

Board of Trustees
Village of Tarrytown
Regular Meeting No. 3
January 2, 2018
8:00 p.m.

PRESENT: Trustee Zollo presiding; Trustees: Hoyt, McGee; McGovern; Village Administrator Slingerland; Village Treasurer Hart; Village Attorney Silverberg and Village Clerk Booth

ABSENT: Mayor Fixell and Trustees Brown and Butler

The meeting began with the Pledge to the Flag.

REPORTS

Trustee Zollo reported on the following:

- The next meeting of the Board of Trustees will be held on Wednesday, January 17, 2018.
- The Village Offices will be closed on Monday, January 15, 2018 in observance of Martin Luther King Jr. Day.
- The Tarrytown Police Department is pleased to announce our new Child Passenger Safety Program. As part of the Tarrytown Police Department's Child Passenger Safety Program, specially trained and certified police officers are available to install and inspect child safety seats. These officers can also provide instruction on the proper use of the seats and give other important information. This program is available to residents of the Village of Tarrytown. The inspections are by appointment only. The owner must bring the child seat and vehicle owner's manuals to the appointment. For information on the program or to schedule an appointment, please email the Tarrytown Police Department Child Passenger Safety Program at carseats@tarrytowngov.com. For installations, please include the following:
 - o Your name, phone contact number and email address
 - o Your vehicle information (Year, Make and Model)
 - o Your child's age, weight and height
 - o Brand, model and expiration date of Child Safety Seat being installed

CHANGES AND/OR ADDITIONS TO THE AGENDA

The Board of Trustees approved to add a resolution regarding a personnel matter.

ADMINISTRATOR'S REPORT

Administrator Slingerland noted that the Village is in the process of clearing the Tarrytown Lakes today and plans to have skating on the lakes by the end of the week or as early as tomorrow. We have inspected the lakes for safety and the ice is 7" thick. It is safe and ready to go. The hours for skating at the Tarrytown Lakes during the week will be 10 a.m. to 5 p.m. and on the weekends, 9 a.m. to 5 p.m. There are no lights on the lakes; therefore, there will be no evening skating. A flag with a green dot, will note that the lakes are open for skating and will be posted every day that skating is allowed. The Village will inspect the ice each morning. When the gate is locked, skating at the lakes will not be allowed. Ice Skating Fees are as follows: Residents 18+ - \$10/season; Residents 17 and under \$5/season; Resident Senior - \$5/season and Non-Residents - \$5/day.

- Skating is at your own risk
- Parents should not drop children off unattended
- We plan to have staff on site to monitor
- There will be no skates to rent
- Benches will be provided to help people change into skates
- Plywood will be put down to protect skates while getting off and on the lake
- Skating buttons will be available to purchase at the Recreation Center and possibly at the lakes site on the weekends.

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

Trustee Zollo asked if anyone wanted to address the Board on agenda items. No one appeared.

APPOINTMENT AND SWEARING IN OF (2) POLICE OFFICERS

Trustee McGovern moved, seconded by Trustee McGee, and unanimously carried, that the following resolution be approved: Approved: 4-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint John A. Garro to the position of Police Officer Step 6 Recruit/Police Academy in the Village of Tarrytown Police Department at an annual salary of \$43,487.00 effective January 5, 2018.

BE IT FURTHER RESOLVED that this appointment is made from Certified Eligible List No. 69-547 and is subject to a probationary period of eighteen (18) months.

Trustee McGovern moved, seconded by Trustee McGee, and unanimously carried, that the following resolution be approved: Approved: 4-0

Trustee Hoyt voted “aye” with full disclosure that he has a relationship with Village Clerk Carol Booth, who is Adam Turcotte’s mother-in-law.

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Adam M. Turcotte to the position of Police Officer Step 6 Recruit/Police Academy in the Village of Tarrytown Police Department at an annual salary of \$43,487.00 effective January 5, 2018.

BE IT FURTHER RESOLVED that this appointment is made from Certified Eligible List No. 69-547 and is subject to a probationary period of eighteen (18) months.

ADJOURNMENT TO EXECUTIVE SESSION

Trustee Hoyt moved, seconded by Trustee McGee, and unanimously carried, that the meeting be adjourned to Executive Session for a brief discussion on a personnel matter at 8:12 p.m.

RECONVENE TO REGULAR MEETING

Trustee Hoyt moved, seconded by Trustee McGee, and unanimously carried, that the Board of Trustees reconvenes to the regular meeting at 8:17 p.m.

SECTION 72.5 OF CIVIL SERVICE LAW

Trustee Hoyt moved, seconded by Trustee McGee, and unanimously carried, that the following resolution be approved: Approved: 4-0

Pursuant to Section 72.5 of the Civil Service Law, an employee identified in the Minutes of Executive Session of the Village Board is placed on an involuntary leave of absence for medical reasons effective January 8, 2018 and directed to submit to an examination by a medical officer appointed by the Westchester County Department of Human Resources.

