

Board of Trustees
Village of Tarrytown
Regular Meeting No. 17
One Depot Plaza
Tarrytown NY 10591
July 18, 2022
7:00 p.m.

PRESENT in person: Mayor Brown presiding; Trustees: Kim, Mitchell, Rinaldi and Phillips-Staley, Village Administrator Slingerland; Village Attorney Zalantis via zoom; Village Treasurer Morales; Village Clerk Gilligan and Deputy Village Clerk Fasman

REGULAR MEETING: 7:00 P.M.

The meeting began with the Pledge to the Flag.

BOARD MISCELLANEOUS AND LIAISON REPORTS

Trustee Mitchell reported that he visited with the RBK Foundation and it was a very informative experience. There were discussions about doing future projects with them and he thanked Trustee Phillips-Staley for arranging the meeting.

Trustee Rinaldi reported that there is a resolution on the agenda this evening regarding the Placemaking Committees mural on the building where the restaurant Taste of China is located. A local resident Tim Grajek is the artist. We hope the work will be starting soon, and it will be a nice addition to the downtown.

Trustee Phillips-Staley reported that the meeting with the Rockefeller Brothers Foundation went very well. It's exciting to see the arts flourish in Tarrytown, and it is particularly exciting to see the mural move forward. This is another reason why Tarrytown is such a wonderful place to live and visit.

Mayor Brown noted that Westchester Magazine named the Tarrytown Downtown as the Best in Westchester. Thank you to the businesses and the Tarrytown DPW for keeping it a beautiful place.

Trustee Kim reported that the TMC will be addressing the concerns some neighbors are having at Cottage Place. The Village will also be looking into the First Mile/Last Mile program sponsored by the MTA. program. Finally, the Village is getting ready to strip the crosswalks at McKeel, Beech and Grove.

CHANGES AND/OR ADDITIONS TO THE AGENDA

Administrator Slingerland spoke about the MTA's First Mile/Last Mile program. Metro North conducted a study looking at connectivity to major stations, and Tarrytown is considered a major hub. The MTA asked if Tarrytown wished to participate in the Pilot Program. There would be no cost to the Village, and no staff time required. The MTA's consultants will do the study, and Tarrytown will receive the data about new trip generations and traffic studies.

Administrator Slingerland then read the following resolution:

The Village of Tarrytown is authorized to participate in the MTA's First Mile/ Last Mile Pilot program. Mayor Brown motioned and Trustee Kim seconded with all voting aye. The resolution was unanimously approved 5-0.

Trustee Kim noted that the recent study with the Trails Committee regarding connectivity relating to Edge on the Hudson included First Mile/Last Mile information. He feels this will be a good thing for the village moving forward with no expenses.

Mayor Brown also noted that participating localities will work directly with the MTA to discuss potential opportunities. The MTA will work with consultants who will be assessing the station and designing the pilot program.

ADMINISTRATOR'S REPORT

Administrator Slingerland reported that the DOT paving was postponed last night and tonight due to rain. The project was originally supposed to be completed by the end of June. The milling and paving will start at Gracemere and run up to Tappan Landing for the next seven to ten working days. Once completed, they will go from Tappan Landing to Beekman Ave. Mayor Brown inquired about parking accommodations for the residents while the milling and paving is going on. Administrator Slingerland replied that residents will be able to park on adjoining streets overnight. Reverse 911 calls will be sent and updates will be posted on the village website as they are available.

Administrator Slingerland continued his report by stating that the Con Edison work that is going on throughout the Village will be focusing on Wildey, Storm and Mechanics and North and South Washington. Our goal is to have them get done with all of the work in the South Washington area so we can do the paving and sidewalk work we planned to do in those neighborhoods.

Administrator Slingerland concluded his report by reminding everyone about the FASNY Parade that is being held in Tarrytown on August 13, 2022. He hopes everyone will come down and enjoy the day. In addition, the summer concerts are still continuing in the park on Thursdays through September 1st and on Fridays through August 12th. There will also be a movie night at Pierson Park on August 17th. Mayor Brown thanked the Village's DPW, Parks Department, Police Department, TVAC and all who make these activities possible and available to the community. Mayor Brown also reminded the community that the Village has been split into two different congressional districts, the 16th and 17th. Unfortunately the division is not a simple line like east to west. In either case, there will be a new representative. The upcoming election is very important. Polling places will change, and the representatives will change. The League of Women Voters will be hosting candidate forums on July 25th, July 28th and August 1st. This information will be posted in the Village Newsletter. The primary elections are on August 23rd with early voting starting on August 13th.

