

Board of Trustees  
Village of Tarrytown  
Regular Meeting No. 27  
March 2, 2015  
8:00 p.m.

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

The meeting began with the Pledge to the Flag.

## REPORTS

Mayor Fixell reported on the following:

- The St. Patrick's Day Parade will be held on Sunday, March 15<sup>th</sup> at 1:30 p.m. The parade will start promptly on Main Street in Tarrytown and end in Sleepy Hollow.
- The Tarrytown and Sleepy Hollow Farmer's Market is holding a community meeting, sponsored by the Tarrytown Environmental Advisory Council (TEAC) at the Warner Library on Monday, March 16<sup>th</sup> from 7 p.m. – 9 p.m. There is a new group operating the farmer's market this year and they are looking for input from the community.

Trustee Hoyt noted that the Tarrytown Parks and Recreation Advisory Council are finalizing the Tarrytown Recreation Spring and Summer Brochure and will be available soon on our website.

Trustee Butler noted two items:

- There will be a Farmers Market Community Meeting at the Library.
- He read an article in the River Journal newspaper about former Mayor Paul Janos and wanted to know if the River Journal reached out to Mayor Fixell for questions or comments. Mayor Fixell said that he was never contacted by the River Journal.

## ADMINISTRATORS REPORT

Administrator Blau reported the following:

Farmers Market Community Meeting – There is a Farmers Market flyer being distributed regarding the Community Meeting. The flyer states that “If the library parking lot is full, there is street parking in the small municipal behind the library lot on Wildey Street.” Administrator Blau noted that people should not park in that lot because it is not a Village owned parking lot; it is privately owned. The flyer will be corrected.

Pothole Killer Machine – The Village has entered into a pilot project in cooperation with the Villages of Ardsley, Dobbs Ferry, Elmsford, Hastings, Irvington and Sleepy Hollow to determine if a machine, known as the Pothole Killer, is a viable means to address potholes in the Villages during the winter season. The Pothole Killer is designed to provide a permanent repair of potholes during the winter months as opposed to using cold mix asphalt, which based upon weather, has very limited effectiveness in the repair of potholes. The New York State Department of Transportation has contracted with the Pothole Killer for the past few years in every region in the state. As part of the pilot program, every Village will receive 11 hours of repair work with the Pothole Killer. Tarrytown was scheduled for this Wednesday, however, due to the warming weather for tomorrow which will create wet holes and makes the Pothole Killer process less effective and rain in the forecast for Wednesday, the schedule for the Villages of Irvington, Elmsford, Tarrytown and Sleepy Hollow will be modified. The streets to be addressed with the Pothole Killer machine are:

1. Starting at the intersection of Depot Plaza and White St, White Street to Franklin
2. Franklin, from White to S. Broadway
3. Neperan Rd starting at Broadway to Village line
4. Altamont

5. Rosehill
6. Leroy
7. Meadow
8. Independence
9. Park
10. Miller
11. Riverview

We do not know how far down the list 11 hours will provide, but we believe that our residents will see a difference.

Snow Removal – The Village, as well as communities throughout the area, are once again experiencing a salt shortage. As of today, DPW has about 100 tons of a sand salt mix with five hundred tons on order. Under normal circumstances the salt company delivers within 3 business days on an order. However, the DPW Superintendent placed the new salt order a week ago and based upon contact with the salt company, we are not on the delivery schedule. According to the salt company, the problem this year is not enough trucks. They used this same excuse last year but would not allow municipal trucks to come to the depot to pick up salt. The latest that the Superintendent has heard within his professional organization was that the salt company is low on stored salt.

The Village uses approximately 150 tons of salt for a short duration low intensity snow storm. The Village has used as much as 300 tons for the two ice storms that occurred this winter season. According to the DPW Superintendent, more salt is used in a 1 to 3 inch storm longer duration snow storm than a one foot storm fast duration snow storm.

The Village has filed a complaint with the New York State Office of General Services, which is the state agency responsible for state bids that local municipalities can utilize.

Ice Skating – As one of our protocols when a staff member goes out onto the lake to test the ice, the staff member will be wearing a life vest and have a rope tied around them just in case they might fall through the ice. In addition, the Tarrytown Fire Ice Rescue Team must be on site in case of an emergency. The Recreation Supervisor had scheduled the test of the ice today, but due to the weather, the Fire Department cancelled today and the testing has been rescheduled for this Wednesday, weather permitting. Hopefully this will happen, because without testing the ice to be sure it is at least 6 inches thick, the Village will not be able to permit ice skating at the Tarrytown Lakes.

