

Board of Trustees
Village of Tarrytown
Regular Meeting No. 35
April 17, 2017
8:00 p.m.

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

ABSENT: Trustee Hoyt

MOMENT OF SILENCE – JACK CALVEY

Mayor Fixell requested a moment of silence in memory of Jack Calvey, a former Village Trustee from 1986 – 1988 who passed away last week. On behalf of the Board of Trustees, Mayor Fixell extended his heartfelt condolences to Jack's family and friends.

REPORTS

Trustee McGovern noted the following:

- The Friends of the RiverWalk will hold a Clean-up Day this Saturday morning until 2 p.m. Volunteers will meet at Pilla Landing where gloves and bags will be provided.
- Our new Village Swimming Pool will be opening on Saturday, May 27th. You can register online at tarrytowngov.com or in person at the Recreation Center.

Trustee McGee noted that the Spring Book Sale at the Warner Library will be held this Saturday and Sunday from 10 a.m. to 5 p.m. It is sponsored by the Friends of the Warner Library and Trustee McGee hopes everyone will come out and find a treasurer and support the library.

Trustee Brown noted the following:

- Rotary's Rubber Ducky Derby Day along with the YMCA Healthy Kids Day will take place on Saturday, April 29th at Patriots Park from 11 a.m. to 3 p.m. They are celebrating their 10th year and encouraged everyone to come out and enjoy the event. Go to their website, rotaryducks@gmail.com to adopt your duckies online.
- Thanked everyone who came out on Saturday for the Tarrytown Lakes Clean-up Day. The volunteers cleaned around Wilson Park and the Tarrytown Lakes and did a wonderful job.

ADMINISTRATORS REPORT

Administrator Slingerland noted that in the past two weeks, Administrator Blau had provided him information on all of the projects going on in the Village and he met with all the department heads and members of the Board of Trustees to get up to speed to continue the work of the Village.

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.

BUDGET ADOPTION RESOLUTION FISCAL YEAR 2017-2018

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

A Resolution Adopting a Budget for the Fiscal Year commencing June 1, 2017 and ending May 31, 2018

WHEREAS, the Board of Trustees has met at the time and place specified in the notice of public hearing on the tentative budget and heard all persons desiring to be heard thereon.

NOW, THEREFORE, BE IT RESOLVED, that the tentative budget as amended and revised and as hereinafter set forth is hereby adopted and that there be and is hereby appropriated for the objects and purposes specified, including the amounts set forth required for the payment of principal and interest on indebtedness, the following amounts:

	<u>General Fund</u>	<u>Water Fund</u>	<u>Library Fund</u>	<u>Sewer Fund</u>
Appropriations	\$23,868,696	\$5,832,773	\$1,715,400	\$185,311
Estimated Revenues	\$7,435,686	\$5,832,773	\$1,615,400	\$185,311
Appropriated Fund Balance	\$600,000	\$ 0	\$100,000	\$ 0

Total Budgetary Appropriation to be raised by Real Estate Tax Levy \$15,833,010

Taxable Assessed Value	\$2,013,511,185
Tax Rate per \$1,000	\$7.8634

FISCAL YEAR 2017-2018 TAX LEVY AND WARRANT

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

WHEREAS, the budget for the fiscal year commencing June 1, 2017, has been duly adopted and filed with the Village Clerk; and

WHEREAS, it has been thereby determined that the sum of \$23,868,696 will be necessary to meet the obligations of the Village; and

WHEREAS, there has been duly credited as against said sum estimated revenues and appropriated fund balance aggregating \$7,435,686 leaving \$15,833,010 to be raised by the levying of taxes; and

WHEREAS, it appears from the Assessment Roll of the year 2017 for taxes for the fiscal year June 1, 2017 that the total assessed valuation of real property in the Village is \$2,013,511,185.

NOW THEREFORE BE IT RESOLVED, that the tax rate for the Village of Tarrytown for the fiscal year commencing June 1, 2017 be and the same hereby is fixed at the rate of \$7.8634 on each \$1,000 of assessed valuation for the properties in the Village of Tarrytown.

BE IT FURTHER RESOLVED that the sum of \$15,833,010, the same being taxes for the fiscal year commencing June 1, 2017 be, and the same hereby is, levied upon the taxable property in the Village of Tarrytown and that the Village Treasurer be and hereby is authorized and directed to extend and carry out upon the roll the amount to be collected from each of the persons named thereon, and the respective amounts of said tax roll against each such parcel of taxable property set forth thereon be and the same hereby are levied upon each parcel of taxable property respectively which said levy includes items shown on the budget for the fiscal year commencing June 1, 2017.

