

Board of Trustees  
Village of Tarrytown  
Regular Meeting No. 22  
December 15, 2014  
8:00 p.m.

PRESENT: Mayor Fixell presiding; Trustees Basher; Hoyt; McGee and Zollo;  
Administrator Blau; Village Treasurer Hart; Village Attorney Shumejda and Village Clerk  
Booth

ABSENT: Trustees Butler and McGovern

The meeting began with the Pledge to the Flag.

### REPORTS

Mayor Fixell reported on the following:

- Tonight we have a “Mayor for the Day” - Josh Gottschall. His family won this prize at the Historical Society dinner. Josh will open and close the meeting and will read a resolution.
- He thanked the Little Gardens of Tarrytown and their President, Monique Kozlowski for the beautiful wreaths in front of Village Hall and the Police Department.

Trustee Basher congratulated Administrator Blau for getting the firm who put the lights on the Village’s Holiday tree at Patriots Park. The tree looks spectacular.

Trustee Hoyt thanked everyone who came out in the rain for the tree lighting. It was a fun night and included children visiting Santa at the library.

### ADMINISTRATOR REPORT

Administrator Blau reported on the following:

Leaf Collection – leaf collection for the season will be ending on December 19. There are a few locations in the Village that have not received a second collection by the Village. Those streets, which are located in the south end of the Village, are East Sunnyside, Deertrack, Cottontail, Whitetail, Pintail, Quarry, Oak Rise and Mallard Rise. Residents who do not live on those streets should be either mulching or bagging their leaves. After Friday, residents on the streets listed will have to mulch or bag their leaves.

New York State Electronic Recycling and Reuse Act of 2010 – The Village, working cooperatively with Westchester County, has been recycling electronic waste, which includes computers, computer peripherals, televisions, small scale servers and small electronic equipment. The electronic waste is delivered to the Department of Public Works by the resident and placed in a storage container which is hauled away by the County for recycling purposes. The law required, effective January 1, 2012 that businesses, apartment buildings, condominiums and cooperatives could not dispose of electronic waste at a waste management facility, which is the facility where the Village dumps the garbage collected. The law, effective on New Year’s Day, extends the prohibition to everyone. Residents of the Village will see no change in the way the Village handles electronic waste, but I wanted to reiterate that the electronic waste should not be placed by the curb and such collection by the Village will be prohibited by State law.

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

Mayor Fixell asked if anyone wanted to address the Board on agenda items. No one appeared.

FIRE DEPARTMENT MEMBERSHIP CHANGES

Trustee Basher moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be 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 November 18, 2014 Board of Fire Wardens meeting: Membership: Timothy Tucci has been elected to active membership at Conqueror Hook and Ladder and Mauricio Zagami has been elected to out-of-town active membership at Conqueror Hook and Ladder.

CHANGE THE DATE OF THE BOARD OF TRUSTEES WORK SESSION

Trustee Zollo moved, seconded by Trustee Basher, and unanimously carried, that the following resolution be approved: Approved: 5-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby reschedule the Board of Trustees Work Session from Wednesday, December 31, 2014 to Monday, December 29, 2014 at 6 p.m.

RESOLUTION DECLARING SUPPORT FOR THE CONSTRUCTION OF THE ROUTE 9A BYPASS

Trustee Basher moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 5-0

WHEREAS, the Village of Tarrytown participated in a joint meeting of the New York State Department of Transportation, Westchester County, the Town of Greenburgh and the Village of Elmsford to discuss concepts relating to the construction of a Route 9A Bypass; and

WHEREAS, by participating in this July 31, 2014 joint meeting, the Village of Tarrytown expressed its support of the Route 9A Bypass project and belief that the construction of the Route 9A Bypass project will benefit the Village of Tarrytown by directing truck traffic to the bypass and off of Route 9 in Tarrytown; and

WHEREAS, the Village of Tarrytown has been made aware that additional meetings have occurred among the New York State Department of Transportation, Westchester County, the Town of Greenburgh and the Village of Elmsford to further refine Route 9A Bypass concepts and to develop a preferred plan for the Route 9A Bypass; and

WHEREAS, the Village of Tarrytown has been informed that the preferred plan for the Route 9A Bypass that provides for a two way connection between Route 119 and Route 9A, including access from Interstate 287 via the Exit 1 ramp.

NOW THEREFORE BE IT RESOLVED that the Board of Trustees does hereby support the preferred plan for the Route 9A Bypass project.

BE IT FURTHER RESOLVED that the Board of Trustees supports the inclusion of the Route 9A Bypass project in the 2015 New York State Department of Transportation Capital Budget.

BE IT FURTHER RESOLVED that the Board of Trustees believes that the inclusion of \$3,000,000 from the Town of Greenburgh/Village of Elmsford Improvement District Fund toward the construction of the Route 9A Bypass project demonstrates true intergovernmental cooperation.

