

Board of Trustees  
Village of Tarrytown  
Regular Meeting No. 20  
November 21, 2016  
8:00 p.m.

PRESENT: Mayor Fixell presiding; Trustees: Brown, Hoyt, McGee, McGovern and Zollo;  
Village Administrator Blau; Village Treasurer Hart; Village Attorney Silverberg and  
Village Clerk Booth

ABSENT: Trustee Butler

## REPORTS

Mayor Fixell noted the following:

- Recommended that leaves be mulched in place. It's easy, great for lawns and garden beds and will save time. If you don't want to mulch them, you can put leaves in biodegradable paper bags. If you are going to pile leaves for collection by DPW, be sure leaves are not placed in the street. Leaves on streets can create a hazard for drivers and can potentially clog the catch basins.

Trustee McGovern noted that the Village's Holiday Tree Lighting will be held on Saturday, December 3<sup>rd</sup> at 5 p.m. at Patriots Park. Bring your cameras for pictures with Santa at the Warner Library.

Trustee McGee noted that TaSH Farmer's Market is holding a Holiday Pop-Up Market at Patriots Park on the same day as the Holiday Tree Lighting event on Saturday, December 3<sup>rd</sup> from 3 – 6 p.m. Come out and pick up a treat or a gift.

Trustee Brown noted that the Sleepy Hollow/Tarrytown Chamber of Commerce is presenting Chamber Games on Saturday, November 26<sup>th</sup>, 11:00 a.m. to 3 p.m. at OnTrack Sport Center. Celebrate community with a day of family fun, games and food. For more information, go to [greaterleepyhollowtarrytown.com](http://greaterleepyhollowtarrytown.com).

## PUBLIC HEARING – HISTORIC DISTRICTS AND LANDMARKS (adopted)

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 21<sup>st</sup> day of November, 2016, at 8 PM, in the Municipal Building, One Depot Plaza, Tarrytown, New York 10591, to hear, discuss and to act upon an amendment to Chapter 191 entitled "Historic Districts and Landmarks". A summary of the legislation is available at Village Hall. The complete text of this legislation follows:

A LOCAL LAW to amend the Code of the Village of Tarrytown, Chapter 191 entitled "Historic Districts and Landmarks".

### SECTION 1. PURPOSE.

Based upon an investigation of several properties within the Village of Tarrytown, the Village Board has determined that two properties appear to meet the criteria of Chapter 191 of the Code of the Village of Tarrytown for designation as Landmarks.

Material to be added is in **bold typeface**.

### SECTION 2: AMENDMENT OF Chapter 191.

- A. Sections 191-4 and 191- 5 are hereby renumbered as 191-6 and 191-7 respectively.

**B. A new Section 191-4 shall read:**

**The Board of Trustees designates Rose Hill Reservoir at the intersection of Rose Hill Avenue and Union Avenue, as an historic landmark. The Board of Trustees finds and declares that the Rose Hill Reservoir was one of the**

early water retention systems developed in the latter half of the 19<sup>th</sup> century, in order to assist in fire management, after a major fire in the down town Village gutted 19 buildings. The reservoir has special characteristics and historical value to the Village.

**C. A new Section 191-5 shall read:**

**The Board of Trustees designates the World War I Memorial at 18 North Broadway as an historic landmark. The Board of Trustees finds and declares that the War Memorial, which was designed by J.P Polla, the then Director of the Modern School of Sculpture in Boston Massachusetts, is significant both as a result of the artist who designed it and the subject matter which honors those who served our country and those members of the community who made the ultimate sacrifice and therefore contains special characteristics and historical value to the Village.**

**SECTION 3. EFFECTIVE DATE**

This local law shall take effect immediately, as provided by law.

All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; a request must be made to the Village Clerk at least five days in advance of the meeting.

**BY ORDER OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF TARRYTOWN**

Trustee Zollo moved, seconded by Trustee McGovern and unanimously carried, that the hearing be opened.

