

Board of Trustees
Village of Tarrytown
Regular Meeting No. 37
May 15, 2017
8:00 p.m.

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

REPORTS

Mayor Fixell noted the following:

- The Westchester County Clerk's Mobile Office will be coming to Tarrytown on Tuesday, June 13th from 11 a.m. to 2 p.m. at the corner of Main Street and S. Washington Street. The County's community outreach staff can take your photo and process your passport. For more information, please visit www.WestchesterClerk.com.
- For the months of June, July and August, the Board of Trustees is on a summer schedule and will only hold one Board meeting per month. The next Board meeting will be held on Monday, June 19th and then the 3rd Monday in July and August.

Trustee McGovern noted the following:

- The Village pool membership registration has begun and the pool will open on Saturday, May 27th thru September 4th. Registration can be processed on-line or in person at the Recreation Office. There are presently 213 pool memberships and 619 fitness center memberships. Tarrytown residents are getting healthy.
- The Village is now holding Pickleball classes, a brand new racquet sport, which is very hot in California and Florida. Tarrytown is the first Recreation Department to offer Pickleball in the area.
- The Outdoor Summer Concert Series kicks off on Thursday, June 29th.
- For more information on Recreation programs and activities, please see the Recreation Spring/Summer brochure which is on our website at tarrytowngov.com.

Trustee McGee noted that the TaSH Farmer's Market will be re-opening at Patriots Park on Saturday, May 27th and will run every Saturday through November. There will be more vendors this year. Come out and enjoy.

Trustee Brown noted that the Tarrytown Street Fair will be held on Sunday, June 4th. Come out and enjoy the event.

CHANGES AND/OR ADDITIONS TO THE AGENDA

The Board of Trustees has made an addition to tonight's agenda regarding a Change Order for the Loh Park Drainage Improvement Project.

ADMINISTRATORS REPORT

Administrator Slingerland reported on the following:

- The RiverWalk trail access to Lyndhurst project is moving forward.
- A selection for the new Village Auditor has been completed and is on the agenda tonight.
- He thanked Supt. of Public Works Howard Wessells and Village Engineer Dan Pennella and all of the DPW workers who were involved in fixing all the water breaks that occurred in the past two weeks.
- The landscaping at Pierson Park/RiverWalk has been moving forward. Cedar Hills Landscaping under the supervision of Lawrence Labriola has applied herbicides to kill the existing vegetation, which is mostly invasive weeds and they have been regrading some of the area. Plans have been adjusted in front of the current construction phase of National Resources property. It was supposed to be a three-tiered stone series of benches. The top tier of stone has been taken off and put it at the end of the lower tiers, so it wouldn't block the view from the Hudson Harbor

residents. Plants have been purchased and the plantings will be moving forward along with the on-going maintenance.

PRESENTATION OF LIFE SAVER AWARDS “CPR SAVE” TO MEMBERS OF TARRYTOWN VOLUNTEER AMBULANCE CORP

Mayor Fixell presented Life Saver Awards “CPR Save” to the following members of the Tarrytown Volunteer Ambulance Corp: Simon Cohen, Mary Kohrherr, Kimberly Lara and Scott Eels. Mayor Fixell also presented Life Saver Citation Awards to the following members of the Tarrytown Volunteer Ambulance Corp: Michael Farley and Alaric Young. Mayor Fixell noted that this is a great group of people; all volunteer. Can’t thank them enough for what they do.

Nora Carney, member of the Tarrytown Volunteer Ambulance Corp noted that on Saturday, April 29th, the Tarrytown Ambulance Corp was posted at the Annual Duck Derby. The Ambulance crew was dispatched to a man in distress in the area of C-Town Grocery Store. Due to the close proximity, the Ambulance Corp was able to respond to the man immediately. Upon arrival, they found the man in the care of the Tarrytown Police, but unfortunately he was not breathing and he didn’t appear to have a pulse. With the assistance of our wonderful police officers, TVAC’s crew chief, EMT’s and members, they initiated CPR and within a few minutes, without the aid of a medic or any other advance life care, they were able to fully revive the man and help bring him back to life. TVAC was able to transport him safely and soundly to Phelps Memorial Hospital, where he has been recovering.

