

Board of Trustees  
Village of Tarrytown  
Regular Meeting No. 36  
May 1, 2017  
8:00 p.m.

PRESENT: Mayor Fixell presiding; Trustees: Brown, Butler, Hoyt; McGee and Zollo;  
Village Administrator Slingerland; Village Treasurer; Village Attorney Zalantis and  
Village Clerk Booth

ABSENT: Trustee McGovern

### REPORTS

Mayor Fixell noted the following:

- The Westchester County Mobile Shredder is coming to Tarrytown on Saturday, May 13<sup>th</sup> from 10 a.m. to 1 p.m. at Green Street Lot.
- The Westchester County Mobile Office is coming to Tarrytown on Saturday, June 13<sup>th</sup> from 11 a.m. to 2 p.m. at the corner of Main Street and South Washington Street. The staff can take your photo and process your U.S. passport application.

Trustee Brown noted the following:

- The Duck Derby was held this past weekend and Trustee Brown thanked the Rotary, the YMCA, the Hudson Independent, the Recreation Department and everyone else who participated to make this a wonderful community event.
- Announced that PayByPhone is coming to the Village on May 5<sup>th</sup>. It is an app that you download onto your smart phone. It is a convenient way to pay your parking fees from anywhere in the Village.
- Announced that today is her 23<sup>rd</sup> wedding anniversary and wished her husband Kevin a very Happy Anniversary.

Trustee Hoyt thanked the Tarrytown Fire Department and the Tarrytown Ambulance Corp for their participation with the Duck Derby.

### ADMINISTRATORS REPORT

Administrator Slingerland noted that the Village is implementing a new program called PayByPhone, a very convenient way to pay for parking. It's easy to use by just by downloading the PayByPhone app onto your smart phones. Other municipalities have this program, including the city of White Plains. In preparation of this new program, we are placing stickers on the meters and signs on the streets with information on how to use the PayByPhone program. Information will also be available on our website. The official rollout date for PayByPhone will be this Friday, May 5<sup>th</sup>.

### 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.

### APPOINTMENT OF SEASONAL EMPLOYEE, DEPARTMENT OF PUBLIC WORKS

Trustee Butler 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 does hereby appoint Michael E. Morales to the position of seasonal laborer in the Department of Public Works at an hourly rate of \$13.00 per hour (40) hours per week effective May 2, 2017.

APPOINTMENT OF SEASONAL EMPLOYEES, PARKS AND RECREATION  
DEPARTMENT

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

BE IT RESOLVED that the Board of Trustees does hereby appoint Trevor Byrnes to the position of seasonal laborer in the Parks and Recreation Department at an hourly rate of \$13.00 per hour (40) hours per week effective retro-active to April 18, 2017.

APPOINTMENT OF SEASONAL EMPLOYEES, PARKS AND RECREATION  
DEPARTMENT

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

BE IT RESOLVED that the Board of Trustees does hereby appoint Carlos Luis to the position of seasonal laborer in the Parks and Recreation Department at an hourly rate of \$13.00 per hour (40) hours per week effective retro-active to April 18, 2017.

APPOINTMENT OF SEASONAL EMPLOYEES, PARKS AND RECREATION  
DEPARTMENT

Trustee Butler 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 does hereby appoint James Farmer to the position of seasonal laborer in the Parks and Recreation Department at an hourly rate of \$13.00 per hour (40) hours per week effective May 2, 2017.

APPOINTMENT OF PART-TIME SEASONAL EMPLOYEE IN POLICE  
DEPARTMENT

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 appoint Sara Pennella to the part-time seasonal position of Intermediate Clerk - Police Department at an hourly rate of \$13.00 per hour (20) hours per week effective May 2, 2017.

INTEGRATED TECHNICAL SYSTEMS, INC. (ITS) SERVICE AGREEMENT

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 authorize and direct the Village Administrator to execute an agreement with Integrated Technical Systems, Inc. (ITS) regarding an extended hardware/software agreement for the Luke Parking Meters.