Mayor Fixell asked whether anyone wished to address the Board on this matter. No one appeared.

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the hearing be closed.

Trustee Zollo moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 6-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby amend the Code of the Village of Tarrytown, Chapter 191, entitled "Historic Districts and Landmarks," whereby the Village Board has determined that two properties appear to meet the criteria for designation as Landmarks; Rose Hill Reservoir at the intersection of Rose Hill Avenue and Union Avenue and the World War I Memorial at 18 North Broadway; and

WHEREAS, a public hearing was held for the proposed action on November 21, 2016; and

WHEREAS, a notice of public hearing was published in the Journal News on November 11, 2016; and

WHEREAS, the Board of Trustees of the Village of Tarrytown is the only agency which has approval authority over the Proposed Action, and is therefore the Lead Agency for the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

In accordance with Article 8 of the State Environmental Conservation Law and 6NYCRR Part 617, including without limitations the criteria set forth in 6 NYCRR Part 617.7(c) and based upon review of the Environmental Assessment Form and all other materials that were prepared for the Proposed Action, the Village Board of Trustees hereby determines that the

Proposed Action will not have a significant adverse impact on the environment, and hereby adopts a Negative Declaration.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby adopt Local Law No. 6 of 2016.

PUBLIC HEARING – CHAPTER 269, TAXATION (adopted)

Mayor Fixell noted that this proposed local law will consider having the Village cease to be an assessing unit and that Town of Greenburgh would take over assessing responsibilities for the Village and property owners will only have one assessment for their property from the Town of Greenburgh, which would also be the same assessment for the Village. There would be no longer two assessments for each property. The Village of Tarrytown would be adopting the Town of Greenburgh's new assessment roll. If a property filed for the three-year phase in on your property for certain assessment increases, that phase in will also be a part of the Village assessment. If the Village is no longer an assessing unit, the Village anticipates less tax certioraris because the Town assessment roll to be adopted was created through a reassessment process and the assessed values are market values. There will be a cost savings of not having to pay a Village Assessor and not having to pay for the litigation of tax certioraris.

Trustee Brown noted the property assessment that was just done by the Town of Greenburgh will be the assessment that will be used for both the Town and Village. If you have any exemptions with the Village, you will continue to have the exemptions. Property owners will have one assessment, but will receive two tax bills, one from the Village of Tarrytown and one from the Town of Greenburgh.

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 21<sup>st</sup> day of November, 2016, at 8 PM, in the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear, discuss and to act upon an amendment to Chapter 269 entitled "Taxation". A summary of the legislation is available at Village Hall. The complete text of this legislation follows:

A LOCAL LAW to amend the Code of the Village of Tarrytown, Chapter 269 entitled "Taxation", to add a new Article VIII to terminate the Village's status as an assessing unit.

SECTION 1. LEGISLATIVE INTENT.

The intent of the Board of Trustees of the Village of Tarrytown is to implement section 1402(3) of the Real Property Tax Law providing for the voluntary termination of the Village's status as an assessing unit, as provided in the Village Law and the Real Property Tax Law. It is also the intent of this local law to abolish the position of Assessor and to terminate any and all responsibility as provided by law for the review of the assessments of real property located within the Village of Tarrytown.

Material to be deleted appears in parenthesis [ ], material to be added is in **bold typeface**.