Michael Farley, member of the Tarrytown Volunteer Ambulance Corp thanked the Board of Trustees for presenting the Life Saver awards tonight to the members of the Tarrytown Ambulance Corp. Mr. Farley announced to the public to come and volunteer with the Tarrytown Ambulance Corp. It’s a wonderful, rewarding volunteer effort and the Ambulance Corp could really use more volunteers. You don’t have to be an EMT; you can help out in various different ways.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD REGARDING THE PROPOSED WILSON PARK TRAIL. SPEAKERS SHALL HAVE THREE (3) MINUTES TO ADDRESS THE BOARD OF TRUSTEES

Dan Pennella, Village Engineer presented the 3rd generation rendering of the proposed plan for the new pathway at Wilson Park. Using the last and 4th iteration of the trail, starting on the left hand side, from point A, which is one of the entry points at the top of Beech Lane, which runs along the contours to point B, which is a bifurcation in the trail. The trail is 6’ wide, it has an item 4 base with a stone dust topping, which is soft to the feet and easy to walk. From point A to B, it provides, not only a trail for access, but also allows access for emergency vehicles. From point B, you can either travel to point D, all the way on the right hand side or you can to point C, that portion of the trail is only 4’ wide, it runs along the ridge, it provides excellent views of the river and then you can exit at point D on Warner Lane. Point C is a mowed pathway, 6’ wide and provides access to the existing trail or vice versa, you can start at point E, at the existing trail and work your way up and loop around. The loop trail offers extravagant views of the river. The ridge provides the least amount of disturbance. If there is runoff, it will start at the ridge and run off onto the slopes. This will have the least amount of impact on the trail and will not wash out the trail and will require the least amount of maintenance. Village Engineer Pennella believes that this iteration is a good compromise; they kept the trail away from the neighbors as far as possible and kept it away from the steep slope. (A copy of the Wilson Park – Open Space Walking Trails map will be affixed to the official minutes of this meeting.)

Lucille Munz, Munz Associates Architect, noted that the approach was also to protect the existing trees that are there and try to stay outside the drip line of the healthier trees. There are trees that need to come down that are either dead or qualify as dead trees. They pulled the trail closer to the ridge eastward to allow for more open space. The mowed paths along

the red lines should get mowed weekly or bi weekly, while the other paths that are extensively meadow should be mowed a few times a season to keep down the woody plant material and the invasives. The top part on Wilson Park Drive needs to be more manicured and maintained and should be mowed weekly or bi-weekly.

Trustee Butler asked who would be doing the initial construction and mowing of the trail ways. Village Engineer Pennella stated initially, the construction will be done by Toll Brothers, but then the continued maintenance will be done by the Village.

Trustee Brown stated that before the path is constructed, she is suggesting that the Village should consider removing the dead trees first.

Lucille Munz noted that these trees need to come down at some point; however, ideally, the hazardous trees need to come down sooner rather than later. That may allow for more flexibility with location of the plan of the trail in that general area.

Village Engineer Dan Pennella noted that the proposed trail has been staked out if the Board of Trustees or the public has an interest to see the trail. The trail does not have all the curvature in place, but you can get the general idea and its location.

Mayor Fixell asked that Administrator Slingerland work with Village Engineer Dan Pennella and Lucille Munz regarding the removal and pruning of the trees. Trustee Zollo suggested that Administrator Slingerland work with the Tree Warden, Dierdre Carsto and the Tree Commission.

Ken Taber, 5 Warner Lane, congratulated the Board of Trustees on the new trail plan that seems to be a very sensible solution to put trails in proper places. He is pleased to hear that there will be a plan to address the trees. He believes that the removal of the dead trees should be a priority because it is very dangerous.

Robert DeRocker, 3 Warner Lane, noted that he has been against the trail from the beginning. He has solicited comments from people near the park and farther away and the overwhelming majority are against any kind of trail. He believes the trail will diminish the park and will be an unnecessary costly scar, one that the Village will have to maintain, across a gorgeous landscape that is so rare within a New York City suburb. The challenge with Wilson Park is more of access to the park than navigation within the park; that can be addressed, not by a path, but by parking and promotion. He does believe that tonight's iteration of the proposed trail is so much better than the previous one. Much of the trail has been reduced to 4 feet. The new design of the trail winds around in a way that would make it more conducive to meandering than as a racetrack for kids on bikes. His one concern about this path is that it would still be carved on the drip line of magnificent century old sugar maples; he recommended that an arborist should address these trees. Regardless of what the Board decides, he thanked the Board of Trustees for preserving Wilson Park. He recommended to keep this park as preserved and as natural as possible.

