

Board of Trustees  
Village of Tarrytown  
Regular Meeting No. 15  
May 8, 2019  
8:00 p.m.

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

The meeting began with the Pledge to the Flag.

MOMENT OF SILENCE – JOSEPH CALLAHAN

Mayor Fixell requested a Moment of Silence in memory of Joseph Callahan who passed away on Sunday. Joe was active in many community organizations. He was the Chairperson on the Tarrytown Transportation Council for many years. The Board of Trustees extended their deepest sympathy to the Callahan family.

POLICE OFFICER APPOINTMENT AND SWEARING IN CEREMONY OF POLICE OFFICER ROCCO J. ROMANO

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 appoint Rocco J. Romano to the position of Police Officer, Grade 5 in the Village of Tarrytown Police Department at an annual salary of \$59,027 effective May 9, 2019. This appointment is subject to the provisions of Civil Service, including a probationary period of not less than twelve weeks and not more than fifty-two weeks as mandated by Civil Service Law.

BE IT FURTHER RESOLVED that this appointment is made pursuant to receipt of a letter from the Westchester County Department of Human Resources, dated April 12, 2019 granting permission for resignation/reinstatement for Rocco J. Romano.

REPORTS

Mayor Fixell noted the following:

- Kayak season is coming soon, residents can purchase boat permits at Village Hall. The fee for Boat permits for the Tarrytown Lakes is \$50/boat. Kayak storage rack rentals at the Hudson River are available and can be purchased at the Recreation Center.
- At the NYCOM (New York Conference of Mayors & Municipal Officials) conference that took place this past Monday and Tuesday, the Village of Tarrytown received an award from NYMIR, (New York Municipal Insurance Reciprocal) for the outstanding performance of the Village's management of insurance as a whole, reducing the rate of claims, etc. The Village of Tarrytown came in first place, and the award states, "In recognition of a commitment to sound risk management, safety and training that makes a difference." Mayor Fixell thanked the Village management and staff for all their good work.
- The Westchester County Mobile Passport office is coming to Tarrytown tomorrow, May 9<sup>th</sup> from 11 a.m. to 2 p.m. on the corner of Main Street and South Washington Street. If you need to renew or get a passport, this is an easy way to get it done.
- Household Recycling Drop off Day will be held on May 18<sup>th</sup> at the Material Recovery Facility on Stew Leonard Drive in Yonkers between the hours of 9 a.m. and 3 p.m. The list as to what is accepted and not accepted can be found on our website.
- The first-ever Sleepy Hollow/Tarrytown Lit Fest will be held on May 18<sup>th</sup> from 10 a.m. to 5 p.m. There will be 8 venues across Tarrytown and Sleepy Hollow from the Tarrytown Music Hall to the Hudson Valley Writers Center, more than 100 authors and artists will take part in free readings, panels, signings, performances,

music, open mic, and other family-friendly activities. For more information, you can go to their website, [sleepyhollowlitfest.org](http://sleepyhollowlitfest.org).

Trustee McGovern noted the following:

- The Swimming Pool is getting ready to open on Saturday, May 25<sup>th</sup>. Tennis, yoga and Pilate lessons are taking place right now. The Rec Center has something going on almost every morning. She encouraged everyone to come visit the Recreation Center.
- Recreation Parking Permits have to be renewed by June 1<sup>st</sup> in order to park in Lot E. This lot is for residents only to park for the senior center, fitness center, pool, and parks. There is no charge for the Recreation Parking Permit, you can obtain the permit at the Treasurer's Office, or register on line at [tarrytowngov.com](http://tarrytowngov.com), or by mail.

Administrator Slingerland noted that the Village will be sending a postcard to all residents with information on both, the Village Swimming Pool and Fitness Center.