AWARD A BID - REHABILITATION OF WATER TANKS

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

WHEREAS, sealed bids were opened on March 16, 2017 for the Rehabilitation of Water Tanks and Benedict Avenue Interconnection; and

WHEREAS, two (2) bids were received for the sandblasting and painting work and are listed below:

<u>Contractor</u>	<u>Bid Amount</u>
- Alpine Painting & Sandblasting Contractors (Excluding item #16, the Chamber)	\$1,276,950.00
- Nuco Painting Corporation	\$1,608,000.00

WHEREAS, all of the bids have been reviewed by the Village's water engineering consultant, PCI and the Superintendent of Public Works and it is their recommendation that this project be separated into two parts, one for the Rehabilitation of Benedict Avenue Interconnection, Chamber only and the other for the High Service Water Storage Tank including repairs, upgrades, painting and installation.

BE IT FURTHER RESOLVED that it is the recommendation of the Village's water engineering consultant and the Superintendent of Public Works to award the 4.0 Million Gallon High Service Water Storage Tank repairs, upgrades, exterior and interior painting and installation project to Alpine Painting & Sandblasting Contractors per their bid of \$1,276,950.00, which excludes the cost of the Chamber.

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 Alpine Painting & Sandblasting Contractors for the 4.0 Million Gallon High Service Water Storage Tank repairs, upgrades, exterior and interior painting and installation project per their bid amount of \$1,276,950.00.

BE IT FURTHER RESOLVED that funding for this project may be provided from a future borrowing resolution.

**AWARD A BID - REHABILITATION OF BENEDICT AVENUE INTERCONNECTION**

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

WHEREAS, sealed bids were opened on March 16, 2017 for the Rehabilitation of Water Tanks and one was the lowest bidder for the Benedict Avenue Interconnection as follows:

- Valcon America Corporation (Chamber only)	\$207,800.00
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WHEREAS, the bid has been reviewed by the Village's water engineering consultant, PCI and the Superintendent of Public Works and it is their recommendation that this project be separated into two parts, one for the Rehabilitation of Benedict Avenue Interconnection, Chamber only and the other for the High Service Water Storage Tank including repairs, upgrades, painting and installation.

BE IT RESOLVED that it is the recommendation of the Village's water engineering consultant, PCI and the Superintendent of Public Works to award the Rehabilitation of Benedict Avenue Interconnection, Chamber only, to Valcon America Corporation per their bid of \$207,800.00; and

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 Valcon America Corporation for the Rehabilitation of Benedict Avenue Interconnection, Chamber only, per their bid amount of \$207,800.00.

BE IT FURTHER RESOLVED that funding for this project may be provided from a future borrowing resolution.

AWARD OF RFP – LANDSCAPE ARCHITECTURAL PROPOSAL FOR PATRIOTS PARK

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

WHEREAS, the Village issued a Request for Proposals for a Landscape Architectural Proposal for Design Services for Patriots Park pursuant to a grant received by the Village for improvements to Patriots Park through the New NY Bridge Project Grant Program; and

WHEREAS, the Village received four (4) responses to a Request for Proposal for Design Services for Patriot's Park; and

WHEREAS, the Village Administrator reviewed the proposals and it is his recommendation that the award of the RFP for the Landscape Architectural Proposal for Design Services for the Patriots Park project be awarded to Munz Associates per their proposal in the amount of \$28,500.00.

NOW THEREFORE, 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 Munz Associates, per their proposal of \$28,500.00.

AMENDMENT TO THE MASTER FEE SCHEDULE

Trustee Hoyt moved, seconded by Trustee Butler, 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 Master Fee Schedule as follows:

- Building Permit Base Fees from \$60.00 to \$100.00
- Annual Resident Parking Permit from \$385.00 to \$410.00
- Annual Non-Resident Parking Permit from \$1,200.00 to \$1,225.00

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby amend the Master Fee Schedule to increase all other fees by 2% rounded to the nearest dollar or five dollar amount.