Margie Ruddick, 10 Archer Place, noted that she commended the revised design plans for preserving the park and shifting to meadow from lawn. She asked if there were plans for a lawn area for recreation and/or picnicking. Lucille Munz responded that the thought is at the ridgeline and everything on that side of Wilson Park would be mowed and then where it begins to get steep that would be more seasonal mowing. Ms. Ruddick noted that if there is a high volume of use on the path, that would that greatly impact the erosion of the path. Village Engineer Dan Pennella noted that he doesn't believe the volume expected on the foot path would cause concern of erosion of the path. Ms. Ruddick noted that she believes that the Village did an amazing job on the revised plan and she liked the photographs of the path that showed open space and lawn, but her concern was that by cutting the path over the crest could possibly diminish that open feeling. Village Engineer Dan Pennella noted that they tried to minimize the amount of disturbances. Trustee Brown noted that when she walked the path on a site visit, it was important to her that people would be able to walk either on the directed pathway or off the pathway. People can walk anywhere they want in the park. The proposed pathway is designed for people to continue to enjoy the open space

that is there. Village Engineer Dan Pennella noted that he believes this is the best location for the trail with the least amount of disturbance. Trustee Brown agreed.

Andrea Taber, 5 Warner Lane, thanked the Board of Trustees for their hard work on the proposed pathway. She still doesn't understand why Wilson Park needs this pathway. Currently, across the ridgeline it is perfectly flat, accessible, and easy to walk. She walks it every day and doesn't see any problems. If the reason for the pathway is to stick it to Toll Brothers, that is not a good reason. She doesn't understand why you would take a perfectly fine green space and put gravel on it. Her other concern is if the open space of the park will continue to be mowed. Mayor Fixell noted that the area of the park that is mowed will continue to be mowed. It would not require additional maintenance to the park nor a reduction of maintenance. She appreciates the Board's attention to the trees because there are dead trees that are dangerous. There are also big stumps that have attracted vermin and insects that should be addressed along with the dead trees.

Kevin Miller, 191 Union Avenue, commented why the pathway is cutting through the meadow and he believes the key is to have a variety of paths connected to be able to walk from one end of the Village to another. Village Engineer Dan Pennella noted that the pathway follows the ridgeline for the least amount of possible erosion. Trustee Brown noted that connecting trails is very important and they should also have directional signage that states for example, from here you can connect to the North County Trail Extension etc. The trails should have signs and markers for people to know the direction and how the paths connect.

Javier Dyer, 7 Warner Lane, stated that Wilson Park is great as it is and is fully accessible. He feels that there is no need for a formal pathway. Let people walk freely through the park.

Mayor Fixell noted that there is not a literal vote that this Board will be taking. The genesis of the trail itself came out of the Planning Board process. The Board of Trustees is trying to shape it in a way that is more appropriate by listening to the public.

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.

PUBLIC HEARING - TAXICABS AND LIVERIES (Adopted)

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 15th day of May, 2017, at 8 PM, in the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear, discuss and to act upon an amendment to Village Code Chapter 273-7 entitled "Taxicab Liveries". A summary of the legislation is available at Village Hall. The complete text of this legislation follows:

A LOCAL LAW to amend the Code of the Village of Tarrytown, Chapter 273-7 entitled "Taxicab Liveries", prohibiting the refusal of rides, and setting requirements for visible lettering on the outside of taxicabs.

SECTION 1. LEGISLATIVE INTENT.

BE IT ENACTED by the Board of Trustees of the Village of Tarrytown as follows: Material to be deleted appears in parenthesis [], material to be added is in **bold typeface**. Section I. Section 273-7 is amended to add the following two sections as follows:

§ 273-7. General operation regulations.

New Language to be added:

G. No taxi or livery driver shall refuse or neglect to convey an orderly person or persons upon request anywhere in the Village. No taxi or livery driver shall carry any other person than the person first employing the taxi/livery car without the consent of such first passenger.

H. Taxi/livery cars shall have the name of the company, the company telephone number, and the cab number assigned to the vehicle clearly marked in letters or numerals of at least 2 inches in height. These are to be on the driver and passenger sides of the vehicle and are to be in a sharply contrasting color to that of the vehicle and be permanently affixed to the vehicle.

