

VILLAGE OF TARRYTOWN
BOARD OF TRUSTEES
REGULAR MEETING 7:00 P.M.
MONDAY, JULY 19, 2021
Tarrytown Village Hall
One Depot Plaza, Tarrytown, New York

Pursuant to the end of the State of Emergency in New York State
pertaining to COVID-19, all meetings will now be in person.

REGULAR MEETING: 7:00 P.M.

1. Board Miscellaneous and Liaison Reports
2. Changes and/or Additions to the Agenda
3. Presentation by Ned Sullivan, President and CEO of Scenic Hudson
4. Administrator's Report
5. Public Hearing – Compatible Use Permit, DaVita Kidney Care, 200 White Plains Road

WHEREAS, a public hearing notice was published in the Journal News on July 2, 2021; and

WHEREAS, a public hearing was held on the proposed action on July 19, 2021.

NOW, THEREFORE, BE IT RESOLVED that the action is determined to be a Type 2 Action under NY SEQRA and therefore no further environmental review is necessary and;

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve a Compatible Use Permit application for DaVita Kidney Care, 200 White Plains Road to set up operations at this location, with a training component included as part of their operation and authorizes the Village Administrator and the Village Engineer and Building Inspector to take the necessary and appropriate actions to move forward with this Compatible Use Permit.

6. Opportunity for the Public to address the Board only on items listed on the Agenda, other than public hearing items. Speakers shall have three (3) minutes each to address the Board of Trustees.
7. Resolution to schedule a public hearing on a proposed amendment to Chapter 305, the Zoning Code, regarding definitions, related to Medical/Physician's Offices.

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby schedules a public hearing to be held on Monday, August 16, 2021, at 7 p.m., at the Regular Tarrytown Village Board Meeting, to consider "A local law to amend Section 305-5, regarding definitions," to add physician's offices to the list of authorized uses under the definition of General Offices (applicable to the MU and OB zones); and

BE IT FURTHER RESOLVED that the Board of Trustees hereby directs the Village Clerk, the Building Inspector and the Village Administrator to take the necessary and appropriate actions to advertise, publish and circulate the required notices needed to hold this hearing.

8. Handicapped Parking Spaces (3) South Washington Street Lot

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby authorizes a change to the Village Code Chapter 291-92 regarding Handicapped Parking Spaces, to establish handicapped parking spaces in the South Washington Street Parking Lot.

Section 291-92. Schedule XXVII: Handicapped Parking Spaces.

In accordance with the provisions of 291-62, the following described streets, driveways, parking lots and auto parks or parts of streets, driveways, parking lots and auto parks are hereby designated as handicapped parking spaces and are designated for use by persons with handicapped parking permits (new language in bold italic print):

The following language is added to the schedule, in the South Washington Street Lot, also known as Municipal Lot #3

Name of Street, etc.	Side	Number of Spaces; Location
Municipal Lot #3	Northwest Corner	1; time limit 6 hours
Municipal Lot #3	Northeast Corner	2; time limit 6 hours

9. Authorization to purchase used Fire Utility Apparatus from the South Salem Fire District:

WHEREAS the Village of Tarrytown became aware of the advertisement of a used Fire Utility Apparatus for sale by the South Salem Fire District; and

WHEREAS the apparatus being sold is a 1999 Freightliner FL 106 Heavy Rescue vehicle with approximately 17,100 miles on it, in as-is condition; and

WHEREAS the Village made an offer of \$45,000 for this vehicle to the South Salem Fire District, which was countered, after which the Village made a revised offer of \$50,000 for this vehicle in as-is condition, after review by the Village’s DPW mechanics to determine that the vehicle is in good running condition at the time of inspection; and

WHEREAS, pursuant to the provisions of Section 103 of the New York State General Municipal Law, the South Salem Fire District had put this vehicle out for sale via legal advertisement, and the Village of Tarrytown may purchase surplus and second-hand equipment from another governmental entity.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown authorize the purchase of a 1999 Freightliner FL 106 Heavy Rescue vehicle with approximately 17,100 miles on it, in as-is condition in the amount of \$50,000, which was accepted by the South Salem Fire District, and directs the Village Administrator and Village Treasurer to take the necessary and appropriate actions to effect the purchase of this vehicle through the issuance of a purchase order and whatever other legal steps may be necessary to take possession of this vehicle.

