

Board of Trustees  
Village of Tarrytown  
Regular Meeting No. 47  
October 2, 2017  
8:00 p.m.

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

ABSENT: Trustee Brown

The meeting began with the Pledge to the Flag.

#### MOMENT OF SILENCE – VICTIMS OF THE LAS VEGAS SHOOTING

Mayor Fixell requested a moment of silence to remember the victims and their families who were injured or killed at the incredible tragedy that took place in Las Vegas.

#### SWEARING IN CEREMONY OF SERGEANTS DARYL STILOSKI AND DENNIS SMITH AND DETECTIVE MICHAEL MCGEE

Mayor Fixell announced the promotions of Daryl Stiloski and Dennis Smith to the position of Police Sergeant and Michael McGee to the position of Police Detective. Mayor Fixell asked each of them to take their oath of office, which they did, and he congratulated them on their new positions within the Tarrytown Police Department. Mayor Fixell along with their wives presented them with their official Tarrytown Police Sergeant badge and Detective Badge respectively.

Police Chief John Barbelet noted that tonight is a very special moment. All the members of the Police Department put their lives on the line. These days, police are targets just by the uniform that they wear. He congratulated and thanked the three officers and noted that it is well deserved. They are dedicated family men and officers. All members of the Police Department do a tremendous professional job and Police Chief Barbelet is very proud of all of them.

#### REPORTS

Mayor Fixell noted if you are a train user; please check out the MTA website for the new timetables effective October 8<sup>th</sup>.

Trustee McGovern noted the following Recreation events:

- Scarecrow Making will take place on Saturday, October 14<sup>th</sup> at Patriots Park at 10:30 a.m. Bring old clothes from home to make your own hand-made scarecrow. The Recreation Department will provide the straw and frame.
- The Village Halloween Parade will take place on Saturday, October 28<sup>th</sup> at 5:30 p.m. Please contact the Recreation Department or go to [www.tarrytownhalloweenparade.com](http://www.tarrytownhalloweenparade.com) for information and/or to participate.

Trustee McGee noted that on Saturday, October 14<sup>th</sup> and Sunday and October 15<sup>th</sup>, the Friends of the Warner Library will be holding its semi-annual Book Sale at the Warner Library from 10 a.m. to 5 p.m. It's a wonderful event and urged everyone to come out and support the Friends of the Warner Library.

Trustee Zollo noted that there are two public hearings scheduled to discuss Route 9 and the use of bike paths, one on Sunday, October 15<sup>th</sup> at Mercy College from 2 – 4 p.m. The second meeting is on Thursday, October 19<sup>th</sup> at the Warner Library from 6 – 8 p.m. These meetings will include a proposal to remove parking spaces on one side of Route 9 to include a bike lane.

#### CHANGES AND/OR ADDITIONS TO THE AGENDA

The Board of Trustees tabled Item No. 12, Amendment to the Master Fee Schedule for Taxi Cab Fare Rates and Item No. 14, Public Hearing on Seasonal Ban on Gas-Powered Leaf and Garden Blowers. The Board of Trustees will discuss both items at next Board of Trustees Work Session.

#### ADMINISTRATOR'S REPORT

Administrator Slingerland reported on the following:

- The Comprehensive Plan Update meeting will be held tomorrow, October 3<sup>rd</sup> at Village Hall from 7:30 – 9:30 p.m. It is a public workshop to discuss the work in progress to update the Village Comprehensive Plan and Station Area Zoning Changes. The public is invited to actively participate as well as many of the Village Boards and Committees.
- The New York State Thruway Authority and New York State Department of Transportation will be presenting information on the US Route 9 Multimodal Improvements (Route 119 to I-87/I-287 Interchange 9 Ramps) on Wednesday, October 4<sup>th</sup> from 5 p.m. – 8 p.m. at the DoubleTree Hotel in Tarrytown. He noted that people should be aware that the change to Route 9 proposes to have 4 southbound lanes in front of the DoubleTree Hotel, with two entrance lanes leading onto southbound I-87/eastbound I-287. Trustee Zollo asked if this meeting would include discussions on the proposed bike lanes and possibly the elimination of parking on Route 9. Administrator Slingerland noted that there will be a separate meeting to discuss the Route 9 Corridor project with a study prepared by Nelson Nygard to address bike lanes and the possibility of eliminating parking on Route 9.
- Administrator Slingerland noted that he attended a New York State Community Risk & Resilience Act work shop concerning Sea-level Rise at Westchester County. It's a big issue with major impacts on the Village's Comprehensive Plan Update. Sea Level Rise has significant changes for all of our waterfront community areas. We are keeping an eye on this through planning and building code efforts.
- Today was the first day of work for our new Parks Foreman, Anthony Ross. He visited all the parks in the Village and is taking stock of the parks and equipment and will report back with his findings.

#### CONTINUATION OF A PUBLIC HEARING – FILMING (continued)

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

Mayor Fixell asked whether anyone wished to address the Board on this matter. No one appeared.

Trustee McGee 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 continue the public hearing to the next regular Board of Trustees meeting on October 16, 2017.

#### 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 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 approve the following Fire Department membership changes recommended at the September 19, 2017 Board of Fire Wardens meeting: Membership Changes: Kevin McNally has been elected to active membership at Riverside Hose and Daniel Mosa has been transferred from Hope Hose Co. to Washington Engine.