Section II. Severability

If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section III. Effective Date

This Local Law shall take effect immediately upon adoption and filing in the office of the 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 Zollo moved, seconded by Trustee Butler and unanimously carried, that the hearing be opened.

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

Trustee Zollo moved, seconded by Trustee McGee, 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 amend the Code of the Village of Tarrytown, Chapter 273 entitled Taxicabs and Liveries with respect to taxi customer rights and the visibility of Taxicab Company lettering.

WHEREAS, a public hearing was held for the proposed action on May 15, 2017; and

WHEREAS, a notice of public hearing was published in the Journal News on May 4, 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. 4 of 2017.

FIRE DEPARTMENT MEMBERSHIP CHANGES

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 the following Fire Department membership changes recommended at the April 18, 2017 Board of Fire Wardens meeting: Membership Changes: James Frommert, Mauricio Zagami and Alfredo Vargas have been removed from active membership at Conqueror Hook & Ladder Company.

MANAGEMENT, JUDICIAL AND PART-TIME SALARIES

Trustee Zollo moved, seconded by Trustee Brown, that the following resolution be approved. Motion carried, all voting "aye" with the exception of Trustee Hoyt who recused himself on the position of Village Clerk. Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve a 2% salary increase for individuals in the following job titles: Superintendent of Public Works; General Foreman-Public Works, Recreation & Parks Supervisor, Village Clerk, Village Treasurer, Deputy Village Treasurer, Court Clerk, Village Engineer/Building Inspector, Chief of Police, Village Justice and Acting Village Justice effective June 1, 2017; and

FURTHER BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve an increase of 2% effective June 1, 2017 in the hourly rate paid for year round part-time employees.

APPOINTMENT OF AUDITORS

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 Nawrocki & Smith Accounting Firm as Official Auditors for the Village of Tarrytown per their proposal dated January 17, 2017.

ROUTE 119 COMPLETE STREET RESOLUTION

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

WHEREAS, the present configuration of Route 119 experiences a high volume of traffic which affects people riding bikes and walking; and

WHEREAS, the Route 119 corridor has significant residential, commercial and public uses along it; and

WHEREAS, Route 119 connects the New NY Bridge, the Old Croton Aqueduct trail, the North and South County Trailways and the Bronx River Trailway; and

WHEREAS, the New NY Bridge will have a Shared Use Path for the use by people walking and cycling; and

WHEREAS, the Shared Use Path is expected to be used by thousands of cyclists and pedestrians per day during peak times; and

WHEREAS, residents and officials in Tarrytown, Greenburgh, Elmsford and White Plains desire safety and mobility improvements along and across Route 119; and

WHEREAS, the New York Bicycling Coalition is offering to establish and promote the Route 119 Complete Street Design Plan; and

WHEREAS, this Plan will bring together residents, merchants, public officials and transportation professionals to determine how to provide and improve infrastructure for people bicycling and walking along the entire length of Route 119; and

WHEREAS, the New NY Bridge project has a Community Benefits Program to fund such projects; and

WHEREAS, the Community Benefits Program does not require a match from the applicants;

NOW THEREFORE BE IT RESOLVED that the Village of Tarrytown:

1. Desires to work with its neighbors to provide and improve infrastructure for people bicycling and walking along the entire length of Route 119, and
2. Supports and endorses the New York Bicycling Coalition's grant application for the Route 119 Complete Street Design Plan, and
3. Actively supports the project should the application be successful, and
4. Actively supports implementation of the Plan's recommendations, and
5. Recognizes the Village Administrator, the Police Chief and a representative from the Planning Board as our representatives to the Plan's Steering Committee.

REJECT BIDS FOR OVERALL DRAINAGE IMPROVEMENT PROJECT – LEROY AVENUE, LOH AVENUE AND SOUTH BROADWAY

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

WHEREAS, two (2) bids were received on April 13, 2017 for the Overall Drainage Improvement Project on Leroy Avenue, Loh Avenue and South Broadway project and are listed below: and

<u>Contractor</u>	<u>Base Bid</u>
- Eastern Excavation Inc.	\$4,235,000
- Montesano Brothers	\$4,790,000

WHEREAS, the bids were reviewed by John Meyer Engineers, a representative from Westchester County Planning Department, Village Administrator and the Village Engineer and it is their recommendation to the Board of Trustees to reject the bids and to re-bid the project due to the fact that the bids for this project greatly exceeds the budget approved for the project in the Capital Budget.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby reject the bids received for the Overall Drainage Improvement Project on Leroy Avenue, Loh Avenue and South Broadway.