10. Authorization to declare used Village Fire apparatus as surplus

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby declares as surplus and available for sale the Village of Tarrytown’s 1996 Volvo “VFE”, VIN (last 4 digits) 5970, with over 58,000 miles on it, noting that the Village shall remove equipment from it that still has value, such as the cascade air-charging unit; and

BE IT FURTHER RESOLVED that the Village Administrator is authorized to work with the appropriate village staff to dispose of this vehicle in the most appropriate manner.

11. Approval of Water Rate Increase

WHEREAS, since the Village of Tarrytown has not had a water rate increase in over a year, which was delayed mostly due to the COVID-19 pandemic, but has experienced increases in costs for water from New York City, as well as increases in other operating expenses for the Water Department; and

WHEREAS, since New York City just adopted an increase in their water rates by approximately 8.822% in June, 2021, and the Village budgeted other cost increases for the Water Fund including salaries and benefits at an increased rate of approximately 4%, with increases in the pension system of approximately 16%, as well as capital costs for ongoing water system repairs and rehabilitation; and

WHEREAS, the blended rate of these increased expenses amounts to the need for an overall five percent (5%) increase in water rates to be charged to Tarrytown Water System consumers, as well as a corresponding increase in the out-of-district water system rates for water supplied by the Village to customers outside of Tarrytown.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown hereby enacts a five percent (5%) increase in water rates to be charged to Tarrytown Water System consumers, as follows:

Tier	Current amount	Classification	New Rate 5% increase
R1	\$84.29	Regular residential	\$88.50
R2	\$126.43	Outside Village Residential	\$132.75
R3	\$62.85	Senior (w/tax exemption)	\$65.99
<u>Village Non-Residential (Commercial)</u>			
R5	\$86.69	per 1,000 cubic ft. for first 2,000 c.f.	\$91.02
	\$104.04	per 1,000 cubic ft. for next 5,000 c.f.	\$109.24
	\$124.84	per 1,000 cubic ft. for next 5,000 c.f.	\$131.08
	\$149.81	per 1,000 cubic ft. thereafter	\$157.30
<u>Outside Village Non-Residential (Commercial)</u>			
R5	\$130.03	per 1,000 cubic ft. for first 2,000 c.f.	\$136.53
	\$156.04	per 1,000 cubic ft. for next 5,000 c.f.	\$163.84
	\$187.24	per 1,000 cubic ft. for next 5,000 c.f.	\$196.60
	\$224.69	per 1,000 cubic ft. thereafter	\$235.92
S1Sewer	\$2.50	per 1,000 cubic ft.	\$2.63

BE IT FURTHER RESOLVED that the Village Administrator and Village Treasurer are authorized to take the necessary and appropriate actions to charge this new rate immediately with the next water billing cycle.

12. Authorization for PCI engineering proposal

BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown authorize the Village to enter into an agreement with Professional Consulting LLC (PCI) Engineering to prepare design documents and perform construction management services related to the Water Main Replacement project contemplated for the Altamont Ave., Rosehill Ave., Grove St., and Hillside Pl. area of the Village of Tarrytown; and

BE IT FURTHER RESOLVED that the Village Administrator is authorized to execute the agreement for these services and to work with all involved departments of the Village of Tarrytown to move ahead with the work contemplated herein.

