

Board of Trustees  
Village of Tarrytown  
Regular Meeting No. 1  
April 4, 2016  
8:00 p.m.

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

## REPORTS

Trustee McGee noted the following:

- She thanked everyone who came out to vote in March. It is an important right to exercise.
- The Spring Book Sale at the Warner Library, conducted by the Friends of the Warner Library will be held on Saturday and Sunday, April 16 and 17, from 10 a.m. to 5 p.m. She asked that everyone come out and support the library.

Trustee Hoyt noted the following:

- He thanked everyone for their support in the March Village Election. It is truly an honor to be a member of the Board of Trustees to work for the residents of the Village. He appreciated all of the support in the past years as well.
- The TNT Baseball/Softball parade will take place this Saturday, April 9<sup>th</sup> at 12:30 p.m. beginning at Neperan Park.
- The Summer Day Camp registration has begun at the Recreation Office from 8:30 a.m. to 4 p.m.
- The Rotary's Duck Derby will be held on Saturday, April 30<sup>th</sup> at Patriots Park. For more information, contact the Recreation Office at 631-8347.

Trustee Brown echoed the words of her running mates and noted that she is happy to be part of the Board of Trustees. She will do her best to represent the people of Tarrytown and she is very honored to do so.

## ADMINISTRATORS REPORT

Community Choice Aggregation – According to Sustainable Westchester, letters will be received this week for communities participating in the Community Choice Aggregation or Westchester Power program. The letter will provide a phone number for residents to call about the program and there will also be a web portal for the Westchester Power program, <http://westchesterpower.org>. The portal has frequently asked questions, a map and a rate comparison table. The web portal also provides instructions for consumers on opting out, opting in, or opting down to the basic service. Similar to the decision of the Board of Trustees here in Tarrytown, 13 other municipalities selected the 100% renewable energy supply option as the default option. The 14 municipalities that selected the 100% renewable option represent over two-thirds of the Westchester Power customers (70,000 out of 110,000 accounts).

Mayor Fixell noted that the default power supply in the Village of Tarrytown as well as other communities will be Con Ed Solutions, which is a subsidiary of Con Edison. Con Ed Solutions will be the Village's default provider and the bulk of the accounts in Tarrytown will be the 100% renewable power supply. If someone wants to opt for the conventional source or the current source, or any other source of power supply through an ESCO (Energy Service Company), they may opt into it. The website, instructions and further information will be provided in the letters that have been mailed to everyone in the Village. If you have your own ESCO, you should compare your rates with the new 100% renewable power supply rates. If you have an ESCO now, you will not be automatically placed into the new power supply. You will stay in your ESCO unless you opt out of your ESCO and opt into the Village's default power source. There can be significant savings.

PRESENTATION OF A POLICE BADGE TO POLICE OFFICER IAN YEARWOOD

Mayor Fixell introduced and congratulated Police Officer Ian Yearwood. Mayor Fixell along with Police Officer Yearwood's wife presented him with his official Tarrytown Police Officer badge.

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

Susan Burkhart, 47 Miller Avenue, thanked the Board for the institution of a 25 mph speed limit in the Miller Park neighborhood and for the stop sign at Miller Avenue and Glen Street. Ms. Burkhart and her neighbors have observed that these changes have made a significant difference in the speed of the traffic coming up from Riverview Avenue. She had also requested two stop signs at the intersection of Miller Avenue and Independence Street. She feels that this is a dangerous corner and the stop signs will make it safer. She believes that we as citizens need to be responsible to other citizens in Tarrytown and mind the speed limits and mind the laws in all neighborhoods in Tarrytown. Trustee McGovern noted that many of the River Towns are participating in a "Slow Down" driving program campaign and Tarrytown will be joining the "Slow Down River Towns." We will be holding an information meeting on Monday, April 25<sup>th</sup> at 7 p.m. at the Senior Center to create an awareness and communication program on safe driving within the Tarrytown community including residents, commuters, employees of local businesses and visitors to discuss common sense guidelines for safe driving.

Peter Bartolacci, 67 Miller Avenue, stated that he fully supports the two stop signs at the intersection of Park Avenue and Independence Street. With reference to the information meeting on safe driving, in addition to pedestrian safety, he would like the program to include public awareness for cycling and cyclist safety. He would also like to re-visit his idea on putting flyers on commuter's cars. Trustee McGovern noted that it is a discussion item for the information meeting.

PUBLIC HEARING – HISTORIC DISTRICTS AND LANDMARKS FOR STONE WORK AND GATEHOUSE AT PATRIOTS PARK

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 4<sup>th</sup> day of April, 2016, at 8:00 p.m. in the Municipal Building, One Depot Plaza, Tarrytown, New York 10591, to hear, discuss and to act upon a proposed amendments to Chapter 191 entitled "Historic Districts and Landmarks" of the Code of the Village of Tarrytown. A summary of the legislation is available at Village Hall. The complete text of this legislation follows:

A LOCAL LAW to amend Chapter 191, Attachment 1 entitled "Village of Tarrytown Historic Landmark Designations" of the Code of the Village of Tarrytown.

SECTION 1. PURPOSE.

The Planning Board, in collaboration with the Historical Society and the Village Historian are reviewing locations throughout the Village for possible designation as historic pursuant to the provisions of Chapter 191 of the Village Code. A local nomination form was completed by the Historical Society for the stonework throughout Patriots Park and the gatehouse in the park and the Planning Board unanimously agreed that the stonework and gatehouse should be submitted to the Board of Trustees for historic designation. The Board of Trustees has reviewed the nomination form and believes that the stonework and gatehouse are worthy of designation.