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

There were no public speakers.

RESOLUTION TO CALL FOR A PUBLIC HEARING TO AMEND CHAPTER 119 "COMMUNITY CHOICE AGGREGATION" TO ENABLE THE ADDITION OF SOLAR CREDITS TO THE PROGRAM, WITH AN OPT-OUT OPTION

Deputy Clerk Fasman explained that this is an opt out program that is targeted at low income residents who are participating in the utility assistance program. The savings are guaranteed, with the amount of savings between five and ten percent. A representative from Sustainable Westchester will be at the Public Hearing to answer any questions.

On a motion made by Trustee Mitchell and seconded by Trustee Phillips-Staley, the following resolution was unanimously approved. Approved: 5-0

WHEREAS, the Village of Tarrytown established a Community Choice Aggregation Program in September 2015; and

WHEREAS Assistance Program Participants (low-income residents who receive support for utility payments) are not eligible to participate in the Community Choice Aggregation (CCA)

program, but have been approved by the NYS Public Service Commission for enrollment in Westchester Power's Solar Credit Program because the cost savings are guaranteed; and

WHEREAS Westchester Power can enroll Assistance Program Participants, with an opt-out option basis, in the Solar Credit Program for a guaranteed savings of between 5% and 10% off of their electricity bill every month; and

WHEREAS automatic enrollment in the program (standard for the CCA) will not change how participants pay their electric bill or impact their assistance benefits in any way; and

WHEREAS participation in the program will support a local solar farm while guaranteeing savings for participants; and

WHEREAS, the Village of Tarrytown must amend Chapter 119 of its Village Code entitled "Community Choice Aggregation Program" to incorporate opt-out Community Distributed Generation pursuant to Section 10(1)(ii)(a)(12) of the New York Municipal Home Rule Law;

NOW, THEREFORE BE IT RESOLVED: that the Tarrytown Village Board of Trustees hereby calls for a Public Hearing on August 15, 2022 at 7 pm in the Board Room of Village Hall to consider Introductory Local Law No.7-2022 amending Chapter 119 of the Village Code.

DECLARATION OF SURPLUS- DEPARTMENT OF PUBLIC WORKS

On a motion made by Trustee Kim and seconded by Trustee Mitchell, the following resolution was unanimously approved. Approved: 5-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby declare the following Department of Public Works vehicle as surplus and ready for disposal by auction:

- 2013 Elgin Sweeper Vehicle ID number NP26875

DECLARATION OF SURPLUS- AUTOMATIC TRANSFER SWITCH

On a motion made by Trustee Rinaldi and seconded by Trustee Kim, the following resolution was unanimously approved. Approved: 5-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby declare the following item as surplus and ready for disposal by auction:

- 1600A 3 pole 208V Caterpillar CTG Automatic Transfer Switch with NEMA 3R enclosure, heater and exerciser package

PLACEMAKING COMMITTEE – MURAL FOR 17 MAIN STREET

On a motion made by Trustee Rinaldi and seconded by Trustee Mitchell, the following resolution was unanimously approved. Approved: 5-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize the Village Administrator to enter into an agreement with the owner of 17 Main Street for use of the wall on the Kaldenberg Place side of the building to apply a mural.

ACCEPTANCE OF DONATION TOWARDS MURAL ON BUILDING – PLACEMAKING COMMITTEE

On a motion made by Trustee Kim and seconded by Trustee Mitchell, the following resolution was unanimously approved. Approved: 5-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby authorizes the acceptance of a donation in the amount of \$2,500.00 by an anonymous donor to be put towards the funding for the proposed mural at the corner of Kaldenberg Place and Main Street.

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE ARTIST TIM GRAJEK TO PAINT A MURAL

On a motion made by Trustee Mitchell and seconded by Trustee Rinaldi, the following resolution was unanimously approved. Approved: 5-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize the Village Administrator to enter into an agreement with Tim Grajek to paint a mural pursuant to a license agreement on the wall of 17 Main Street, on the Kaldenberg Place side of the building, for a fee not to exceed ten thousand dollars (\$10,000).

