

Board of Trustees  
Village of Tarrytown  
Special Meeting No. 13  
April 23, 2018  
7:30 p.m.

PRESENT: Mayor Fixell, Trustees Brown, Hoyt, McGovern and Zollo; Village Treasurer Hart, Village Attorney Zalantis, Village Administrator Slingerland.

ABSENT: Trustees Butler and McGee

Attending from the YMCA – Board chairman Mike Goldrick, Executive Director Gerry Riera, Board Finance member Len Andrew, and Board Member Kiran Batheja.

Trustee Brown moved, seconded by Trustee McGovern and unanimously carried to open the Special Meeting at 7:30 p.m.

The Board convened to discuss the arrears of the YMCA water consumption.

It was noted up front that the outstanding amount owed by the YMCA to the Village for water consumption, dating back to 2015, totaled \$57,994.36 in water, and \$35,028.38 in penalties.

The YMCA representatives noted that they have been a long-standing member of the community and a contributing not-for-profit that has helped those in need of help in the Tarrytown community for many years. They commented that it is their goal to pay this bill by the end of June, 2018, and then to keep things current. It was noted that the pool consumes a significant amount of water, and it was noted that the proportions of the water billing for 80% commercial and 20% residential need to be reviewed, because they feel that more water is consumed by the residential side.

Mayor Fixell explained that the Village has had to increase the rates significantly over the past few years because of increases by New York City DEP, as well as the Village's needs to cover costs for capital expenditures and improvements to the system, which have been ranging approximately at a couple of million dollars per year. The YMCA noted they are proposing to pay the \$57,994.36 by June 30. Mr. Goldrick noted that the YMCA would like the penalties waived if they make payment by then. Trustee Brown asked if the penalties have been compounded, and that was confirmed. Trustee Zollo noted that the Village wants to make sure that the YMCA stays current after they pay off the present balance.

The YMCA representatives noted that the termination of the operating agreement with the school at the Tappan Hill School for child care/day care caused significant financial hardship for the YMCA and its clientele. The YMCA had to fix issues and re-adapt the building on a short-term basis. They also noted that the White Plains YMCA is planning to sell its building, rather than continue the cost of maintaining and fixing it.

With regard to the Tarrytown Family YMCA, Mr. Goldrick noted that they had a major credit on the building with Citibank, and they were "underleveraged" on the building, but that they would be working to get their financial condition up to date. He noted that the YMCA offered approximately \$300,000 in scholarships for programs and services to children in the Tarrytown community, allowing mothers to work and families to stay off welfare.

Mr. Riera noted that the YMCA has 48 SRO apartments. Trustee McGovern asked why it had taken this long for this dialogue to take place, because this is not the first time that the YMCA has been in arrears on its water bills. Mr. Goldrick commented that the RFP for the Recreation Center had ended, the Village had said they would get back to them but never did, and then went with another company.

Mr. Batheja asked that the Board consider the important role the YMCA plays in the Tarrytown community. Mr. Andrew noted that child care is a very important part of

the YMCA mission. Mayor Fixell commented that the YMCA should consider a water-usage audit of the building. Mr. Slingerland noted the services for water usage audit available from the NYC DEP. Mr. Riera noted that the YMCA is capped on what increased it can charge its residents.

After further discussion, the YMCA representatives were thanked for coming to the meeting to meet with the Village of Tarrytown Mayor and Board of Trustees.

Mayor Fixell noted that they would go into Executive Session now to discuss a proposed plan to move forward with. On the motion of Trustee Zollo, seconded by Trustee McGovern, the Board of Trustees agreed to enter into Executive Session on the water arrears and penalties.

After discussion with the Village Attorney, Village Treasurer and the Village Administrator, the following plan of action was agreed upon by the Board of Trustees by consensus:

1. The YMCA shall sign both an affidavit of confession and judgement, and a stipulation of settlement.
2. The YMCA shall make payment of the \$57,994.36 by June 30, 2018 in order to avoid the penalties.
3. If the \$57,994.36 is not paid off by June 30, 2018, the penalties will be restored/applied.
4. If the full amount is not paid by July 31, 2018, the water will be shut off by the Village until payment is made.

#### Adjournment

On the motion of Trustee Zollo, seconded by Trustee Hoyt, the board of Trustees voted unanimously to adjourn the special meeting at 8:20 p.m.

Respectfully submitted,

Richard Slingerland  
Village Administrator