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

SECTION 2. Amendment to Chapter 191, Attachment 1, “Village of Tarrytown Historic Landmark Designations” of the Code of the Village of Tarrytown.

**Stonework and Gatehouse in Patriots Park**

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 Butler and unanimously carried, that the hearing be opened.

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

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

Trustee McGee moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

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” for the purpose of designating the stone work and gatehouse at Patriots Park.

WHEREAS, a public hearing was held for the proposed action on April 4, 2016; and

WHEREAS, a notice of public hearing was published in the Journal News on March 25, 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 is an Unlisted action that 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. 4 of 2016.

**FIRE DEPARTMENT MEMBERSHIP CHANGES**

Trustee Butler moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

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 March 15, 2016 Board of Fire Wardens meeting: Membership: Patrick Derivan Jr. and Adrian Rodriguez have been elected to active membership at Riverside Hose Company and Sayda R. Villon Veramendi has been elected to out-of-town active membership at Riverside Hose Company.

APPOINTMENT OF SEASONAL EMPLOYEE, PARKS AND RECREATION DEPARTMENT

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees does hereby appoint Daniel J. Flores to the position of seasonal laborer in the Parks and Recreation Department at an hourly rate of \$11.00 per hour (40) hours per week effective April 5, 2016.

RESOLUTION – AUTHORIZING THE EXECUTION OF A RETAINER AGREEMENT FOR LEGAL SERVICES

Trustee Butler moved, seconded by Trustee McGee, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize and direct the Village Administrator to execute a retainer agreement with Silverberg Zalantis LLP for legal services as Village Attorney.

ACKNOWLEDGEMENT OF RECEIPT OF THE 2015 TARRYTOWN VOLUNTEER AMBULANCE CORPS SERVICE AWARD (PENSION) PROGRAM ANNUAL REPORT REGARDING QUALIFYING POINTS RECEIVED

Trustee McGee moved, seconded by Trustee Zollo, that the following resolution be approved. Motion carried, all voting “aye” with the exception of Trustee Hoyt who recused himself. Approved: 6-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby acknowledge receipt of the Tarrytown Volunteer Ambulance Corps 2015 annual report of points achieved by respective members of the Ambulance Corps for qualification for Village contribution to the Ambulance Corps members service award program, which report shall be posted for public inspection and comment for 30 days prior to Board of Trustees’ consideration of approving submission of the report to the pension fund underwriter, subject to final sign-off by the Mayor.

ADOPTION OF LEAD AGENCY STATUS – IMPROVEMENTS TO THE SENIOR CENTER

Trustee McGee moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby declare itself Lead Agency for the purposes of Article 8 (State Environmental Review Act) of the Environmental Conservation Law associated with the various improvements to the Tarrytown Senior Center to be funded with a Community Development Block Grant; and

BE IT FURTHER RESOLVED that the Village Board of Trustees does hereby determine that the Proposed Action is a Type II Action that will not have a significant adverse impact on the environment.

STOP SIGNS – INDEPENDENCE STREET AND MILLER AVENUE

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby amend the Code of the Village, Chapter 291 entitled “Vehicles and Traffic”, Section 73. Schedule VIII: Stop Intersections, as follows:

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

§ 291-73. Schedule VIII: Stop Intersections.

<u>Stop Sign on</u>	<u>Direction of Travel</u>	<u>At Intersection of</u>
<b>Independence Street</b>	<b>West</b>	<b>Miller Avenue</b>
<b>Miller Avenue</b>	<b>South</b>	<b>Independence Street</b>

GREENBURGH DRUG AND ALCOHOL TASK FORCE LEASE AGREEMENT

Trustee McGovern moved, seconded by Trustee McGee, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize and direct the Village Administrator to execute a one-year lease agreement renewal with the Greenburgh Drug and Alcohol Task Force for the rental of a portion of the former Police Headquarters building, subject to conditions included in the lease agreement.

SCHEDULE A SPECIAL MEETING OF THE BOARD OF TRUSTEES

Trustee McGovern moved, seconded by Trustee Butler, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby schedule a special meeting on Friday, April 8, 2016 at 9:00 a.m. at Village Hall, One Depot Plaza, Tarrytown, New York to confirm the actions taken at the Fire Chief’s Convention.

SCHEDULE BUDGET WORK SESSION

Trustee Hoyt moved, seconded by Trustee McGee, and unanimously carried, that the following resolution be approved, as amended: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby schedule a Budget Work Session on the Tentative Budget for Fiscal Year 2016-2017 on Monday, April 18, 2016 at 7:00 p.m. at Village Hall, One Depot Plaza, Tarrytown, New York.

SCHEDULE A PUBLIC HEARING – TENTATIVE BUDGET FOR FISCAL YEAR 2016-2017

Trustee Butler moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown does hereby schedule a public hearing for Wednesday, April 13, 2016 at 6:00 p.m. in the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and discuss the Tentative Budget for Fiscal Year 2016-2017.

APPROVAL OF AUDITED VOUCHERS

Trustee McGee moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No. 18 of Audited Vouchers to be paid in the following amounts:

General	\$	134,936.38
Water		20,061.95
Sewer Fund		0.00
Capital		40,324.00
Library		6,407.37
Trust & Agency		<u>46,840.48</u>
Total	\$	248,570.18

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

DEPUTY MAYOR BASHER

Trustee Hoyt thanked Deputy Mayor Basher for his many years of dedicated work for the Village of Tarrytown. Trustee Hoyt thanked Tom Basher personally for his guidance and support over the years. He wished Tom and Anne Marie Basher the best.

ADJOURNMENT

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the meeting be adjourned at 8:48 p.m.

Carol A. Booth  
Village Clerk