#### ADMINISTRATOR'S REPORT

Administrator Slingerland reported on the following:

- The Village is working with the Chamber of Commerce and Historic Hudson Valley and other organizations on "Travel Stories," to put together a number of stories about locations in Tarrytown that are important to the community, to drivers and to pedestrians and this will be funded with a state grant. Eventually, we will be able to list all the restaurants and stores and special places, like the Music Hall, Lyndhurst and Sunnyside.
- He thanked TEAC (Tarrytown Environmental Advisory Committee) and the Lakes Committee for an excellent Earth Day celebration. There were over 100 volunteers; we planted a couple of trees in Neperan Park, cleaned up around the Tarrytown Lakes and picked up a lot of garbage. Although we were not able to move ahead to create a community garden behind Coffey Funeral Home, TEAC expanded some of the beds to give opportunities for people to participate in the community garden at John Paulding School. At the Earth Day celebration, they had a commitment to environmental protection, where people were asked to fill out a leaf to commit to positive environmental practices, which were displayed on a board. He asked if the display can be brought to Village Hall for everyone to see.
- The Village is eager for the Tarrytown Farmer's Market to open on Saturday, May 25<sup>th</sup> and run to the end of November.
- The Village is working with Phelps Hospital to establish a table-top exercise to plan and be prepared for a major event in order to respond properly if we were ever faced with a medical crisis.

#### CONTINUATION OF A PUBLIC HEARING – ARCHITECTURAL REVIEW BOARD REQUIREMENTS

Trustee Rinaldi moved, and Trustee McGovern seconded, and unanimously carried (7-0), that the hearing be re-opened.

No one appeared to address the Board.

Trustee Rinaldi moved, and Trustee McGovern seconded, and unanimously carried (7-0), that the following resolution be approved as amended:

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby continue the public hearing on the Draft Local Law to amend Chapter 9 of the Village Code regarding Architectural Review Board Requirements to Monday, June 17, 2019, the regular meeting of the Board of Trustees so that the revised text may be re-published prior to adoption, and the Architectural Review Board may submit their report and comments to the Board of Trustees.

#### CONTINUATION OF PUBLIC HEARING AMENDING THE VILLAGE CODE REGARDING OPERATING BICYCLES ON SIDEWALKS

Trustee Zollo moved, and Trustee McGovern seconded, and unanimously carried (7-0), that the hearing be re-opened.

Daniel Convissor, 26 Maple Street, Sleepy Hollow, stated that he is here tonight on behalf of Bike Tarrytown and is concerned about the language in the proposed bike law “impeding traffic intentionally.” When a cyclist takes the lane, they are doing so intentionally. He believes that other intentional misbehavior is included in the New York State Vehicle and Traffic law. Biking in single file can take vehicles longer to pass and can be quite dangerous to share a lane with a vehicle. Biking in a bunch, vehicles have to change lanes and be much more deliberate and a shorter time for vehicles to pass.

Administrator Slingerland noted that the Village added the language, “The operation of bicycles on roads is allowed pursuant to New York State Vehicle and Traffic Law, which gives bicycles the right to be there just like everybody else. Mr. Convissor noted that it is not necessary to add that language of impeding or interfering intentionally to the law because it’s already covered in state law. Mayor Fixell noted that the Board will take his comments under advisement.

Mr. Convissor noted that he shares the Village’s concern to have safe sidewalks for pedestrians. But he noted that the real danger in Tarrytown are the cars on Broadway. Over the past 10 years, there have been 343 crashes, resulting in 316 injuries, 12 of which were serious and 46 of the total injuries were people walking. In order to provide a safe environment for pedestrians, you need to control vehicles, cyclists are not the problem.

