongings and having the correct insurance allows families and communities to recover quickly and more fully from a disaster. Residents should take the storms seriously and prepare for the worst to avoid loss or damage to their property.

All apparatus and equipment are in service.

Fire Inspections and Code Enforcement are ongoing.

Trustee Bauer made the following report.

1. Thanks to Eli Goldfine for donating the \$185 he made with his lemonade stand to the Children's Library.

2. The Children's Room at the Library will now close at 7:00 PM.

3. The Library would like to thank the Fire Department for a medical emergency that happened at the Library recently.

4. Banned Book Week will take place during the last week in September at the Library. Local authors will pose for pictures while reading their favorite banned books. The pictures will be made into posters and will be hung around the Library.

5. Sign-up for the Scarecrow Festival. Registration is open to September 29<sup>th</sup> and will take place on October 20<sup>th</sup>.

6. Check the Library's website and Instagram for more information on programs and events.

Mayor Walsh thanked Trustee Fanelli for his company providing the stage for the bands to play on at Larchmont Day.

Trustee Fanelli gave the following report.

1. Cardio Tennis & Tennis for Tots will be held again on the courts in Flint Park. Go to the website to sign-up.

2. Pickle Ball sign-up has begun on the Village website.

3. Keep watching the website for the sign-up of the annual Halloween Window Painting.

4. Paddle Courts are still being repaired but will be open when the season begins.

5. The Ragamuffin Parade will take place on October 20<sup>th</sup> with a rain date on October 27<sup>th</sup>.

6. The Fire Department is looking for volunteers. Stop by the fire house for more information.

7. The 3<sup>rd</sup> Larchmont Day was a big success. Games, food and information tables made the event well attended. Thanks to Ken Dierks for the music, the Board and the Fire and Police Departments, VAC, DPW, LMC-TV and United Stage Associates.

8. Big Trucks Day was also held on Saturday. Thanks to DPW, Fire Department and the Town Highway Department.

9. The Larchmont Arts Committee will hold their annual Art Festival on Saturday, September 29<sup>th</sup> with a rain date the next day.

10. Congratulations to VAC for receiving Latimer Award.

11. Thanks to Nancy Seligson and the Town staff for hosting the WMOA meeting last week at Winged Foot Golf Club.

Trustee Frouman made the following report.

1. The Historic Preservation Task Force will have an outreach panel at the Summit on October 16<sup>th</sup> at the Nautilus Diner on the subject, "Should Larchmont Adopt Historic Preservation Legislation". There will be several speakers including HPTF chair, Mauri Tamarin.

Mayor Walsh announced resolutions adopted at recent work sessions.

1. Authorize Mayor to sign Memo of Understanding w/ Sustainable Westchester

2. SEQRA/ Sanitary Sewer Repairs

On motion of Trustee Herman, seconded by Trustee Fanelli, and unanimously carried, it was: **RESOLVED**, to approve the minutes of the meeting held on July 16, 2018.

On motion of Trustee Herman, seconded by Trustee Frouman, and unanimously carried, it was: **RESOLVED**, to approve the minutes of the meeting held on August 20, 2018.

On motion of Trustee Fanelli, seconded by Trustee Herman, and unanimously carried, it was: **RESOLVED**, to approve the minutes of the work session held on July, 2018.

On motion of Trustee Bauer, seconded by Trustee Herman, and unanimously carried, it was: **RESOLVED**, to approve the minutes of the work session held on September 10, 2018.

On motion of Trustee Bauer, seconded by Trustee Frouman, and unanimously carried, it was: **RESOLVED**, that Abstract Audit Voucher #4, dated September 17, 2018, in the amount of \$191,381.23, per copies filed with the Clerk, be paid, subject to confirmation and approval of Trustee Herman.

On motion of Trustee Bauer, seconded by Trustee Herman, and unanimously carried, the meeting was adjourned at 8:24 PM.