BE IT FURTHER RESOLVED that the Town Assessor and Village Receiver of Taxes, during the fiscal year beginning June 1, 2017 are authorized to levy and collect additional

Village taxes upon termination of exempt status of real property in accordance with provisions of Section 494 of the Real Property Tax Law.

FIRE DEPARTMENT MEMBERSHIP CHANGES

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 following Fire Department membership changes recommended at the March 21, 2017 Board of Fire Wardens meeting: Membership Changes: Christopher Moriarty has been elected to active membership at Hope Hose Company and Kimberly Lara, Adrian Gonzalez and Sayda Villon have been removed from active membership at Riverside Hose Company.

WESTCHESTER COUNTY PRISONER TRANSPORTATION AGREEMENT

Trustee Butler 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 and direct the Village Administrator to execute an Inter-municipal Agreement (IMA) between the Village and Westchester County regarding reimbursement to the Village of Tarrytown Police Department for prisoner transportation to County jail facilities for the period January 1, 2017 through December 31, 2018.

RESOLUTION IN SUPPORT OF STATE LEGISLATION FOR TANKER-AVOIDANCE ZONES

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

WHEREAS, the U.S. Coast Guard is currently considering a proposal to establish new anchorage areas along the Hudson River between Yonkers and Kingston; and

WHEREAS, the Village of Tarrytown is home to the historic Hudson River, which the integrity of is threatened by the U.S. Coast Guard's proposal; and

WHEREAS, the Village of Tarrytown has documented its concerns about the anchoring of petroleum-carrying tankers, including disrupting the economic vitality of the waterfront, endangering drinking water supplies, damaging fish habitat and detracting from scenic beauty and quality of life along the river (see Resolution from August 15, 2016 Board of Trustee's meeting); and

WHEREAS, New York State Assemblywoman Didi Barrett has introduced Assembly Bill A06825, which would enable New York State agencies to consider environmental impacts in designating "tanker-avoidance zones;" and

WHEREAS, New York State Senator Sue Serino has introduced the same measure in the Senate as Bill S05197; and

WHEREAS, this proposal would enable New York State to take a stronger role in controlling the placement of any anchorage areas for petroleum-carrying vessels, to ensure that the needs of the Hudson River and riverfront communities are protected.

NOW THEREFORE BE IT RESOLVED that the Village of Tarrytown expresses its support for Assembly Bill A06825 and Senate Bill S05197.

BE IT FURTHER RESOLVED that this resolution be distributed to Senator Charles Schumer, Senator Kirsten Gillebrand, Congresswoman Nita Lowey, Congressman Eliot Engel,

Governor Andrew Cuomo, Secretary of State Rossana Rosado, Senator Andrea Stewart-Cousins, Assemblyman Thomas Abinanti, Assemblywoman Didi Barrett and Senator Sue Serino.

HANDICAPPED PARKING SPACE – SHILOH BAPTIST CHURCH ON WILDEY STREET

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

BE IT RESOLVED that the Village of Tarrytown does hereby authorize the amendment of a handicap parking space located in front of the Shiloh Baptist Church on Wildey Street.

All new material is set forth in **bold** letters. Material to be deleted in [parenthesis].

Section 291-92. Schedule XXVII: Handicapped Parking Spaces. In accordance with the provisions of 291-62, the following described streets, driveways, parking lots and auto parks or parts of streets, driveways, parking lots and auto parks are hereby designated as handicapped parking spaces and are designated for use by persons with handicapped parking permits:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Wildey Street	South	From a point 60 feet east of Washington Street for a distance of 20 feet, between 8 a.m. and 3 p.m. [10:00 a.m. and 1:30 p.m.], Sundays only

VAN WART PLANTING PLAN

Trustee Butler 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 and direct the Village Administrator to execute an agreement with Tappan Zee Constructors to plant alongside Van Wart/Paulding on Village property in the fall of 2017. Tappan Zee Constructors will provide maintenance and watering for these plantings for 2 years thereafter.