Dan Williams, 227 Crest Drive, stated that he bikes both with his family as well as commuting to work. He bikes for many reasons – health, environment, economic and community. He is concerned about the language in Section 259-52-C – “In any manner to impede or interfere intentionally with pedestrian or vehicular traffic.” The wording sounds very problematic to him. From his biking experience, when there is not a dedicated bike lane or large shoulder, the safest thing for a cyclist is to “take the lane,” which means you ride right down the middle of the lane. Vehicles will see cyclists in the middle lane better than cyclists riding closest to the right of the road. Cycling closest to the right lane can be dangerous because you become invisible to drivers, especially drivers in driveways, you are close to parked cars, people can open car doors without looking back and vehicles pass bicycles at a high speed and sometimes don’t see the bicycles when they are on the right side of the road. Sometimes to stay safe, you have to intentionally be in the middle of the lane which sounds very much like intentionally interfering with traffic. Administrator Slingerland noted that if a cyclist is moving with the flow of traffic, even at a slower speed and following the rules of the road, that is not impeding traffic.

Mr. Williams believes that biking on sidewalks should be allowed if it is done carefully and safely. He would like the Village to entertain other solutions, such as protected bike lanes to improve the safety of the cyclist and to reduce the inconvenience to the drivers.

Ginny Williams, 227 Crest Drive, stated that she supports changing the language in the proposed bike law as Dan Convissor and Dan Williams have already stated. She supports making the community better by making it safer for bikes. The community demographics are changing and she would like our community to be responsive and friendly toward the use of bikes. The use of the language “in fear of the large groups of bikes” seems to be vilifying toward bikes and complacency about the car culture and the entitlement of cars. She challenges the Board to be more responsive to the needs of the bike community and the pedestrians in the community. She believes that the crosswalks should be looked at for pedestrian safety, instead of vilifying the mobs of bikes that may be coming through the Village.

Trustee Hoyt moved, and Trustee McGovern seconded, and unanimously carried (7-0), that the following resolution be approved:

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby continue the public hearing to Monday, May 20, 2019, the next regular meeting of the Board of Trustees so that the revised text may be re-published prior to adoption.

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

John Rosenblatt, 35 Park Avenue, read his email that he had sent to Trustee McGovern responding to an email chain regarding traffic calming measures in his neighborhood. He lives at the corner of Miller and Park Avenue and has two small children who often have friends over to play at their home. The intersection of Miller and Park have stop signs at all 3 corners. The Miller Park route is a back way for commuters and people who live near the train station. On Saturday, a ball entered Park Avenue while an SUV was racing down Park Avenue, didn't stop at the stop sign and just missed the ball. He understood that the traffic study concluded that traffic calming measures were needed in this area. He doesn't understand why after the unanimous agreement that traffic calming is urgently needed and the budget has been allocated, why the speed bumps have not been installed. He's looking for action from the Board and wants to know when he can expect the traffic calming measures to be executed.

Administrator Slingerland noted that the Village has retained the services of JMC Traffic Engineers and they have been working on a design. We have received their preliminary design and have found some flaws to their design. We are going to ask JMC to make changes to their design. Once it is done, we will be prepared to go out to public bid, to comply with the law. The Village is moving ahead with this project.

Mr. Rosenblatt asked once the study is finalized, what is the timeline from public bid to execution.

Administrator Slingerland noted that it depends and can take up to 2 or 3 months. He wants to be on the record that the Miller Park area is not a play street area, they are public roads and a thoroughfare and cars have the right to drive through the streets and follow the rules of the roads. The Village acknowledges that there is a concern, the Village is going through the necessary steps, which means complying with the law and the Village is working on it.

Mr. Rosenblatt stated on the record that he wasn't talking about kids playing kick ball in the street, he is referring to the cars that speed through the neighborhood.

Wydler Rosenblatt, 35 Miller Avenue stated that a police officer caught someone going through the stop sign and then after that 5 cars ran through the stop sign.

A discussion was held on repairs to the road in Patriots Park to better serve the Farmer's Market. Administrator Slingerland noted that he will follow up with Engineer Pennella and Parks Foreman Ross to see what materials to use and try to schedule this project without interrupting the Farmer's Market season.