PUBLIC HEARING – VEHICLES AND TRAFFIC, “OBEY VILLAGE SIGNS” – (adopted)

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 2nd day of January, 2018, at 8 PM, in the Municipal Building, One Depot Plaza, Tarrytown, New York 10591, to hear, discuss and to act upon a proposed a local law to add a new Chapter 291-3.1 Vehicles and Traffic, "Obey Village Signs" to the Code of the Village of Tarrytown. The complete text of this legislation follows:

A local law to amend Chapter 291. Vehicles and Traffic, Chapter 291-3.1 "Obey Village Signs" of the Code of the Village of Tarrytown to add a new Chapter

Be it enacted by the Village Board of Trustees of the Village of Tarrytown as follows:

Section 1: Purpose.

To effectively enforce signs erected by the Village of Tarrytown within the Village.

Material to be added is in **bold typeface**.

Chapter 291. Vehicles and Traffic, Chapter 291-2.1. "Obey Village Signs"

Every person shall obey the instructions of any official village sign, placed upon any public street and/or highway within the Village or placed upon Village property, unless otherwise directed by a traffic agent or police officer, subject to the exceptions granted the driver of an authorized emergency vehicle as defined in the New York State Vehicle and Traffic Law (Article 1, Section 101).

Section 3: Severability

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this local law shall be judged invalid by a court of competent jurisdiction, such order of judgement shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this local law.

Section 4: Effective Date

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; a request must be made to the Village Clerk at least five days in advance of the meeting.

**BY ORDER OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF TARRYTOWN**

Trustee McGovern moved, seconded by Trustee Hoyt and unanimously carried, that the hearing be opened.

Trustee McGovern moved, seconded by Trustee Hoyt, and unanimously carried, that the hearing be closed.

Trustee McGovern moved, seconded by Trustee McGee, and unanimously carried, that the following resolution be approved: Approved: 4-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby amend the Zoning Code of the Village of Tarrytown, Chapter 291. Vehicles and Traffic, 291-3.1 "Obey Village Signs" to effectively enforce signs erected by the Village of Tarrytown within the Village.

WHEREAS, a public hearing was held for the proposed action on January 2, 2018; and

WHEREAS, a notice of public hearing was published in the Journal News on December 22, 2017; and

WHEREAS, the Board of Trustees of the Village of Tarrytown is the only agency which has approval authority over the Proposed Action, and is therefore the Lead Agency for the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

In accordance with Article 8 of the State Environmental Conservation Law and 6NYCRR Part 617, including without limitations the criteria set forth in 6 NYCRR Part 617.7(c) and based upon review of the Environmental Assessment Form and all other materials that were prepared for the Proposed Action, the Village Board of Trustees hereby determines that the

Proposed Action will not have a significant adverse impact on the environment, and hereby adopts a Negative Declaration.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby adopt Local Law No. 1 of 2018.

PUBLIC HEARING - HISTORIC LANDMARK DESIGNATIONS – (adopted)

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 2nd day of January, 2018, at 8:00 p.m. in the Municipal Building, One Depot Plaza, Tarrytown, New York 10591, to hear, discuss and to act upon a proposed amendments to Chapter 191 entitled “Historic Districts and Landmarks” of the Code of the Village of Tarrytown. A summary of the legislation is available at Village Hall. The complete text of this legislation follows:

A LOCAL LAW to amend Chapter 191, Attachment 1 entitled “Village of Tarrytown Historic Landmark Designation” of the Code of the Village of Tarrytown.

SECTION 1. PURPOSE.

The Planning Board, in collaboration with the Historical Society and the Village Historian are reviewing locations throughout the Village for possible designation as historic pursuant to the provisions of Chapter 191 of the Village Code. A local nomination form was completed by the Historical Society for 63 Benedict Avenue, Historic Name: Dr. James D. Sarven House and should be submitted to the Board of Trustees for historic designation. The Board of Trustees has reviewed the nomination form and believes that this location is worthy of designation.

Material to be deleted appears in parenthesis [], material to be added is in **bold typeface**.

SECTION 2. Amendment to Chapter 191, Attachment 1, “Village of Tarrytown Historic Landmark Designations” of the Code of the Village of Tarrytown.

- **63 Benedict Avenue, Historic Name: Dr. James D. Sarven House**

SECTION 3. EFFECTIVE DATE

This local law shall take effect immediately, as provided by law.

All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; a request must be made to the Village Clerk at least five days in advance of the meeting.

**BY ORDER OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF TARRYTOWN**

Trustee McGee moved, seconded by Trustee Hoyt and unanimously carried, that the hearing be opened.

Wendy Kahn, 63 Benedict Avenue, noted that she concurs with the Historical Society’s recommendation and supports the local historic landmark designation in order to preserve the charm of her house. She is aware that as a local historic landmark, there may be stricter rules for the property, but her priority right now is to support the designation.

Trustee Hoyt moved, seconded by Trustee McGee, and unanimously carried, that the hearing be closed.