13. Authorization for an MOU with Westchester County for the Climate Action Planning Initiative

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown authorizes the Village to enter into a Memorandum of Understanding (MOU) for the Village and the County and other municipalities to work cooperatively on the Climate Smart Communities Grant Program (the “CSC Grant Program”) of the New York State Department of Environmental Conservation (“NYSDEC”), in partnership with HVRC, for funding to support and advance the Westchester County Climate Action Planning Institute (“Westchester CAPI”) program, and

BE IT FURTHER RESOLVED that the Village Administrator is authorized to execute this agreement with Westchester County for this cooperative effort, at no cost to the Village of Tarrytown except for in-kind services by staff and volunteers, and the Village Administrator is authorized to take the necessary and appropriate actions to move forward with the Village’s obligations under the MOU.

14. Jazz Forum Arts Grant Agreement with the Westchester Community Foundation

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize and direct the Village Administrator to execute an agreement between the Westchester Community Foundation (WCF), the Jazz Forum Arts organization and the Village of Tarrytown, for the Village to act as the fiscal agent to process the grant on behalf of the Jazz Forum Arts in coordination with the WCF; and

BE IT FURTHER RESOLVED that the Village Administrator and the Village Treasurer are authorized to take the necessary and appropriate actions to receive and disburse this payment to the Jazz Forum Arts on behalf of the Westchester Community Foundation.

15. Acceptance of a donation towards Tarrytown Sleepy Hollow Day Camp

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby authorizes the acceptance of an anonymous gift of \$2,500 made by a resident of the community towards the camp, to support scholarships for families who can’t afford the full cost of camp.

16. Acceptance of a donation for a scholarship for Tarrytown’s Summer Camp

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby authorizes the acceptance of a gift of \$300 made by residents of the community towards the camp, in memory of Tarrytown resident Judy Trent, to support a scholarship for a child whose family can't afford the full cost of camp.

17. Resolution authorizing an application to the Consolidated Funding Application (CFA) on behalf of the Village of Tarrytown and Scenic Hudson, for design and Environmental Review, related to the Pedestrian/Bicycle overpass to connect the Shared Use Path (SUP) and related pathway with the north and south ends of the Hudson RiverWalk.

Resolution authorizing the Village of Tarrytown to submit a Consolidated Funding Application (CFA) to the Mid-Hudson Regional Economic Development Council to fund the Environmental Review and preliminary design for the extension of Westchester RiverWalk from Green Street under the Governor Mario M. Cuomo Bridge, up to its Shared Use Path, and on south to connect to the existing segment of RiverWalk south of the Bridge.

WHEREAS, the Village of Tarrytown and Scenic Hudson have been working cooperatively for several years now, initially through a grant from the New NY Bridge Community Benefit Fund (now the Governor Mario M. Cuomo Bridge and Shared Use Path), to explore in concept the creation of a connecting pedestrian and bicycle path that will connect ends of RiverWalk near Losee Park and south of the Van Wart Avenue trailhead and up to the Bridge's Shared Use Path (SUP); and

WHEREAS, the Village of Tarrytown has agreed to act as the CFA applicant for NYSDOS LWRP funding to conduct an environmental review and preliminary work on the design of such a path; and

WHEREAS, there is value that would be created by connecting RiverWalk to Westchester's emerging system of regional trails, including the SUP across the Governor Mario M. Cuomo Bridge, as well as to the nearby Old Croton Aqueduct, and in the future, possible bicycle trails/dedicated lanes that will expand the trail system in Tarrytown and in the neighboring River Towns; and

WHEREAS, while a large portion of RiverWalk's planned 51-mile length has been completed, there are several sections that remain unfinished, and the section under the Governor Mario M. Cuomo Bridge should be prioritized for construction, because RiverWalk under the Bridge would fill a major missing link in the entire trail, and because of the regional benefit as well as the benefit as an attraction to our Tarrytown Waterfront and to the businesses in our Downtown Business District and the other local business areas along Broadway; and