Peter Bartolacci, 67 Miller Avenue, asked for the status on the ARB Public Hearing.

Administrator Slingerland noted that it has been referred to the Architectural Review Board for comments. Unfortunately, at their April meeting, key members were absent, so they will discuss it at their May 15 meeting and report back to the Board with their comments. The Board continued the ARB public hearing until the regular meeting on June 17, 2019.

RIVERTOWN VILLAGE GREEN (AKA TASH FARMER'S MARKET) CONTRACT RENEWAL

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 authorize and direct the Village Administrator to execute the operating plan of Rivertowns Village Green Inc. ("RVG"), for the operation of a Farmers Market in Patriots Park for the 2019 farmer's market season.

APPROVAL OF TRANSFER FROM THE POSITION OF AUTOMOTIVE MECHANIC II TO PARKS GROUNDSKEEPER

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 transfer of Jason Mauguin from the position of Automotive Mechanic II to Parks Groundskeeper effective May 28, 2019 subject to all Civil Service rules and regulations, and subject to the provisions of the contract between the Village and the CSEA.

APPOINTMENT OF AUTOMOTIVE MECHANIC I

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 appoint Reginald Watters to the position of Automotive Mechanic I effective May 28, 2019, at an annual salary of \$76,916 subject to all Civil Service rules and regulations, and subject to the provisions of the contract between the Village and the CSEA.

APPOINTMENT OF AUTOMOTIVE MECHANIC II

Trustee Zollo 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 appoint James Harisch to the position of Automotive Mechanic II effective not before June 3, 2019, at an annual salary of \$66,842 subject to all Civil Service rules and regulations, and subject to the provisions of the contract between the Village and the CSEA.

APPOINTMENT OF LABORER IN DEPARTMENT OF PUBLIC WORKS

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 appoint Christopher Gasparre to the position of Laborer effective Monday, May 13, 2019, at an annual salary of \$49,367 subject to all Civil Service rules and regulations, and subject to the provisions of the contract between the Village and the CSEA.

APPOINTMENT OF SEASONAL EMPLOYEE IN POLICE DEPARTMENT

Trustee Zollo 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 appoint Sara Pennella to the part-time seasonal position of Intermediate Clerk - Police Department at an hourly rate of \$13.50 per hour, and twenty (20) hours per week effective May 20, 2019.

FIRE DEPARTMENT MEMBERSHIP CHANGE

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 approve the following Fire Department membership change recommended at the April 16, 2019 Board of Fire Wardens meeting: Membership Change: Scott Weaver Jr. has transferred from Hope Hose Fire Company to Riverside Hose Fire Company.

MANAGEMENT, JUDICIAL AND PART-TIME SALARIES

Trustee Zollo moved, seconded by Trustee Butler, 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 approve a 2.5% salary increase for individuals in the following job titles: Superintendent of Public Works; General Foreman-Public Works, Village Administrator, Village Clerk, Village Treasurer, Deputy Village Treasurer, Court Clerk, Village Engineer/Building Inspector, Police Chief, Recreation Supervisor, Village Justice and Acting Village Justice effective June 1, 2019; and

FURTHER BE IT RESOLVED that the provisions in Article 5 of the Police Chief’s contract may apply.

FURTHER BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve an increase of 2% effective June 1, 2019 in the hourly rate paid for year round part-time employees, not including the Police Dept. Part Time Admin. worker.

MASTER FEE SCHEDULE – UPDATE

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

BE IT RESOLVED that the Master Fee schedule for the Village of Tarrytown is hereby adopted as updated and amended, based on the attached Master Fee Schedule, and the updated Master Fee Schedule will be attached to and made a part of the official minutes.

(Note: The Fitness Center fees remain unchanged; softball, camp and picnics were all updated earlier this year, but are included in this master fee schedule for completeness.)

VILLAGE ADMINISTRATOR CREDIT CARD LIMIT

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 approve an increase to the Village Administrator’s Credit Card Limit from \$2,500 to \$5,000.