Trustee Butler asked Administrator Blau if the Department of Public Works has a contingency plan with regard to the salt shortage. Administrator Blau stated that we do reach out to other communities to obtain salt.

#### CERTIFICATE OF PUBLIC RECOGNITION – RICHARD MILLER

Mayor Fixell noted that he is pleased to recognize Richard Miller who was born in Tarrytown and has recently moved to the Washington D.C. area to live near his son. He has been the Village Historian for the last ten years and has dedicated himself to the great work he did for our Village. Unfortunately, he is not here tonight to receive this award, but we will mail it to him.

WHEREAS, Richard Miller has been a life-long resident of the Village of Tarrytown where he and his wife, Lee Ann, raised their son, Christopher; and

WHEREAS, Richard Miller has given many years of dedicated volunteer service to the Village of Tarrytown; and

WHEREAS, Richard served as Village Historian for the Village of Tarrytown from 2005 to 2015; and

WHEREAS, Richard has helped many people from Tarrytown, as well as from all over the country, by tracing genealogy, taking photos of ancestral houses and gravestones and researching the rich history of the Village.

NOW, THEREFORE BE IT RESOLVED, that I, Drew Fixell, by virtue of the authority vested in me as Mayor of the Village of Tarrytown, and on behalf of the entire Board of Trustees and all our citizens, do hereby tender to Richard Miller this certificate of public recognition, extending to him our deep appreciation for his distinguished volunteer service to the community.

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 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 approve the following Fire Department membership change recommended at the February 17, 2015 Board of Fire Wardens meeting: Membership: Kevon Lewis has been elected to out-of-town active membership at Hope Hose Fire Company.

SCHEDULE A PUBLIC HEARING – PERMIT PARKING

Trustee Zollo moved, seconded by Trustee Hoyt, 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 the regular meeting of March 16, 2015, to hear and discuss and act upon a proposed amendment to the Code of the Village of Tarrytown, Chapter 291, Vehicles and Traffic, Article VI. Permit Parking, §291-46 “Resident parking permits”, §291-47 “Nonresident parking permits” and §291-49 “Carpool permits” to provide clarification regarding the use of a parking permit and §291-65 “Penalties for offenses” to provide for the revocation of a parking permit under specific circumstance.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON FEBRUARY 17, 2015

Trustee Basher 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 approve the minutes of the regular meeting of the Board of Trustees held on February 17, 2015 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS

Trustee McGovern 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. 16 of Audited Vouchers to be paid in the following amounts:

General	\$ 366,874.84
Water	76,446.51

Sewer Fund	0.00
Capital	1,850.00
Library	6,869.00
Trust & Agency	<u>13,500.21</u>
Total	\$ 465,540.56

The Board was polled all voting “aye” with the exception of Trustee McGee who recused herself from Voucher Number 2012249097. Motion carried. 7-0

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

Mark Fry, member of the Tarrytown Lakes Committee, presented the Tarrytown Lakes Committee’s progress report since 2005. The report will be attached hereto as part of the official record of this meeting.

Mayor Fixell thanked the Tarrytown Lakes Committee for all their time and effort. Mayor Fixell noted he would make one correction to the report in regard to costing \$1.2 million to purchase 11.5 acres of park land. We were able to reduce the cost of that park land.

Cathy Ruhland , Chairperson of the Tarrytown Lakes Committee, stated the following:

- She understands the Village’s insurance company has no issues with using our lakes for skating provided that proper protocols are followed. She spoke with the manager of the New York State owned FDR Park in Westchester County to find out what their ice skating practices are. They have a lake there that is open for skating (Mohansic Lake). They have a very straight forward protocol for measuring the ice and very straight forward criteria for who or what is permitted on the ice. With 6 inches skating is allowed; with 10 to 12 inches vehicles are allowed on the lake. They have safety equipment next to the lake. This equipment is a throw rope, a ladder, a reaching pole and a flat bottomed rowboat. In addition their personnel have been trained in ice safety. Each morning two employees measure the ice and certify its thickness. Then they fly either a green flag permitting skating at people's own risk or a red flag closing the lake to skaters. They use shovels to clear the ice, but would consider snow blowers. I have shared this information with members of the Board of Trustees as well as the Village Administrator. I have provided them with the phone numbers of parties contacted.
- She understands that members of the Tarrytown Fire Department and TVAC have already been trained in ice safety. Since there are not many weekends left for skating, she asked if these individuals could be called upon to help with the skating program at the lakes so that we could allow skating for the next few weekends? On Friday the New York Times stated on the front page that this has been the coldest February on record since 1934. There can be no question that the ice is thick enough for skating. What is causing the delay in skating?
- The Tarrytown Lakes Committee has as its mandate the promotion and expansion of recreation on and around the Tarrytown Lakes. Skating on the lakes falls under that mandate. She would like to propose that the Lakes Committee put together a skating action plan with a time frame signed off on by the Board of Trustees and the Village Administrator. She would also like to propose that the village, with the Lakes Committee support, spend the Spring, Summer and Fall of this year in preparing for next year's skating season. This would assure everyone that the village will be prepared for skating on the lakes next year and thereafter and that the villagers interested in skating no longer have delays. It will also assure that everyone knows what to do and when to do it to prepare for skating on the Lakes. Can this be done? In addition, the area around the skate shack is crumbling. Can this be addressed? Can the Board of Trustees authorize repairs to the crumbling infrastructure down by the Skate Shack?
- A petition calling for skating on the lakes has been circulated at Change.org. To date 235 individuals have signed it. I encourage the Board of Trustees to make the

necessary decisions and prepare the lakes for skating. Ice thickness can no longer be the issue.

- She would like to propose that we train a junior corps of interested high school students in ice safety to be ice monitors. They would receive community service credits, which are required to accumulate in high school. Would the Board of Trustees consider this? Mayor Fixell noted that it sounds like a good idea, but we would have to think it through and have it approved by our Village Attorney and insurance agent to determine whether such volunteers would be provided insurance coverage.

Mayor Fixell stated that he believes all the members of the Board of Trustees want to have skating on the Tarrytown Lakes. Unfortunately, we had an employee go through the ice in 2014 at an area on the ice which should have been as thick and solid as all the other areas. We have to measure the thickness of the ice in a very comprehensive fashion, which is part of the protocols we put together. We need to make a comprehensive map of the entire skating area to see if there are spots that are not as solid as the rest. We had a drone fly over the lakes and photographed the ice before the snow fell and it did suggest that there are differences in the thickness of the ice based upon different colors of the ice, as well as patterns and cracking of the ice. The plan is to have the Fire Department Ice Rescue Team and the recreation personnel test the ice in a very comprehensive measure to see if the ice is consistently frozen and there are not spots on the ice that could be dangerous. Hopefully the measuring of the ice will occur this week. We will have to look into the skate shack repairs in terms of the capital budget.

Trustee Butler thanked Cathy Ruhland and Mark Fry and the entire Tarrytown Lakes Committee for an outstanding job since 2005. He thanked them for their tireless hours of overseeing the improvements at the Tarrytown Lakes.

John Osterman, Tarrytown resident, supports the effort to have ice skating on the Tarrytown Lakes. He has lived in Tarrytown most of his life and has many memories of ice skating that he hopes will continue.

Trustee McGovern responded to last week's article in the River Journal as follows:

After reading the interview with Paul Janos in the River Journal last week, she was bothered by a statement that taxes are pushing residents out of Tarrytown. To set the record straight, the following are actual verified facts concerning the important subject of taxes in Tarrytown. While Paul Janos was in office, his administration's tax rate increase averaged approximately 8 percent. While under our administration, the average tax increase was 4.75 percent. Paul Janos' tax levy increase was 7.3 percent while our administration's tax levy increase has been 2.9 percent since 2005 and 1.4 percent since 2008. We have been under the State's two percent tax cap every year, something other municipalities have been unable to accomplish. Trustee McGovern hopes that this clarifies Tarrytown's recent taxation history. Taxes are an area of deep concern for the Mayor and our board. We will continue to look for cost saving measures, additional ways to keep taxes down while bringing new revenue into our Village.

#### ADJOURNMENT

Trustee Basher moved, seconded by Trustee Hoyt, and unanimously carried, that the meeting be adjourned at 8:40 p.m.

Carol A. Booth  
Village Clerk