RESOLUTION OF SUPPORT FOR GRANT APPLICATION FOR DEVELOPMENT OF UPDATED LOCAL WATERFRONT REVITALIZATION PLAN

On a motion made by Trustee Kim and seconded by Trustee Rinaldi, the following resolution was unanimously approved. Approved: 5-0

The estimated total amount of the project is \$100,000, with the New York State providing \$75,000 and the Village providing \$25,000.

WHEREAS the Village of Tarrytown has had a working draft of a Local Waterfront Revitalization Plan in place since 2015; and

WHEREAS waterfront areas in the Village have changed significantly since the development of the most recent LWRP draft including improvements made to Losee Park, the RiverWalk shoreline and other land use changes along the Hudson; and

WHEREAS large projects such as the extension of the RiverWalk in partnership with Westchester County and Scenic Hudson portend additional improvements to waterfront areas over the course of the next decade, making this a good time to re-engage the community in developing a vision for future use and management of the Village's waterfront resources, and ensuring compliance with the State's Coastal Management Program; and

WHEREAS the New York Department of State Office of Planning, Development and Community Infrastructure offers grants for up to 75% of project costs for the development of a Local Waterfront Revitalization Plan through the Environmental Protection Fund; and

WHEREAS the Village of Tarrytown has available local matching funds to fulfill its 25% share of obligation related to this grant application should the grant funds be awarded;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby fully support and authorize the submission of a grant application to the Department of State through the Consolidated Funding Application for a grant to update and finalize a Local Waterfront Revitalization Plan for the Village of Tarrytown.

AUTHORIZATION FOR ADDITIONAL WORK RELATED TO THE TRI-VILLAGE WATER SYSTEM PUMP OPERATION CONSOLIDATION STUDY

On a motion made by Trustee Mitchell and seconded by Trustee Kim the following resolution was unanimously approved. Approved: 5-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown authorizes the Village to continue to cooperate with the Villages of Briarcliff and Sleepy Hollow on the study of the Tri-Village Water System Pump Operations Consolidation, performing additional updating work with Woodard and Curran Consulting Engineers, for a total approximate cost of \$23,300, with the Village's proportionate share allocated at approximately 34%.

Note – this results in no increase in the overall project budget, since it re-allocates and reduces future phase work from \$89,900 to \$66,600.

AMENDMENT OF PROBATIONARY PERIOD FOR NEWLY HIRED POLICE OFFICERS

On a motion made by Trustee Mitchell and seconded by Trustee Phillips-Staley, the following resolution was unanimously approved. Approved: 5-0

BE IT RESOLVED that the Board of Trustees does hereby amend the probationary period for Police Academy Recruits Peter Del Monaco, Steven Amaro, James Nardelli and Police Officer Nadyne Dimmie that were hired on July 15th, 2022 to a probationary period of not less than twelve weeks and not more than seventy eight weeks as mandated by Civil Services Rules and Regulations.

RESOLUTION AUTHORIZING TAX CERTIORARI – SECOND HALF

On a motion made by Trustee Phillips-Staley and seconded by Trustee Mitchell, the following resolution was unanimously approved. Approved: 5-0

BE IT HEREBY RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve payment of the second half of the settlement of the following tax certiorari case as outlined in the Village Tax Certiorari Attorney’s recommendation, as follows:

Address Refund	Property ID Number	Amount of
GEJ Tarrytown LLC 120 White Plains Road	Section 1.140 Block 94 Lot 5.2	\$196,958.55

AND BE IT FURTHER RESOLVED that the Village Administrator, Village Treasurer and the Village’s Tax Attorney and other involved staff are authorized to take the necessary and appropriate actions to execute, file, process and make payment of, including through encumbered funds from this fiscal year, the aforementioned tax certiorari settlement.

CHANGES TO INSURANCE PREMIUM FOR LIABILITY INSURANCE

On a motion made by Trustee Mitchell and seconded by Trustee Kim, the following resolution was unanimously approved. Approved: 5-0

WHEREAS on June 6, 2022 the Board of Trustees of the Village of Tarrytown authorized the renewal of the Village’s insurance through the execution of a one-year binder with Brown and Brown Insurance Company, a/k/a The Spain Agency, with coverage through NYMIR, covering General Liability, Public Officials’ Liability, Property Coverage, Automobile, Law Enforcement, Excess Liability, etc; and

WHEREAS the increase in the premium for the contract renewal was higher than anticipated, approaching approximately ten percent (10%).