WHEREAS, once completed, this trail will safely connect the Villages of Sleepy Hollow, Tarrytown and Irvington and provide access to important Westchester historic sites such as Lyndhurst, Sunnyside, Kykuit and Philipsburg Manor, and would greatly benefit walkers and bicyclists using the SUP over the Bridge from Rockland County, providing them with safe access to the RiverWalk trail on the Westchester side of the river; and

WHEREAS, the RiverWalk connection is more than a trail project, since it would also serve as an important multi-modal transportation connection between the SUP and Metro North rail service at Tarrytown Station, Bee Line bus service throughout the County, the Lower Hudson Transit Link (LHTL) bus line and local emerging trail systems in Sleepy Hollow, Tarrytown and beyond; and

WHEREAS, during the work to prepare the documents and materials necessary to apply for this grant application, it has been determined that the total grant project that will be applied for at this time through the DOS/LWRP Program is \$868,750, at no monetary cost to the Village of

Tarrytown (only matching services through administration and support of the grant project), with a match by Scenic Hudson in the estimated amount of \$217,187, which is 25% of the total project cost for the SEQRA and NEPA environmental reviews, with the proviso that the role of Lead Agency will be fulfilled by the NYS Thruway Authority or another qualified State or County governmental agency.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown authorizes the Village of Tarrytown to act as Lead Grant Applicant, authorizes the Village Administrator to execute and file this application in a joint effort with Scenic Hudson to apply for a grant through the CFA NYS DOS LWRP Grant program, in the total project amount of \$868,750, with no matching funds from the Village of Tarrytown, and authorizes the Village Administrator and other involved Village staff to take the necessary and appropriate actions to complete, file and administer this grant application and project on behalf of this cooperating group, by the deadline of July 30, 2021.

18. Vacation and extended Parking Permits

WHEREAS, the Village of Tarrytown has been receiving a number of inquiries from residents and non-residents who would like to park for extended periods of time at the commuter parking lot D operated by the Village as follows:

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby authorizes the Village amend Chapter 291-51 to issue vacation and extended parking permits to residents and non-residents, based on the following fee schedule:

- Resident Overnight parking in two-day blocks - \$10 per two-day block
- Resident vacation permit for ten-day block (Friday through following Sunday) - \$40 per ten-day block
- Non-Resident Overnight parking in two-day blocks - \$25 per two-day block
- Non-Resident vacation permit for ten-day block (Friday through following Sunday) - \$120 per ten-day block

19. Tree Warden

BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown hereby appoints Peter Bartlett of Tarrytown, NY, to the position of Tree Warden for the Village, to replace Deirdre Carsto, who has resigned due to relocating out of the Village of Tarrytown, and we thank Deirdre for her many years of conscientious and quality service to the Tarrytown community.

20. Part Time Salary Increases at the Recreation Front Desk

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby authorizes the hourly wage rates for part time workers at the Recreation Front Desk to increase from \$13.50 to \$14.25 per hour, effective retroactively as of June 1, 2021, and authorizes the Village Administrator, Village Clerk and Village Treasurer to take the necessary and appropriate actions to implement this increase.

21. Part Time Worker – Recreation Front Desk

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby authorizes the appointment of Jane Singman as Rec Assistant working the front desk to fill in for vacancies at the front desk, at the hourly rate of \$14.25 per hour, pursuant to the applicable rules and regulations of Civil Service.

22. Pool Director, Camp Director and Softball Coordinator

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby authorizes the appointment of Kelly Murphy as Pool Director for the summer season, to fill in for the departure of the Recreation Leader, at the hourly rate of \$28 per hour, pursuant to the applicable rules and regulations of Civil Service.

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby authorizes the appointment of Kathryn Morales as Camp Director for the summer season, at the hourly rate of \$25 per hour, pursuant to the applicable rules and regulations of Civil Service.

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby authorizes the appointment of John Hrycko as Softball Coordinator on an as-needed basis, at the hourly rate of \$35 per hour, pursuant to the applicable rules and regulations of Civil Service.