SLEEPY HOLLOW SPRINT TRIATHLON

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 grant permission for use of the RiverWalk Park in Tarrytown from 9 a.m. – 11:30 a.m. for the 11<sup>th</sup> Annual Sleepy Hollow Sprint Triathlon to be held on Sunday, June 16, 2019; and

BE IT FURTHER RESOLVED, that the RiverWalk Park will not be exclusive to the runners and will be open to the public; and

BE IT FURTHER RESOLVED, that prior to the race, a Certificate of Insurance will be provided to the Village.

MODERATE INCOME HOUSING COMMITTEE

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

WHEREAS, it is the recommendation by the Comp Plan Implementation Committee for the Board's consideration to reconstitute the former Moderate-Income Housing Committee; and

WHEREAS, the Moderate-Income Housing Committee's goals and objectives would be to discuss ways to amend the Village Code and incentivize an array of housing to meet the various needs of the Tarrytown community as they exist within our region. This would include millennial, affordable, senior, market rate and assisted living housing.

THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby reconstitute the Ad Hoc Moderate-Income Housing Committee in the Village of Tarrytown, and will adopt a formal mission statement and appoint membership of the committee with their terms included at a later date.

AGREEMENT WITH WESTCHESTER COUNTY – TARRYTOWN/SLEEPY HOLLOW SUMMER DAY CAMP

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 authorize and direct the Village Administrator to execute an agreement between Westchester County and the Village of Tarrytown to provide funding for the 2018 Tarrytown/Sleepy Hollow Summer Day Camp program.

CONSTRUCTION SUPPORT SERVICES AND SWPPP INSPECTIONS RIVERWALK EXTENSION

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

BE IT RESOLVED that B. Thayer Associates, the RiverWalk Extension Design Consultant, will provide additional Construction Support Services (CSS) for the RiverWalk Extension Project construction with up to two (2) site visits and construction meetings per week for April 30 to November 30, 2019. In addition, B. Thayer Associates will provide an Erosion and Sediment Control (E&SC) Qualified Inspector to perform required SWPPP site Inspections once every (7) calendar days at locations where soil disturbance activities are on-going during the RiverWalk Extension Project construction and during Shoreline Restoration Project construction during the period April 30, 2019 – November 30, 2019.

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 B. Thayer Associates, Woodbury, New York, per their proposal not to exceed \$38,650.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON APRIL 15, 2019

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 approve the minutes of the regular meeting of the Board of Trustees held on April 15, 2019 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS

Trustee Zollo 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 approve Abstract No. 20 of Audited Vouchers in the total amount of \$877,016.30 as presented by the Village Treasurer, to be paid in the following amounts:

General	\$537,912.85
Water	\$111,583.44
Sewer Fund	\$ 1,769.22
Capital	\$184,430.10
Library	\$ 26,308.86
Trust & Agency	<u>\$ 15,011.83</u>
Total	\$877,016.30

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

No one was present to speak.

POLICE DEPARTMENT AWARDS CEREMONY

Mayor Fixell noted that the next Board Meeting on May 20, 2019 will begin at 7:30 p.m. instead of 8:00 p.m. to hold the Tarrytown Police Department Awards Ceremony.

HAPPY MOTHER'S DAY

The Board of Trustees wished all mothers a very Happy Mother's Day.

ADJOURNMENT TO EXECUTIVE SESSION

On the motion of Trustee Hoyt, seconded by Trustee Butler, the meeting was adjourned to Executive Session at 9:30 p.m. to discuss the Lieutenant's contract, lease of property, sick-leave law question and firefighter LOSAP program.

ADJOURNMENT OF EXECUTIVE SESSION

On the motion of Trustee Hoyt, seconded by Trustee Butler, the executive meeting was adjourned at 10:12 p.m.

Carol A. Booth  
Village Clerk