SCHEDULE A PUBLIC HEARING – CHAPTER 273; TAXICABS AND LIVERIES

Trustee Zollo moved, seconded by Trustee Brown, 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 schedule a Public Hearing for the regular meeting of May 15, 2017, at 8:00 p.m., in the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider a proposed amendment to the Code of the Village of Tarrytown, Chapter 273 entitled Taxicabs and Liveries with respect to taxi customer rights and the visibility of taxicab company lettering.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON APRIL 17, 2017

Trustee McGee moved, seconded by Trustee Brown, 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 April 17, 2017 as submitted by the Village Clerk.

Board of Trustees

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May 1, 2017

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF THE BOARD OF TRUSTEES HELD ON APRIL 12, 2017

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 approve the minutes of the special meeting of the Board of Trustees held on April 12, 2017 as submitted by the Village Administrator.

APPROVAL OF AUDITED VOUCHERS

Trustee Hoyt 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 approve Abstract No. 20 of Audited Vouchers to be paid in the following amounts:

General	\$ 640,257.55
Water	20,473.12
Sewer Fund	0.00
Capital	316,960.73
Library	6,279.73
Trust & Agency	<u>20,124.14</u>
Total	\$ 1,004,095.27

The Board was polled all voting “aye” with the exception of Trustee Hoyt who recused himself from Voucher Numbers 2012259138 and 2012259083. 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

Robert DeRocker, 3 Warner Lane, noted the following with respect to the proposed path at Wilson Park:

- He requested the Board to hold a public hearing about the proposed path at Wilson Park at the next Board meeting on May 15<sup>th</sup> to hear all the viewpoints from the public, those who may be for the path and those who may be opposed.
- He is concerned about the proposed path to run through the spine of Wilson Park and sees the 4 or 6 foot wide path as an unnecessary scar ripped across a rare and glorious landscape. In his opinion, he sees the challenges at Wilson Park to be the access to the park; principally, parking and promotion, rather than navigation within the park.
- He solicited comments about the proposed path at Wilson Park and received 34 comments, most of who do not live on or near Wilson Park. He read two comments; one from Judy Cohen, 193 Wilson Park Drive, noted that “thinking of the destruction this would cause to such a wonderful local asset makes me sick.” Another from Suzy Allman, Neperan Road, “The park is perfectly walkable as it is, and in beautiful shape in a semi-wild state. Not every park needs to be developed to the max and this small suburban park is an example of one that’s better left as it is. A bit of care for the old trees a little lane created by a lawnmower and let the raspberries grow and you have a perfectly walkable place that reminds a visitor that not everything needs to be super-sized or manicured to perfection.”

Yoran Gilman, 91 Cobb Lane, stated that it doesn't matter if the proposed path is 4 or 6 feet wide, he would like to see Wilson Park be made available to more people in Tarrytown. By attracting people to the park and making it useful will prevent the accidental perversion to private use of the park.

Mark Fry, member of the Tarrytown Lakes Committee, noted the following:

- He had prepared a compilation of approved documents, including all the meetings from 2003 to 2014, relating to the estates for the Wilson Park project. The proposed path was first included in the finding statements, issued June 25, 2007.
- In the preliminary sub-division site plan approval plat dated May 27, 2008, conditions were listed and item #4 stated a permeable path is to be installed through the open space parcel in the park. The location is to be determined by the Village of Tarrytown Planning Board.
- The Village of Tarrytown purchased the park parcel on March 11, 2011. The trail was to be completed by November 2011. It was not. All of the items have already been subject to sub-division approval, including the new path, and now have been added as conditions to the site plan approvals for Lot No. 2.
- He believes that the Board of Trustees does not have the jurisdiction to avert the Planning Board's conditions of sub-division and site plan approvals. The time to challenge the proposed permeable path expired six months after the final approval on November 22, 2010. There were many public hearing that were held by the Planning Board to be heard on the proposed path.