NYCOM PROPOSAL TO PRESERVE FEDERAL DEDUCTIBILITY OF STATE AND LOCAL TAXES

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

WHEREAS, Congress is giving serious consideration to eliminating the federal income tax deduction for state and local taxes; and

WHEREAS, this deduction, which has been in place for more than 100 years, is heavily utilized by residents of our community and out State; and

WHEREAS, New York residents already pay more into the federal treasury than the federal government returns to New York; and

WHEREAS, the state and local tax deduction is a fundamental principle of federalism and without it our residents would be faced with double taxation as they would be forced to pay federal income taxes on the taxes they pay to state and local governments; and

WHEREAS, this federal cost shift onto local governments would place extreme pressure on municipal budgets, including diminished revenue for essential local government investments, including public safety and public infrastructure; and

WHEREAS, increased federal taxation and reduced municipal services will harm our local housing market, decrease home values and erode our local tax base.

NOW THEREFORE BE IT RESOLVED that the Village of Tarrytown expresses its strong opposition to any tax reform proposal that would eliminate the State and Local Tax (SALT) Deduction and urges Senators Schumer and Gillibrand, and Congresswoman Nita Lowey to join us in publicly opposing any such proposal(s).

PROPOSAL FOR PHASE VII WATER MAIN REPLACEMENT – ENGINEERING SERVICES

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

WHEREAS, the Village was awarded a grant from the New York State Thruway Authority Benefits Fund Grant to have the roads paved on Van Wart and Paulding Avenues; and

WHEREAS, at the September 13 Work Session, the Board of Trustees authorized a portion of the Phase VII Water System Improvements to move forward prior to the road paving on Van Wart and Paulding Avenues, which must all be completed before June 30, 2018; and

WHEREAS, a Request for Proposal for Engineering Services relating to the Phase VII Water Main Replacement Project was sent out to (6) six companies and (2) two RFP's were received as follows:

- Woodard & Curran
- Hahn Engineering

WHEREAS, Hahn Engineering submitted a proposal, but was not responsive to the RFP because it included fewer man-hours than the Village would consider acceptable for the

tasks involved, which would result in additional hours being spent at an hourly rate, and did not attach hourly rates for additional work.

WHEREAS, the (2) two proposals have been reviewed by the Superintendent of Public Works and the Village Administrator and it is their recommendation that the contract be awarded to the most responsible proposer, Woodard & Curran, per their proposal of \$29,795.

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby award the proposal for a portion of the Phase VII Water Main Replacement project to Woodard & Curran of White Plains, New York, per their proposal of \$29,795.

BE IT FURTHER RESOLVED that the Village Administrator is hereby authorized and directed to execute a contract with Woodward & Curran for a portion of the Phase VII Water Main Replacement project.

PROPOSAL FOR LOSEE PARK BULKHEAD REPLACEMENT PROJECT –  
ENGINEERING SERVICES

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

WHEREAS, during a review of Losee Park for the new segment of Hudson RiverWalk going in there, and new ballfield lights funded by the New York State New NY Bridge Community Benefit Fund, it was noted that the bulkhead at the south-west corner of the park is in severely deteriorated condition with major holes and rust in the southwest corner closest to the Bridge; and

WHEREAS, the Village is in the process of applying for a new grant to replace this bulkhead, which would allow the Village to repair and rehabilitate the bulkhead before the RiverWalk work is done, preventing destruction and damage of the newly installed Riverwalk during later bulkhead re-construction; and

WHEREAS, a Request for Proposal for Engineering Services relating to the Losee Park Bulkhead Replacement Project and (2) two RFP's were received as follows:

- McLaren Engineering Group
- Mabbett & Associates

WHEREAS, Mabbett & Associates submission was only for environmental permitting, but not for design or construction administration; and

WHEREAS, the (2) two proposals have been reviewed by the Village Engineer and the Village Administrator, and McLaren Engineers revised their proposal to eliminate work in order to expedite this project, and it is their recommendation that the contract be awarded to the company that submitted the most complete proposal, McLaren Engineering Group, per their proposal of \$66,000.

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby award the proposal for the Losee Park Bulkhead Replacement Project to McLaren Engineering Group of West Nyack, New York, per their proposal of \$66,000.

BE IT FURTHER RESOLVED that the Village Administrator is hereby authorized and directed to execute a contract with McLaren Engineering Group for the Losee Park Bulkhead Replacement project.

BOND REDUCTION REQUEST FOR TOLL BROTHERS – WILSON PARK  
SUBDIVISION

Trustee Hoyt 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 authorize the Bond Reduction Request for Toll Brothers - Wilson Park Subdivision as it pertains to Bond No. SUR23000025 from \$340,000.00 to \$60,000.00.

AMEND THE MASTER FEE SCHEDULE – FEE FOR BOATING ON THE LOWER EASTERN MOST TARRYTOWN LAKE

Trustee Butler 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 amend the Master Fee Schedule to amend the boating fee on the lower most eastern Tarrytown Lake for Tarrytown residents only per boat (watercraft) as follows:

Tarrytown Residents Boating Permit - \$50 per season, per boat (watercraft)

SCHEDULE A PUBLIC HEARING – CHAPTER 221, SWIMMING, WADING AND BOATING

Trustee Hoyt 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 schedule a Public Hearing for the regular meeting of October 16, 2017, at 8:00 p.m., in the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider a proposed amendment to the Code of the Village of Tarrytown, Chapter 221, Swimming, wading and boating to provide residents, with a boat permit, permission to utilize non-motorized boats, canoes and kayaks on the lower eastern most Tarrytown Lake.

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

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 approve the minutes of the regular meeting of the Board of Trustees held on September 18, 2017 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS

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 Abstract No. 6 of Audited Vouchers to be paid in the following amounts:

General	\$ 591,457.55
Water	36,136.03
Sewer Fund	0.00
Capital	70,541.76
Library	11,739.95
Trust & Agency	<u>2,127.04</u>
Total	\$ 712,002.33

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

Mayor Fixell 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 8:32p.m.

Carol A. Booth  
Village Clerk