

Board of Trustees  
Village of Tarrytown  
Regular Meeting No. 8  
June 15, 2015  
8:00 p.m.

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

ABSENT: Trustee Hoyt

The meeting began with the Pledge to the Flag.

## REPORTS

Mayor Fixell reported on the following items:

- Any resident who parks at the riverfront parking lots should apply for a Tarrytown Recreation Parking Permit at Village Hall. There is no fee for this parking permit.
- The Tarrytown/Sleepy Hollow Summer Camp begins on Monday, July 6<sup>th</sup>. Registration for summer camp is ongoing at the Tarrytown Recreation Office, 631-8347.
- The Concerts in the Park series begins Thursday, June 25<sup>th</sup> from 7 p.m. - 9 p.m. at the Pierson Park Performance Pavilion.
- Westchester County Mobile Shredder is coming to Tarrytown on Saturday, June 27<sup>th</sup> from 10 a.m. to 1 p.m. at the Green Street parking lot. First come, first serve.
- Westchester County Clerk's Mobile Office is coming to Tarrytown on Tuesday, July 7<sup>th</sup> from 11 a.m. – 2 p.m. at Patriots Park to assist residents on getting their U.S. passports.
- The Foundation for the Tarrytown Public Schools is holding their second annual Horseman Color Run fundraiser this Saturday at Kingsland Point Park in Sleepy Hollow to raise money to support education in the district. Registration begins at 8 a.m. There will be races for younger children and a 5K race. For more information, search Horseman Color Run on-line.
- Bark & Meow and Friends of Neperan Park are hosting their first annual Petpalooza, a free pet fair in Neperan Park on Saturday, June 27<sup>th</sup> from 10 a.m. to 3 p.m. It will include a pet parade, best-dressed contest, story time with “Sparky” the Dalmatian, nutritional counseling and much more.

Trustee McGovern announced to the members of the Tarrytown Senior's that at tomorrow's Senior's meeting, a staff member from Village Hall will be attending to assist our members to apply for the Tarrytown Recreation Parking Permit, which is a free parking permit. This permit will allow Tarrytown residents to be able to park at the recreation and senior parking lots. She noted that the Tarrytown seniors should bring their parking application and a copy of their vehicle's registration card.

## ADMINISTRATORS REPORT

Administrator Blau noted the following:

- As of June 1<sup>st</sup>, the multi-space parking meter machines were activated. There are six multi-space parking meter machines in the riverfront parking lots which will have signage that states within specific hours, you have to put money in the meters. When using the multi-space meters, you simply type in the space number and pay. You do not have to return to your car to put the receipt on the dash board.
- If you are resident of Tarrytown and need to park in the riverfront parking lots after 2 p.m., either to commute to the city or use the Tarrytown recreation facilities, you can obtain a free Recreation Parking Permit for each of your vehicles. You can obtain the application on our website at [tarrytowngov.com](http://tarrytowngov.com). You can email the form and a copy of your vehicle's registration card to the Treasurer's Office and we



will mail you the permit. You can also obtain the permit at Village Hall at the Treasurer's Office.

- Tarrytown residents can still obtain a daily parking pass from the police department for \$5.00. Non-residents can no longer obtain a daily parking pass from the police department, they must use the meters. Parking on the weekends and holidays in the riverfront parking lots are free for everybody.
- Resident and Non-resident annual and semi-annual parking permits are still available for those who commute daily.

#### PUBLIC INFORMATION MEETING – PROPOSED TARRYTOWN LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)

Administrator Blau stated that the Village has been working on creating a Local Waterfront Revitalization Program (LWRP) document since 1984. The Village submitted a document to the Department of State in 2001, which was ultimately rejected by the state. Our LWRP includes 9 different sections: 1) Waterfront Revitalization Boundary, which is the entire Village of Tarrytown. 2) Inventory and Analysis. 3) Local Waterfront Revitalization Program Policies. 4) Proposed Land and Water Uses. 5) Techniques for Local Implementation. 6) State and Federal Actions and Programs Likely to Affect Implementation. 7) Consultation with Other Affected Agencies. 8) Local Commitment. 9) Draft Generic Environmental Impact Statement. The LWRP document is on our website under Village Trustees. At this time, the Village is seeking input from the public on the contents of the document. The Board of Trustees has to approve the LWRP document and then it goes to the Department of State for a legal review by the Department of State. It then comes back to the Board of Trustees for further approval and then goes back to the state for a six-month review. During the six-month review, the Department of State will send the LWRP document to all interested agencies in the state of New York. (The six-month review can take up to 1-year.) Once approved by the state, it goes to the federal government for review and approval. Even if this process goes smoothly, it can take up to 1 ½ years for a final approval of the LWRP document.

#### 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 LABORER

Trustee Basher moved, seconded by Trustee Zollo, that the following resolution be approved. Motion carried, all voting "aye" with the exception of Trustee Butler who recused himself because his son applied for the position. Approved: 5-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Robert Small to the position of Laborer, Step 1, effective June 29, 2015, at an annual salary of \$46,520.00 subject to all civil service rules and regulations.