Cathy Ruhland, 17 Walden Road, Chairperson of the Tarrytown Lakes Committee, noted the following:

- The Tarrytown Lakes Committee was established for the purpose of caring for the Tarrytown Lakes and its drainage area, which includes the beautiful Wilson Park.
- She adores walking through the long grass at Wilson Park because it is so beautiful. The park needs to be shared and made accessible. The park needs a path that all people can walk through without risk. Ideally, a T-shape path that takes you to either Beech Lane or Warner Lane or takes you from Warner Lane or Beech Lane down onto the Tarrytown Lakes Trail. A trail that is wide enough to protect against ticks and poison ivy.
- Wilson Park is a public park and everyone in Tarrytown should be encouraged to use it. The park is underutilized because people don't know about it and it may be considered too risky to walk with poison ivy and ticks abound. A walking path would make this impediment go away. Another inconvenience is that there is no dedicated parking anywhere around the park.
- This park has belonged to the Village since 2011, let's get the path done and talk about parking

Mary McBride, 35B Windle Park, stated the following:

- She is a dedicated hiker and while Wilson Park is very beautiful and should be made available to everyone, she would hesitate before any further development relating to the proposed path. The size of the path that is being considered will erode even after one storm and will require constant maintenance. Bikers will use it and that will accelerate the erosion. Then there will be calls for it to be paved.
- She would like the Village Board to consider continuing the maintenance of the park, keep it clean and let people start to use it and then watch how they use it and then build a path according to usability. Let the public find their way around the park, how they want to use it, where they want to walk and where they want to sit and then build according to that.

Kevin Miller, 191 Union Avenue, stated that it feels less safe to walk and bike in Tarrytown with his two young children than in Indiana, Manhattan, Brooklyn, Queens or in the Bronx. He sees children walking the aqueduct that connects to Cobb Lane and feels that Cobb Lane is dangerous for cars, bicycles or walkers. He would like to see his

children walking or biking to the middle school and high school from the Crest area down to the Lakes trail and over to the schools. He doesn't understand the dynamics of the width or nature of the path, but he feels it is important that people should be able to walk from one end of Tarrytown to the other safely instead of walking on dangerous roads. This is the wave of the future where connections are being made for bicycling and walking throughout the country.

Noah Zamdmer, 15 Croton Avenue, stated that Tarrytown is town of many paths and it is the one thing that makes Tarrytown very unique. His home abuts the Croton Aqueduct and he sees people enjoying the path and he sees a pedestrian life with children and activity. The Croton Aqueduct takes you through Tarrytown in a magical way, through neighborhoods, to schools and to Lyndhurst. There is the RiverWalk along the river and he discovered that there is a small path that connects Crest Drive and Altamont. There are two lakes trails. Each path opens up a new experience and it's a beautiful thing. As each new development comes to Tarrytown, there seems to be new paths to explore. He is interested in the idea of a new path at Wilson Park.

Mark Fry, member of the Tarrytown Lakes Committee, stated the following:

- The Village has the County Trailway, going north and south, the Old Croton Aqueduct going north and south and the RiverWalk going north and south. In addition to those, there will be a path coming over the new New York Bridge to be finished within a year and there will be connector trails to get you from Phillipsburg Manor to Lyndhurst.
- Steve Yaraback designed plans for the path at Wilson Park two years ago with two basic components, the ridgeline path, which has to veer a little to be ADA compliant and the T-shape path as envisioned in the findings in 2007 that will connect up to the existing Tarrytown Lakes Trail to Wilson Park Drive. From there, children will be able to bicycle up to another path next to Lot No. 14.
- Mr. Fry read Steve Yaraback's email for the record, "At the end of numerous public hearings, with input from the residents, the agreed upon and stipulated plan is that Toll Brothers is required to build at a minimum, a ridge trail and connecting trail to the Lakes at a minimum 6 foot width, plus 2 foot wide structural lawn shoulders at both sides to facilitate the use and access by maintenance and emergency vehicles. The ridge trail and lakes trail connector were deemed essential so that all residents of the Village can fully utilize and benefit from the Village's investment in this park."
- The small lakes path that was built next to Lot No. 10 is a 6 foot wide path.

#### ADJOURNMENT

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the meeting be adjourned at 8:54 p.m.

Carol A. Booth  
Village Clerk