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize the Village Administrator to revise the contract provisions to reflect the following changes:

- An increase in the deductible for property damage from \$1,000 to \$5,000 resulting in a reduction in the cost of the premium by \$9,138.80
- An increase in the deductible for liability from 0 to \$5,000 resulting in a reduction of the cost of the premium by \$22,683.10.

Resulting in a combined cost savings of \$31,821.90, to reduce the overall annual insurance premium from \$660,115.24 to the new total of \$628,293.34 for the Village.

FIRE DEPARTMENT MEMBERSHIP CHANGES

On a motion made by Trustee Rinaldi and seconded by Trustee Kim, the following resolution was unanimously approved. Approved: 5-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the following Fire Department membership changes recommended at the June 21, 2022 Board of Fire Wardens meeting. Members: Mauricio S. Rivera Perez has been elected to Out of Town Active Membership of Consolidated Engine Co; and Kallen Myles Fairely has been elected to Active Membership of Hope Hose Co. Drivers: The following driver has been approved: Nicholas Morabito for Engine 76.

APPOINTMENT OF A JUNIOR CIVIL ENGINEER

On a motion made by Trustee Kim and seconded by Trustee Rinaldi, the following resolution was unanimously approved. Approved: 5-0

BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown does hereby authorize the appointment of Mariana Reis of Yonkers, NY, as Junior Civil Engineer for the Village of Tarrytown at a starting annual salary of \$85,000, with an appointment date of July 18, 2022, and a start date of August 1, 2022, subject to the applicable rules and regulations of Civil Service including a probationary period of no less than twelve weeks and no more than 52 weeks.

APPOINTMENT OF SUPERINTENDENT OF RECREATION

Trustee Rinaldi thanked everyone who helped out in the interim while the Village searched for a new Superintendent. Administrator Slingerland replied that it was a team effort with various staff members from multiple departments who chipped in to keep things running as smoothly as possible.

On a motion made by Trustee Rinaldi and seconded by Trustee Kim, the following resolution was unanimously approved. Approved: 5-0

BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown does hereby authorize the appointment of Dan Walczewski of White Plains, NY, as Superintendent of Recreation for the Village of Tarrytown at a starting annual salary of \$120,000, with an effective date of appointment of June 27, 2022, and a start date of July 27, 2022, subject to the applicable rules and regulations of Civil Service including a probationary period of no less than twelve weeks and no more than 52 weeks.

APPROVAL OF THE MINUTES OF THE BOARD OF TRUSTEES MEETING OF JUNE 21th, 2022

On a motion made by Trustee Mitchell and seconded by Trustee Kim the following resolution was unanimously approved with all voting aye. Approved: 5-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the minutes of the Board of Trustees Meeting held on Tuesday, June 21, 2022 as submitted by the Village Clerk.

APPROVAL OF THE MINUTES OF THE BOARD OF TRUSTEES SPECIAL MEETING OF JULY 13, 2022

On a motion made by Trustee Kim and seconded by Trustee Rinaldi the following resolution was unanimously approved with all voting aye. Approved: 5-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the minutes of the Board of Trustees Meeting held on Wednesday, July 13, 2022 as submitted by the Village Clerk

APPROVAL OF AUDITED VOUCHERS

On a motion made by Trustee Mitchell and seconded by Trustee Rinaldi the following resolution was unanimously approved with all voting aye. Approved: 5-0

Roll Call: Trustee Kim, Yes; Trustee Mitchell, Yes; Trustee Rinaldi, Yes; Trustee Phillips-Staley, Yes; Mayor Brown, Yes

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No. 2 of Audited Vouchers in the total amount of \$735,560.93 as presented by the Village Treasurer, to be paid in the following amounts:

General	\$ 491,268.24
Water	\$ 158,669.24

Sewer Fund	\$	2,197.77
Capital	\$	0.00
Library	\$	69,833.25
Trust & Agency	\$	<u>13,592.43</u>
Total	\$	735,560.93

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD ON ITEMS NOT INCLUDED ON THE AGENDA. SPEAKERS HAVE THREE (3) MINUTES BEFORE YIELDING TO THE NEXT SPEAKER

There were no public speakers

ADJOURNMENT

Mayor Brown reminded everyone that the next Board of Trustees Meeting is on August 15, 2022 and the next Work Session will be held on August 8, 2022.

On a motion made by Trustee Kim and seconded by Trustee Rinaldi, the meeting was adjourned at 7:37 pm.

Kristine Gilligan
Village Clerk