#### FIRE DEPARTMENT MEMBERSHIP CHANGE

Trustee McGee 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 following Fire Department membership change recommended at the May 19,



2015 Board of Fire Wardens meeting: Membership: Jason Legault has been removed from active membership at Washington Engine Company.

MANAGEMENT, JUDICIAL AND PART-TIME SALARIES

Trustee Basher 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 a 3% salary increase for individuals in the following job titles: Village Administrator, Superintendent of Public Works; General Foreman-Public Works, Recreation Supervisor, Village Clerk, Village Treasurer, Deputy Village Treasurer, Court Clerk, Village Engineer/Building Inspector, Assistant Village Engineer/Assistant Building Inspector, Chief of Police, Village Justice and Assistant Village Justice retroactive to June 1, 2015; and

FURTHER BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves an increase of 3% retroactive to June 1, 2015 in the hourly rate paid for year round part-time employees.

RE-APPOINTMENT OF SUMMER CAMP DIRECTOR

Trustee McGovern 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 re-appoint Ryan Fischer as Day Camp Director for the 2015 Day Camp season at a salary of \$7,500.00.

WORKERS COMPENSATION ALLIANCE PLAN

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

WHEREAS, there has been proposed a “NEW YORK STATE MUNICIPAL WORKERS’ COMPENSATION ALLIANCE PLAN DOCUMENT” pursuant to Section 50 Subdivision 3-a of the Workers’ Compensation Law (hereinafter “the Plan”); and

WHEREAS, the Village of Tarrytown is eligible for membership in the Plan; and

WHEREAS, the Village of Tarrytown has made an independent investigation of the Plan and reviewed the Plan document, and has concluded that it would be in the interests of the Village of Tarrytown to participate therein.

NOW, THEREFORE, BE IT RESOLVED that the Village of Tarrytown enter into membership in the Plan pursuant to Section 50 Subdivision 3-a of the Workers’ Compensation Law; and

BE IT FURTHER RESOLVED, that the Village Administrator be and hereby is authorized and instructed to execute the Plan’s charter document on behalf of the Village of Tarrytown; and

BE IT FURTHER RESOLVED, that the custody of all joint Plan moneys by the Plan Administrator under the Plan be and the same hereby is approved.

RESOLUTION IN SUPPORT OF SOLARIZE WESTCHESTER APPLICATION

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



WHEREAS, Solarize Westchester is a NYSERDA supported program that teams up communities with competitively selected solar photovoltaic (PV) installers to make residential and small commercial solar energy more accessible and affordable for residents and businesses across Westchester County; and

WHEREAS, Solarize Westchester will be conducting two Solarize campaigns where four communities or a coalition of four communities in each campaign are selected to be solarize communities; and

WHEREAS, should a community be selected to be Solarize community, that community works with the Solarize Westchester team to select a pre-qualified solar installer, who will provide competitive tiered pricing, free site visits and collaboration in community outreach and education with a goal of dramatically increasing the number of solar PV installations in the selected community; and

WHEREAS, the first Solarize campaign commenced in Fall 2014 and Solarize Westchester is accepting applications for participation in the second Solarize campaign, with applications due on June 29, 2015; and

WHEREAS, the Tarrytown Environmental Advisory Council is desirous of submitting an application to Solarize Westchester to be one of the four communities selected for the upcoming Solarize campaign.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby support the Tarrytown Environmental Advisory Council's application to Solarize Westchester to be a Solarize community.

INTER-MUNICIPAL AGREEMENT WITH WESTCHESTER COUNTY REPOSITORY  
FOR INTEGRATED CRIMINALISTIC INFORMATION

Trustee Basher 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 of the Village of Tarrytown does hereby authorize and direct the Village Administrator to execute an inter-municipal agreement with Westchester County associated with the Repository for Integrated Criminalistic Information (RICI System).

DREDGING PERMIT – HUDSON RIVER

Trustee McGee 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 authorize and direct the Village Administrator to sign the authorization for dredging issued by the U.S. Department of the Army Corps of Engineers to dredge the area where the fireboat is docked.

LED STREETLIGHTS

Trustee Basher 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 authorize and direct the Village Administrator to execute an agreement with Lumen Light Solutions to furnish, install and finance energy efficient street lighting; and



BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby elect the 7-year finance option submitted by Lumen Light Solutions in their bid.

ADDITIONAL ENVIRONMENTAL SERVICES – EASTVIEW PUMP STATION

Trustee McGovern 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 authorize and direct the Village Administrator to execute an agreement with Barton and Loguidice to provide additional environmental services with hazardous materials removals at the former Eastview Pump Station on Neperan Road; and

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appropriate monies from the fund balance in the General Fund for this work; and

BE IT FURTHER RESOLVED that the Village Treasurer is hereby authorized and directed to deposit these monies in a Reserve Fund associated with this project.

REJECTION OF BID FOR PIERSON PARK NORTH PLATFORM REPAIR

Trustee Basher 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 reject the one bid submitted for the Pierson Park North Platform Repair project; and

BE IT FURTHER RESOLVED that the Board of Trustees does hereby authorize and direct the rebid of the project.