SECTION 2. ESTABLISHMENT OF NEW ARTICLE VIII "Termination of Village of Tarrytown as an Assessing Unit"

**§ 269-40. On or after the effective date of this local law, the Village of Tarrytown shall cease to be an assessing unit.**

**§ 269-41. The position of Assessor in the Village of Tarrytown is hereby abolished.**

**§ 269-42. The Board of Assessment Review in the Village of Tarrytown is hereby abolished.**

**§ 269-43. On or about the effective date of this local law, taxes in the Village of Tarrytown shall be levied on a copy of the applicable part of the assessment roll of the**

**Town of Greenburgh with the taxable status date of such Town controlling for Village purposes.**

**§ 269-44. Within five days of the effective date of this local law, the Board of Trustees of the Village of Tarrytown shall file a copy of such local law with the Clerk and Assessor of the Town of Greenburgh and with the Office of Real Property Tax Services.**

**§ 269-45. This local law shall take effect immediately upon filing with the Secretary of State, provided, however, that such local law is subject to a permissive referendum and the Village Clerk shall forthwith proceed to notice such fact and conduct such referendum if required by petition.**

### 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, as provided by law.

All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; a request must be made to the Village Clerk at least five days in advance of the meeting.

### BY ORDER OF THE BOARD OF TRUSTEES OF THE VILLAGE OF TARRYTOWN

Trustee Hoyt moved, seconded by Trustee Zollo and unanimously carried, that the hearing be opened.

Mayor Fixell asked whether anyone wished to address the Board on this matter. No one appeared.

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the hearing be closed.

Trustee Zollo moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 6-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby amend the Code of the Village of Tarrytown, Chapter 269 entitled "Taxation," to add a new Article VIII, to voluntarily terminate the Village's status as an assessing unit; and

WHEREAS, a public hearing was held for the proposed action on November 21, 2016; and

WHEREAS, a notice of public hearing was published in the Journal News on November 11, 2016; and

WHEREAS, the Board of Trustees of the Village of Tarrytown is the only agency which has approval authority over the Proposed Action, and is therefore the Lead Agency for the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

In accordance with Article 8 of the State Environmental Conservation Law and 6NYCRR Part 617, including without limitations the criteria set forth in 6 NYCRR Part 617.7(c) and

based upon review of the Environmental Assessment Form and all other materials that were prepared for the Proposed Action, the Village Board of Trustees hereby determines that the Proposed Action will not have a significant adverse impact on the environment, and hereby adopts a Negative Declaration.

BE IT FURTHER RESOLVED, the Village Clerk is directed to publish and post a notice that this local law is subject to a permissive referendum.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby adopt Local Law No. 7 of 2016.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD ONLY ON AGENDA ITEMS. SPEAKERS SHALL HAVE THREE (3) MINUTES TO ADDRESS THE BOARD OF TRUSTEES

Edye McCarthy, Town of Greenburgh Assessor, noted that any future tax exemption applications that come to the Village will have to be sent to the Town of Greenburgh. The new deadline date for all tax exemption applications will now be May 1<sup>st</sup> of each year and all exemption applications should be mailed to the Town of Greenburgh and not the Village. If a property owner receives a tax exemption from the Village and not the town, they will have to apply to the town for the tax exemption. The Town of Greenburgh will be mailing those property owners to let them know that they have to apply to the town and she hoped that the Village will send a similar letter. If a property owner receives a tax exemption from the town, they will automatically receive the exemption from the Village.

Administrator Blau noted that the tax exemptions provided by the Village are for senior citizens, firefighters, ambulance members, veterans and alternate veterans.

Trustee McGee noted that if anyone plans to apply for a tax exemption, they will now apply directly to the town.

Trustee Hoyt noted that if a property owner is a volunteer firefighter and a volunteer ambulance member, you can only receive one tax exemption, not two.

APPOINTMENT OF A BUILDING INSPECTOR

Trustee McGovern moved, seconded by Trustee Zollo, that the following resolution be approved. Motion carried, all voting “aye” with the exception of Trustee Brown who abstained because she was not at the work session when this appointment was discussed. Approval: 5-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Kevin Moore to the position of Building Inspector effective December 20, 2016 at an annual salary of \$115,000. This appointment is made from Eligible Civil Service List 000023738 and is subject to a 12 week probationary period and to all applicable civil service rules and regulations.