REQUEST FOR PROPOSAL – PLANNING SERVICE FOR OFFICE BUILDING AND MIXED USE ZONING DISTRICTS

Trustee McGee moved, seconded by Trustee Basher, and unanimously carried, that the following resolution be approved: Approved: 5-0

WHEREAS, the Village issued a Request for Proposal to review the provisions of the Village's current Office Building District and Mixed Use District in the Zoning Code; and

WHEREAS, three proposals were received in response to the Request for Proposals and the proposer and the proposal amounts are listed below:

Collaborative Planning Studio	\$18,500.00
BFJ Planning	\$25,000.00
VHB	\$33,380.00

WHEREAS, the proposals were reviewed by Village staff and it is the recommendation that the Planning Service for Office Building and Mixed Use Zoning Districts be awarded to Collaborative Planning Studio per their proposal of \$18,500.00.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby award the planning review of the provisions of the Village's current Office Building District and Mixed Use District in the Zoning Code to Collaborative Planning Studio per their proposal in the amount of \$18,500.00.

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize and direct the Village Administrator to execute an agreement with Collaborative Planning Studio, per their proposal.

INTER-MUNICIPAL AGREEMENT – RIVERWALK EXTENSION – LOSEE PARK

Trustee Basher moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 5-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize and direct the Village Administrator to execute an Inter-municipal Agreement with Westchester County for the provision of funding for the RiverWalk extension at Losee Park.

AGREEMENT FOR LEGAL SERVICES

Trustee Basher moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 5-0

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 Sokoloff Stern LLP for legal services.

PURCHASE AGREEMENT - SALE OF PROPERTY FOR WESTCHESTER COUNTY SANITARY SEWER FORCE MAIN PROJECT

Trustee Zollo moved, seconded by Trustee Basher, and unanimously carried, that the following resolution be approved: Approved: 5-0

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 the County of Westchester for the purchase of Village vacant real property located on Church Street, Greenburgh Tax Assessment Map as Section: 1.100, Block: 65, Lot 79, in the amount of \$145,000.00.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON NOVEMBER 17, 2014

Trustee Basher moved, seconded by Trustee McGee, that the following resolution be approved. Motion carried, all voting “aye” with the exception of Trustee Zollo who abstained. Approved: 4-0

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 17, 2014 as submitted by the Village Clerk.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON DECEMBER 1, 2014

Trustee Zollo moved, seconded by Trustee Basher, and unanimously carried, that the following resolution be approved: Approved: 5-0

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 December 1, 2014 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS

Trustee Basher moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 5-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No. 11 of Audited Vouchers to be paid in the following amounts:

General	\$ 374,050.75
Water	12,100.52
Sewer Fund	0.00
Capital	581,192.18
Library	39,848.08
Trust & Agency	<u>20,616.02</u>
Total	\$ 1,027,807.55

The Board was polled all voting “aye” with the exception of Trustee McGee who recused herself from Voucher Number 2012248311. Motion carried. 5-0

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

Michael Farley, TVAC member, stated that the Police Benevolent Association had asked him to provide a character reference for Police Officer Derrick Purdie. He is happy to say that as member of TVAC, he has had the pleasure to work with Officer Purdie and he feels that Derrick and all the Tarrytown Police Department members are among the best police officers he has ever met and that Officer Purdie has always been helpful and supportive.

Alarec Young, Captain of TVAC, stated that over the last twenty-years, he has gone on numerous ambulance calls; almost all the calls had some interaction with the members of the Tarrytown Police Department. He knows Police Office Derrick Purdie to be an honest man and a man of integrity. Officer Purdie has his utmost respect.

Dennis Smith, Tarrytown PBA President stated the following:

- The PBA Award ceremony will be held this Wednesday. Many officers are receiving awards for going above and beyond the call of duty and performing excellent police work. He said he would provide Administrator Blau the list of recipients of these awards.

- He stated that he had asked Michael Farley and Alarec Young from TVAC to speak tonight to show a positive view on Officer Derrick Purdie, which he believes should have been taken into account before any charges were filed against PO Purdie, he doesn't believe that happened.
- Regarding Lt. McGee's misconduct investigation, he hopes the Board of Trustees will make a decision on what to do with the report that was completed by the investigator. Since the LOHUD article, he has been contacted by numerous outside police agencies, community groups and media outlets and they mostly want to know if Lt. McGee's conduct is being addressed. PO Smith's response is that they are waiting for the investigation to be complete and he assures them that the Board of Trustees will handle this matter fairly. With the ongoing racial and police misconduct issues across the county, Lt. McGee's conduct has made the police officers' job harder in Tarrytown and has strained the police department's relationship with the community. On a daily basis, members of the police department have voiced their frustrations, anger and fear of Lt. McGee to him and they worry who will be targeted next. He asked the Board of Trustees for their help and noted that the decision that the Board of Trustees makes in regards to this investigation will affect the future of the Tarrytown Police Department and the public's view of the police department as a whole. He offered to meet with the Board of Trustees to discuss this issue.

Trustee Basher noted that Police Chief Brown has given him the list of police officers who will be receiving awards and that they will be announced at the next Board of Trustees meeting.

Rasheen Merritt of White Plains, stated that he works in the area and has often run into Police Officer Purdie. Officer Purdie has always been an upstanding person. He was puzzled when he read the newspaper article because Officer Purdie has always been helpful and considerate every time he sees him.

#### HAPPY HOLIDAYS

The Board of Trustees wished everyone a Happy Hanukkah, Merry Christmas, Happy Kwanzaa and a Happy New Year.

#### ADJOURNMENT

Trustee Basher moved, seconded by Trustee Zollo, and unanimously carried, that the meeting be adjourned at 8:20 p.m.

Carol A. Booth  
Village Clerk