SCHOLARSHIPS FOR SWIMMING POOL

Trustee Butler moved, seconded by Trustee Zollo, that the following resolution be approved. Motion carried, all voting “aye” with the exception of Trustee Brown who voted “nay”. Trustee Brown noted that she is very proud to be able to say that all children in Tarrytown will grow up with the opportunity to swim outdoors in the summer through the Tarrytown Recreation Department, whose Day Camps are open to all and offer assistance to any family in need. For the pool memberships, we spent many meetings formulating a price structure that makes the pool very reasonable for the vast majority of our residents. It takes into account all types of family units; single adults, parents with kids, single parents, seniors and teens. These rates range from significantly lower to the matching low end of any other pool option in Westchester, private or public. The review of assistance applications and the administering of now scores of different rates will put one more burden on the management team and the first year of operation will be challenging enough. In this first year, we will learn valuable lessons about usage and cost of operation that might be skewed if discounts are given. It is for these reasons that Trustee Brown voted “nay” to offering scholarships for pool memberships at this time. Approved: 5-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve to provide scholarships for swimming pool memberships for residents in the low to moderate income brackets pursuant to the following established Westchester County gross annual income levels.

Household gross annual income must be within the income eligible guidelines listed below:

Maximum Income Levels

Total Family Size	Step 1 (discount =50%)	Step 2 (discount = 35%)	Step 3 (discount = 20%)	Step 4 (discount = 10%)
1	\$21,978	\$29,637	\$37,296	\$44,955
2	\$29,637	\$37,296	\$44,955	\$52,614
3	\$37,296	\$44,955	\$52,614	\$60,273
4	\$44,955	\$52,614	\$60,273	\$67,951
5	\$52,614	\$60,273	\$67,951	\$75,647
6	\$60,273	\$67,951	\$75,647	\$83,343
7	\$67,951	\$75,647	\$83,343	\$91,039
8	\$75,647	\$83,343	\$91,039	\$98,735
9	\$83,343	\$91,039	\$98,735	\$106,431
10	\$91,039	\$98,735	\$106,431	\$114,127

BE IT RESOLVED that the Village will annually amend the annual income levels pursuant to the Westchester County guidelines.

BE IT FURTHER RESOLVED that the criteria for pool scholarship membership is proof of income, which will include a copy of recent 1040 Federal tax return and recent payroll stub, as well as proof, if any, of public assistance.

PROPOSAL TO STUDY ROUNDABOUT

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 authorize and direct the Village Administrator to execute an agreement with JMC Planning Engineering Architecture & Land Surveying, PLLC to provide Traffic Engineering Services regarding a conceptual roundabout design at West Franklin Street & White Street in an amount not to exceed \$4,800.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON APRIL 3, 2017

Trustee Butler moved, seconded by Trustee Zollo, that the following resolution be approved. Motion carried, all voting "aye" with the exception of Trustee McGee who abstained. Approved: 5-0-1

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 3, 2017 as submitted by the Village Clerk.

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF THE BOARD OF TRUSTEES HELD ON APRIL 7, 2017

Trustee Zollo moved, seconded by Trustee McGovern, that the following resolution be approved. Motion carried, all voting "aye" with the exception of Trustee McGee who abstained. Approved: 5-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the minutes of the special meeting of the Board of Trustees held on April 7, 2017 as submitted by the Village Administrator.

APPROVAL OF AUDITED VOUCHERS

Trustee Butler 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. 19 of Audited Vouchers to be paid in the following amounts:

General	\$	363,321.88
Water		225,351.51
Sewer Fund		0.00
Capital		8,493.87
Library		5,638.50
Trust & Agency		<u>49,872.23</u>
Total	\$	652,677.99

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

Robert DeRocker, 3 Warner Lane, noted the following with respect to the proposed trail at Wilson Park:

- He knew that the Village had been contemplating a trail at Wilson Park for some time, but he didn't know where it would be, what the specs would be or how wide it would be. He envisioned the proposed trail to be a gentle walking pathway along the ridgeline, maybe two or three feet wide. The flags that were placed at the proposed trail site show that the trail is more serpentine that cuts in from the east and then goes back west. On a personal note, the part that comes the farthest east comes closest to his house. The biggest concern is the dimensions of the trail which seems to be six feet wide.
- He doesn't think the proposed trail is necessary because it would detract from the beauty of the park that the Board had the wisdom to set aside. It's a path to nowhere. He urged the Board of Trustees to come and take a look to see if it's really necessary and if it should be something of that magnitude.

Administrator Slingerland noted that the proposed trail at Wilson Park was part of the Planning Board site plan approval for the development of all the properties.