Trustee McGee moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 4-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby amend the Zoning Code of the Village of Tarrytown, Chapter 191, entitled “Historic

Landmark Designations” for the purpose of designating 63 Benedict Avenue, Historic Name: Dr. James D. Sarven House as a local landmark designation.

WHEREAS, a public hearing was held for the proposed action on January 2, 2018; and

WHEREAS, a notice of public hearing was published in the Journal News on December 22, 2017; and

WHEREAS, the Board of Trustees of the Village of Tarrytown is the only agency which has approval authority over the Proposed Action, and is therefore the Lead Agency for the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

In accordance with Article 8 of the State Environmental Conservation Law and 6NYCRR Part 617, including without limitations the criteria set forth in 6 NYCRR Part 617.7(c) and based upon review of the Environmental Assessment Form and all other materials that were prepared for the Proposed Action, the Village Board of Trustees hereby determines that the Proposed Action will not have a significant adverse impact on the environment, and hereby adopts a Negative Declaration.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby adopt Local Law No. 2 of 2018.

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

Trustee Zollo asked if anyone wanted to address the Board on agenda items. No one appeared.

NEW YORK STATE DEPARTMENT OF TRANSPORTATION LOWER HUDSON TRANSIT LINK (NYSDOT LHTL) ANTENNA AGREEMENT

Trustee McGovern moved, seconded by Trustee McGee, and unanimously carried, that the following resolution be approved: Approved: 4-0

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 New York State Department of Transportation for LHTL antennas that will facilitate traffic flows through telemetrics and tracking of the locations and status of buses in the LHTL system which will improve several intersections around the Village.

AWARD A BID FOR A NEW FIRE RESOURCE AND RESCUE BOAT

Trustee Hoyt moved, seconded by Trustee McGee, and unanimously carried, that the following resolution be approved: Approved: 4-0

WHEREAS, Assemblyman Tom Abinanti and the New NY Bridge Community Benefit Fund helped secure a grant of \$325,000 of state funding for a new fireboat for the Village of Tarrytown. The money was awarded from the State and Municipal Facilities Program (SAM Funds) funded through the state budget; and

WHEREAS, bids were requested to be received by December 20, 2017 for (1) New 36’ Fire Resource and Rescue Boat and one bid was received by Metalcraft Marine in the amount of \$360,000; and

WHEREAS, after publication in a regional paper for approximately two weeks, the Village of Tarrytown received one bid on December 20, 2017, and while the physical bid was delivered by UPS next-day-delivery, the package was delayed until the following day because of the volume of holiday deliveries. However, the Village was able to

accommodate their submission by e-mail, which remained unopened until after the bid deadline of 1 p.m., and

WHEREAS, based on language in the bid document that allowed for flexibility so long as it was not prejudicial to other bidders, the Village was able to accept the fire boat bid by e-mail, electronically; and the delayed hard-copy bid was received the next day; and

WHEREAS, the bid itself is for a MetalCraft Marine Interceptor 36 Emergency Fire Rescue and Response Boat that the Fire Department wants, with a bid of \$360,000, and while the original bid submitted by MetalCraft requested progress payments for the Fire Boat, they are willing to comply with the terms of the bid and contract and allow for us to make full payment upon delivery to the Village of Tarrytown.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby award the bid for the Tarrytown Fire Rescue Boat Contract 2017-05 to Metalcraft Marine for the New 36' Fire Resource and Rescue Boat of 690 Riverside Drive, Clayton, New York, and 347 Wellington Street, Kingston, Ontario, per their bid of \$360,000; and

BE IT FURTHER RESOLVED that payment of the boat will be made in a lump sum payment upon delivery of the boat, with \$325,000 funded by the grant, and the balance of \$35,000 funded by operating, appropriation of fund balance, or the future issuance of debt, as determined by the Board of Trustees; and

BE IT FURTHER RESOLVED that the Village Administrator is hereby authorized and directed to execute a contract with Metalcraft Marine for the purchase of the New 36' Fire Resource and Rescue Boat.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON DECEMBER 18, 2017

Trustee McGovern moved, seconded by Trustee McGee, and unanimously carried, that the following resolution be approved: Approved: 4-0

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 December 18, 2017 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS

Trustee McGovern moved, seconded by Trustee McGee, and unanimously carried, that the following resolution be approved: Approved: 4-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No. 12 of Audited Vouchers to be paid in the following amounts:

General	\$ 205,670.55
Water	10,055.80
Sewer Fund	0.00
Capital	190,291.14
Library	42,961.03
Trust & Agency	<u>2,497.79</u>
Total	\$ 451,476.31

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

Trustee Zollo asked whether anyone wished to address the Board on any matter. No one appeared.

ADJOURNMENT

Trustee Hoyt moved, seconded by Trustee McGee, and unanimously carried that the meeting be adjourned at 8:34 p.m.

Carol A. Booth
Village Clerk