MEETING ROOMS AT MAIN STREET FIREHOUSE

Trustee McGovern moved, seconded by Trustee Hoyt, and unanimously carried, that the following resolution be approved: Approved: 6-0

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 with Robert G. Kearns of Tarrytown, New York, for improvements to the meeting rooms at the Main Street Firehouse per his proposal of \$8,950.00.

EXECUTION OF AGREEMENT WITH DEPARTMENT OF STATE

Trustee Zollo moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 6-0

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 with New York State Department of State for a grant relating to the development of zoning, the update of the comprehensive plan and management services associated with the Station Area Project.

AMENDMENT TO MANAGEMENT AND OPERATIONAL SERVICES AGREEMENT – FITNESS CENTER

Trustee Brown moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 6-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby amend the agreement with SGVT, LLC, Rye, New York, the contract operator of the Village’s Fitness Center to modify Schedule A, Rate Structure for Membership Fees by adding the following membership category and associated fees:

Rates	One-Year Facility Rates	Six Month Facility
- Full Time College Student (Must provide valid college Identification)	\$150.00	N/A
- Guest Fee (Must come with a Member)	\$15/day	

NAMING OF TRAIN STATION PARKING LOTS

Trustee Brown moved, seconded by Trustee McGee, and unanimously carried, that the following resolution be approved: Approved: 6-0

Trustee Hoyt thanked Lt. Barbelet for doing an excellent job on working on the train parking map which will be on the website soon.

Trustee Brown noted that the train parking map will be very helpful for everybody to find out who can park at each parking lot, the hours, the cost and if you need a parking permit.

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby amend the Code of the Village of Tarrytown, Chapter 291, Vehicles and Traffic, Section 291-91 Schedule XXVI: Off-Street Metered Parking Lots by providing in the Village Code letter designations for the parking lots serving the train station.

All new material is in **bold**.

§291-91 Schedule XXVI: Off-Street Metered Parking Lots

The areas described below shall constitute off-street metered parking lots. A full description of such lots is available in the office of the Village Clerk, where it may be examined during regular office hours.

**Name of Lot**

McKeel Avenue Parking Lot	
31 South Broadway Parking Lot	
South Depot Plaza; south area under lease from the New York Central Railroad	<b>Lot B</b>
South Washington Street Parking Lot West	
South Washington Street Parking Lot	
West Elizabeth Street Parking Lot	
<b>Resident Lot</b>	<b>Lot A</b>
<b>Green Street North (north of tennis courts)</b>	<b>Lot C</b>

<b>West Main Street Lot</b>	<b>Lot D</b>
<b>Pierson Park Lot</b>	<b>Lot E</b>
<b>Green Street South (north of Losee Park)</b>	<b>Lot F</b>
<b>Losee Park South and Green Street along Losee Park Fence Line</b>	<b>Lot G</b>

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON NOVEMBER 7, 2016

Trustee Zollo moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 6-0

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 November 7, 2016 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS

Trustee Zollo moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 6-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No. 9 of Audited Vouchers to be paid in the following amounts:

General	\$ 2,014,312.74
Water	230,144.00
Sewer Fund	0.00
Capital	233,204.89
Library	23,154.38
Trust & Agency	<u>5,775.03</u>
Total	\$ 2,506,591.04

The Board was polled all voting “aye” with the exception of Trustee Hoyt who recused himself from Voucher Number 2012257031. Motion carried. 6-0

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD. SPEAKERS HAVE FIVE (5) MINUTES BEFORE YIELDING TO THE NEXT SPEAKER; THEN THREE (3) MINUTES FOR ADDITIONAL COMMENTS

Mayor Fixell asked whether anyone wished to address the Board on any matter. No one appeared.

HAPPY THANKSGIVING

The Board of Trustees wished everyone a Happy Thanksgiving.

ADJOURNMENT

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the meeting be adjourned at 8:24 p.m.

Carol A. Booth  
Village Clerk