CHANGE ORDER – LOH PARK DRAINAGE IMPROVEMENT PROJECT

Trustee Hoyt asked what the timeline is for this project and when we can expect to go out to bid and when the bids would be due back. Administrator Slingerland noted that he had a meeting today with John Meyer Consultants along with Village Engineer Dan Pennella and Lucille Munz and we plan to make some revisions to the specifications. We plan to publish the bid notice by June 9th, bids due back on Jun 26th and we can award the bid in July,

either at a work session or a board meeting. It was also suggested to request for additional funds, but we won't know that until we get the second round of bids back. We are going from a lump sum bid to a unit price bid which should define some of the areas that we will be able to cost costs. Trustee Butler asked if we were expanding the bid list. Administrator Slingerland noted that they had a substantial bid list that it went out to, but we only received two bids. It was probably due to the fact that it was a lump sum bid. We will be reaching out to other contractors. Village Engineer Dan Pennella noted that they plan to publicize the bid notice widely and include it in all free publications.

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 authorize a change order regarding the Drainage Improvement Project – Leroy Avenue, Loh Avenue and South Broadway in an amount not to exceed \$40,000.00 for engineering services by JMC Planning Engineering Landscape Architecture.

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize and direct the Village Administrator to execute a contract with JMC Planning Engineering Landscape Architecture subject to Village Administrator and Village Engineer approval.

CHANGE ORDER – REHABILITATION OF RECREATION CENTER PARKING LOT

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 approve a change order regarding the Rehabilitation of Recreation Center Parking Lot project per Peter J. Landi's proposal in the amount of \$15,000 for the installation of two new light poles to be installed at the South Parking lot adjacent to Losee Park, as outlined in the Village Engineer's memorandum dated May 5, 2017.

CURED IN PLACE PIPE

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

WHEREAS, the sanitary sewer at the intersection of Prospect Avenue and Martling Avenue has failed in four locations; and the storm sewer pipe that extends from Walden Road in a westerly direction down to Cobb Lane has rotted out on the bottom; and

WHEREAS, both of these sewer mains are prime candidates for cured in place pipe lining as excavation and replacement of these lines would be extremely costly; and

WHEREAS, there is a current Suffolk County bid in place that the Village of Tarrytown can participate in order to expedite this relining project.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby award the bid to National Water Main Cleaning Company, Kearny, New Jersey for the Cured in Place Pipe (C.I.P.P.) relining project at both of these locations per the Suffolk County Bid for a total estimated price of \$108,400.

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize and direct the Village Administrator to execute an agreement National Water Main Cleaning Company, Kearny, New Jersey for the Cured in Place Pipe (C.I.P.P) relining project per their bid in the total estimated amount of \$108,400.

AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION –
REHABILITATION OF MAIN AND RIVER STREETS BRIDGE OVER METRO
NORTH RAILROAD

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

WHEREAS, a Project for the Rehabilitation of Main and River Streets Bridge over Metro North Railroad (BIN 2263200) in the Village of Tarrytown, Westchester County, identified as PIN 8761.63 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% Federal Funds and 5% non-federal funds; and

WHEREAS, the Village of Tarrytown will design, let and construct the Project; and

WHEREAS, the Village of Tarrytown desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering and right-of-way incidental work; and

NOW THEREFORE, that the Board of Trustees of the Village of Tarrytown duly convened does hereby resolve that the Board of Trustees of the Village of Tarrytown does hereby authorize the Village of Tarrytown to pay in the first instance 100% of the federal and non-federal share of the cost of preliminary engineering and right-of-way incidental work for the Project or portions thereof; and

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby agree that the Village of Tarrytown shall be responsible for all cost of the project which exceed the amount of the NY Bridge Funding awarded to the Village of Tarrytown.