REQUEST FOR PROPOSAL FOR GREEN STREET PARKING LOT

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

WHEREAS, On May 11, 2015, requests for proposals were sent out to (3) three contractors for the removal of a peninsula in the area of Green Street near the south end of the train station and the creation of an additional 22 parking spaces; and

WHEREAS, the Village received (3) three responses to the Request for Proposals and the responses are listed below:

- |                                 |          |
|---------------------------------|----------|
| • Benny Siniscalchi Paving Inc. | \$18,000 |
| • V.S. Construction Corp.       | \$21,000 |
| • PVS Construction LLC          | \$28,250 |

WHEREAS, all of the proposals have been reviewed by the Superintendent of Public Works and he has recommended that the project be awarded to the lowest proposer, Benny Siniscalchi Paving Inc.

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 Benny Siniscalchi Paving Inc. per their proposal of \$18,000; and

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



AWARD A BID FOR SWAP LOADER LIFT GATE

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

WHEREAS, sealed bids were opened on May 15, 2015 for the Swap loader Lift Gate; and

WHEREAS, two (2) bids were received and are listed below:

<u>Contractor</u>	<u>Bid Amount</u>
Trius Inc.	\$32,506.00
Henderson Equipment	“No Bid”

WHEREAS, the bid has been reviewed by the Superintendent of Public Works and his staff and he recommends to award the bid to Trius Inc. of Bohemia, New York.

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 Trius Inc. per their bid amount of \$32,506.00.

AWARD A BID FOR SIDEWALK, CURB AND FENCE REPLACEMENT AT ALTAMONT AVENUE

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

WHEREAS, sealed bids were opened on May 14, 2015 for the Sidewalk, Curb and Fence Replacement at Altamont Avenue; and

WHEREAS, two (3) bids were received and are listed below:

<u>Contractor</u>	<u>Bid Amount</u>
Peter J. Landi, Inc.	\$169,200.00
Con-Tech Construction Technology Inc.	\$227,560.00
Paladino Concrete Creations Corp.	\$258,330.00

WHEREAS, all of the bids have been reviewed by the consulting engineer working on this project as well as the Superintendent of Public Works and they have recommended that the project be awarded to the lowest bid, Peter J. Landi, Inc.

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 Peter J. Landi, Inc. per their bid amount of \$169,200.00; and

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

SCHEDULE A PUBLIC HEARING – CONSULTANT FEES

Attorney Silverberg noted that we have a provision in the Village Code for payment of consultant fees, but it does not include attorney fees. It is also to setup a procedure to establish an initial escrow account in order to cover those fees. To be consistent with recent case law, we also put in a provision to give the applicant the ability to protest an invoice, if they feel that the invoice is excessive.

Trustee Zollo moved, seconded by Trustee Basher, 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 July 20, 2015, to hear and discuss and act upon a proposed amendment to Chapter 305. Zoning, Article XVI. Site Development Plan Review, § 305-138 (B) and (C) of the Code of the Village of Tarrytown to address payment of consultants' fees for applications to the Village Planning Board.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON MAY 18, 2015

Trustee Zollo moved, seconded by Trustee McGovern, 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 May 18, 2015 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: 6-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No. 1 of Audited Vouchers, which includes the May 29, 2015 and the June 15, 2015 vouchers to be paid in the following amounts:

General	\$ 558,914.05
Water	168,308.82
Sewer Fund	0.00
Capital	276,327.92
Library	8,311.78
Trust & Agency	<u>16,549.18</u>
Total	\$ 1,028,411.75

The Board was polled all voting "aye" with the exception of Trustee McGee who recused herself from Voucher Number 2012250474. 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

Craig Allen, 29 Warren Avenue, stated that he wanted the members of the Board to be aware that this past Thursday, there was a chemical substance, a weed killer, applied to the soccer field at the Tarrytown Lakes partly with knowledge from members of the Tarrytown Lakes Committee and some Village employees by a company called Landtek. Landtek is not a licensed green industry contractor in the Village of Tarrytown. Landtek broke DEC law as they did not post any signs at the soccer field by the Tarrytown Lakes. Landtek's letter to Engineer McGarvey states that a notification sign was put at the entrance to the field as required by New York State law. Had he seen that sign, he would not have walked on the field. Mr. Allen asked the Board how many signatures it would take for the Board to consider banning fertilizer and herbicide use in the Village of Tarrytown. Administrator Blau noted that there is no ban for the use of herbicides on private property within the Village; however, the Village does not use herbicides on Village property.

Trustee Butler asked Administrator Blau to have Toll Brothers place "Private Property" signs at the soccer field's entrance so people know not to go on the field until it is turned over to the Village. Also, the Building Department should have been made aware of the type of chemicals that Landtek used to fertilize the soccer field.



ADJOURNMENT

Trustee Basher moved, seconded by Trustee Zollo, and unanimously carried, that the meeting be adjourned at 8:37 p.m.

Carol A. Booth  
Village Clerk