23. Additional Lifeguard appointments

BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown hereby authorizes the appointment of the following additional pool employees, as 2021 Summer seasonal employees to work at the Tarrytown Pool, with the pool season to take place in accordance with the rules and regulations of the County and State DOH's and the CDC.

2021 Additional Swimming Pool Staff

	Name	Position/Title	Wage Rate
1	Matica, Michael (promotion)	To Head Lifeguard	\$16.50
2	Raimondo, Amanda	Lifeguard	\$13.50
3	Monticelli, Enzo	Lifeguard	\$13.50
4	Hymowitz, Sarah	Lifeguard	\$13.50

24. Additional Camp appointments

BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown hereby authorizes the appointment of the following additional camp employees, as 2021 Summer seasonal employees to work at the Tarrytown Day Camps, provided that, in consideration of the limitations imposed by COVID-19, these appointments are expressly conditioned upon the Village's determination and ability to open the Camp and to allow a camp season to take place in accordance with the rules and regulations of the County and State DOH's and the CDC.

2021 Additional Day Camp Employee Appointments and Hourly Rates

	Name	Position	Wage Rate
1	Alexander, Lauren	Counselor	\$9.50
2	Bacalan, John	Counselor	\$9.50
3	Briante, Jessica	Counselor	\$9.50
4	Chebetar, Alexandra	Counselor	\$9.50
5	Dossantos, Markus	Counselor	\$9.50
6	Flores, Gabriel	Counselor	\$9.50
7	McGuire, Brianna	Counselor	\$9.50
8	McGuire, Cassandra	Counselor	\$9.50
9	Zekus, Julia	Counselor	\$9.50

25. Summer Seasonal Laborer – Parks Department

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint David Rivera of Tarrytown, New York, to the position of Summer Seasonal Laborer - Parks Department at an hourly rate of \$18.00 per hour effective Tuesday, July 20, 2021.

26. Approval of Minutes of the June 21, 2021 Regular Board Meeting

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the minutes of the regular meeting of the Board of Trustees held on Monday, June 21, 2021, as submitted by the Village Clerk.

27. Approval of Audited Vouchers

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No. 2 Audited Vouchers (for 7/7/21 and 7/21/21) in the total amount of \$690,968.10 as presented by the Village Treasurer, to be paid in the following amounts:

General	\$ 451,159.08
Water	\$ 113,770.51
Sewer Fund	\$ 282.60
Capital	\$ 97,997.50
Library	\$ 17,603.44
Trust & Agency	\$ 10,154.97
Total	\$ 690,968.10

28. Opportunity for the Public to address the Board on items not included on the agenda. Speakers will have three (3) minutes before yielding to the next speaker.

29. Adjournment.

LOCAL LAW __ - 2021

A local law to amend Chapter 305 of the Tarrytown Code, entitled Zoning, Section 305-5 regarding definitions.

Section 1. Be it enacted by the Board of Trustees of the Village of Tarrytown as follows (Language in **to be added**, language in ~~**to be deleted**~~):

Section 2. Amending Existing Section. Section 305-5 entitled “Word usage, terms defined.”, Subsection B shall be amended as follows.

GARAGE, PUBLIC

A building or part thereof, other than a private garage, used for the storage, care or repair of motor vehicles for remuneration, including any sale of motor vehicle accessories, or where any such vehicles are kept for hire.

GENERAL OFFICES

General offices shall be solely limited to offices for sales, accounting, administrative, marketing, consulting or financial services and to offices for licensed professional services such as attorneys' offices, engineers' offices, architects' offices and physician's offices where there are no overnight stays or overnight use by any patient, physician, staff or medical personnel, and excluding veterinary offices. For all general offices, there shall be no use between 6 p.m. to 7 a.m. by any patient, visitor, patron, client or customer unless otherwise approved by the Planning Board.

GRADING

Excavation or fill of material, including the resulting conditions thereof.

Section 3: Severability

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this local law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this local law.

Section 4: Effective Date

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.