BE IT IS FURTHER RESOLVED, that the sum of \$57,250.00 is hereby appropriated from general operating funds, or fund balance, or the future issuance of debt, and such funds will be made available to cover the cost of participation in the above phase of the Project; and

BE IT IS FURTHER RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Board of Trustees of the Village of Tarrytown shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Village Administrator thereof, and

BE IT IS FURTHER RESOLVED, that the Village of Tarrytown does hereby agree that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within three years of commencing construction; and

BE IT IS FURTHER RESOLVED, that the Village Administrator of the Village of Tarrytown be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State-Aid on behalf of the Village of Tarrytown with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality’s first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and

BE IT IS FURTHER RESOLVED, that in addition to the Village Administrator, the following municipal titles: Mayor, Superintendent of Public Works, Village Engineer, Village Treasurer are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Village of Tarrytown/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and

NOW BE IT FURTHER RESOLVED this Resolution shall take effect immediately.

AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION –
REHABILITATION OF H-BRIDGE (MAIN STREET, WILDEY STREET)

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

WHEREAS, a Project for the Rehabilitation of Main and Wildey Streets Bridge over Metro North Railroad (BIN 2263210) in the Village of Tarrytown, Westchester County, identified as PIN 8761.64 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% Federal Funds and 5% non-federal funds; and

WHEREAS, the Village of Tarrytown will design, let and construct the Project; and

WHEREAS, the Village of Tarrytown desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering and right-of-way incidental work for the Project or portions thereof; and

BE IT IS FURTHER RESOLVED, that the Board of Trustees of the Village of Tarrytown does hereby authorize the Village of Tarrytown to pay in the first instance 100% of the federal and non-federal share of the cost of preliminary engineering and right-of-way incidental work for the Project or portions thereof; and

BE IT IS FURTHER RESOLVED, that the sum of \$19,749.00 is hereby appropriated from general operating funds, or fund balance, or the future issuance of debt, and such funds will be made available to cover the cost of participation in the above phase of the Project; and

BE IT IS FURTHER RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Board of Trustees of the Village of Tarrytown shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Village Administrator thereof, and

BE IT IS FURTHER RESOLVED, that the Village of Tarrytown does hereby agree that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within three years of commencing construction; and

BE IT IS FURTHER RESOLVED, that the Village Administrator of the Village of Tarrytown be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State-Aid on behalf of the Village of Tarrytown with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality’s first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and

BE IT IS FURTHER RESOLVED, that in addition to the Village Administrator, the following municipal titles: Mayor, Superintendent of Public Works, Village Engineer, Village Treasurer are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Village of Tarrytown/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and

NOW BE IT FURTHER RESOLVED this Resolution shall take effect immediately.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON MAY 1, 2017

Trustee Zollo moved, seconded by Trustee Butler, that the following resolution be approved. Motion carried, all voting "aye" with the exception of Trustee McGovern who abstained. Approved: 6-0-1

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 May 1, 2017 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. 21 of Audited Vouchers to be paid in the following amounts:

General	\$	230,232.12
Water		280,630.76
Sewer Fund		0.00
Capital		21,453.65
Library		3,562.49
Trust & Agency		<u>10,372.71</u>
Total	\$	546,251.73

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

Santo Penalo, owner of Executive Taxi noted that his taxi company has been working in the Village of Tarrytown since 2009 and there has not been an increase in the taxi fee rate within the Village. He recommended that taxi fare rates should increase from \$4.00 to \$6.00 and the senior citizen rate should increase from \$3.00 to \$5.00. He further suggested that if the ride is for a Tarrytown resident, they should only pay \$5.00 and the resident senior citizen should only pay \$4.00 per fare. His reason for the discount for Tarrytown residents is that most of his taxi fares are for non-residents. Mayor Fixell noted that the topic of taxi fares will be on the next work session agenda. He noted that he would take Mr. Penalo's recommendation under consideration.

Trustee Butler asked what Executive Taxi's fare rate is for a person going to the Village of Sleepy Hollow and over the Tappan Zee Bridge. Mr. Penalo noted that it is basically \$3.00 per mile, but the longer the ride is, the rate gets adjusted to \$2.50 per mile. His fare rate for a person going to the Village of Sleepy Hollow is \$6.00.

Trustee Brown asked if most of his taxi fares are within the Village of Tarrytown or from the train elsewhere. Mr. Penalo noted that approximately 80% of his taxi fares are from the train station to outside of the Village of Tarrytown.

ADJOURNMENT

Trustee Hoyt moved, seconded by Trustee Butler, and unanimously carried, that the meeting be adjourned at 9:24 p.m.

Carol A. Booth
Village Clerk