Attorney Silverberg noted that he understood that the trail had to be in compliance with the Americans with Disabilities Act. The location of the trail was decided after a site visit, whereby it was concluded that the trail should be accessible by everyone; which could account for the change of the location, not being along the ridgeline and also being wider.

Mayor Fixell asked Attorney Silverberg to find out if the Board of Trustees has authority over a Planning Board decision. The Board will then know what options they have; not that he wants to draw a conclusion tonight. He would like to know what the Board's options are, if any.

Trustee Brown noted that when the proposed trail was approved by the Planning Board, she doesn't believe there was a landscaped drawing of the trail.

Loretta London, 185 Wilson Park Drive, noted the following:

- She walks her dog on the existing trail which begins at Tower Hill Road that meets up to the trail around the lakes. She was quite surprised to hear that Wilson Park was getting another trail. She wanted to know why they need another trail. The existing trail connects up with two parking lots, which makes sense. The proposed new trail connects to nowhere.
- She is concerned about the traffic on Wilson Park Drive and that it is very dangerous for people walking on Wilson Park Drive, especially when vehicles are parked on Wilson Park Drive.

Mayor Fixell noted that Board is still looking at possibly creating 2 parking spots that vehicles would be able to pull into near the entrance of the park.

Tom Hinds, 122 McKeel Avenue, noted the following:

- He thanked the Board for supporting the “Solarize Tarrytown” campaign. He signed up and was able to get a tax credit and a large deduction on his electric bill.
- He has walked his dog on Wilson Park Drive for 18 years and he sees no need for another trail that goes nowhere. If a trail is going to be built, he suggests that the path surface be kinder to him as a disabled person and not put the large crushed rocks that exist on the other pathway.

Craig Allan, 29 Warren Avenue, noted the following:

- He doesn’t understand how a decision regarding public land can occur without going before the Board of Trustees.
- The existing pathway’s surface is large crushed rocks. The surface should be a semi-permeable or environmentally friendly walkable stone surface. He doesn’t believe the large crushed rock material is the right surface for the existing trail.
- The Tarrytown Lakes Committee had a clean-up day this past weekend and they did a wonderful job. However, there are trees in the Wilson Park area that are uprooted and leaning on other trees. There are tree stumps that should be removed. During the Tarrytown Lakes clean up, he found 3 utility poles, one which had a meter on it on the ridge at Wilson Park.

Stephen Trusa, 35 Lake Terrace, noted that he believes more work has to go into the proposed trail at Wilson Park, six feet does seem wide. He believes Wilson Park is one big walking trail and by adding the proposed walking trail, it would break that up. He appreciates that the Village wants to accommodate all residents and visitors to use Wilson Park, but he believes the Board should incorporate more feedback from the immediate community with respect to the proposed trail.

Robert DeRocker, 3 Warner Lane, noted the following:

- The reason some of the Wilson Park neighbors came to the board meeting tonight is because according to Toll Brothers, they plan to start digging up the turf on the proposed trailway in a couple of weeks. At the very least, we ask the Board tonight to hold up the work on the proposed trailway until the Board has time to address our comments tonight.
- He wanted to affirm that their concern on the proposed trailway is not to restrict access to Wilson Park. He encourages people to come to Wilson Park and enjoy the beautiful park. He believes that the proposed trailway would put a scar across the spine of the ridge of the park.

Ann Anderson, owner of Annie’s Taxi, noted the following:

- Taxi Companies and drivers must be licensed with the Village of Tarrytown and with the Westchester County Taxi & Limousine Commission to operate in the Village. It is her understanding that Uber drivers are not required to obtain any of these licenses, background checks or drug testing. Uber drivers are picking people up at the train station and dropping off within the Village. She would like to know what the Village is going to do about this.

Mayor Fixell noted that the state is currently discussing new legislation regarding Uber service, but he doesn’t know the specifics. He believes the new legislation will need input from Westchester County. We will have to find out more about this topic and how it applies to the County and to the Village.

Attorney Silverberg noted that he will look into the new state legislation regarding Uber service and how that relates with the local requirements for taxi licensing and get a memo to the Board of Trustees before the Board’s next meeting.

ADJOURNMENT

Trustee Zollo moved, seconded by Trustee Butler, and unanimously carried, that the meeting be adjourned at 8:54 p.m.

Carol A. Booth
Village Clerk