

Board of Trustees
Village of Tarrytown
Regular Meeting No. 45
September 18, 2017
8:00 p.m.

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

The meeting began with the Pledge to the Flag.

MOMENT OF SILENCE – TRUDY DUNBAR

Mayor Fixell requested a moment of silence in honor and memory of Trudy Dunbar, who recently passed away. Trudy was a long-time Tarrytown resident and served our community for many years. Trudy was a member of the Parks and Recreation Advisory Council for over 40 years.

REPORTS

Mayor Fixell noted that the New York Department of Transportation will be holding two Public Information Meetings about the potential dedicated bus lane on the Governor Mario M. Cuomo Bridge. These events will highlight the findings from the analysis and potential implementation of the dedicated bus lane. Two Open Houses events are scheduled. The first Open House will take place in Rockland County on Tuesday, September 26, 2017, from 6 p.m. to 8 p.m. at the Palisades Center, Alder Room, 4th Floor, 100 Palisades Center Drive in West Nyack. The second Open House will take place in Westchester County on Wednesday, September 27, 2017, from 6 p.m. to 8 p.m. at the Greenburgh Public Library, Multipurpose Room, 300 Tarrytown Road in Elmsford.

Trustee McGovern noted the following Recreation events:

- The Village-Wide Tag Sale will be held on Saturday, September 23rd from 10:00 a.m. to 5:00 p.m. There is still time to get your address placed on the Tag Sale Location Map, you may either call the Recreation Department at 914-631-8347 or email your address to ttrec@aol.com. There is no cost to participate. Rain date will be Sunday, September 24th.
- The Tarrytown Parks and Recreation Department Fall and Winter Brochure is available online at tarrytowngov.com.
- The Scarecrow Making event will be held on Saturday, October 14th at Patriots Park at 10:30 a.m. It's a fun event to bring your children and some old clothes and make your own hand-made scarecrow.

Trustee Butler noted that this past Sunday, there was a Public Workshop at the Warner Library with the TarrytownConnected Committee to discuss the Comprehensive Plan for the entire Village and Zoning for the Station Area. It was very well attended and he would like Administrator Slingerland to briefly report on this workshop.

Trustee McGee noted that the Headless Halloween Mini-Golf at Warner Library will be held on Saturday, September 23rd from 10 a.m. to 8 p.m. Come out and support our library.

Trustee Hoyt noted that the Village has begun to repaint all our crosswalks in the Village. If you see a crosswalk that hasn't been repainted, please contact the Village Administrator.

Trustee Brown announced that the former president of the Merchant's Council, Theresa McCarthy and Ed Coco of Coco Realty are entering into an agreement to provide valet parking from Thursday through Sunday evenings in the former Mrs. Green's parking lot.

There are some details that still need to be worked out. The plan is to have this program in place by October 1, 2017. This will not affect parking for the other stores in this area. We hope that this offers some parking relief as we enter the fall season, which is a very busy time in the downtown area.

CHANGES AND/OR ADDITIONS TO THE AGENDA

The Board of Trustees has made an addition to tonight's agenda regarding an appointment of a part time Court Attendant.

ADMINISTRATOR'S REPORT

Administrator Slingerland reported on the following:

- The Village is in the process of updating its Comprehensive Plan. We had three Comprehensive workshops over the summer. Yesterday was the big workshop, where all the residents of the Village were invited to attend. It was a three-hour workshop at the Warner Library and it was very well attended, with over 100 people. We heard comments and input from the public and now the plan is to develop the vision for the future. The community feedback and input will help the Board of Trustees develop this vision.
- The Rotary Club held a fundraiser last week to benefit the Tarrytown Volunteer Ambulance Corp. He thanked the Rotary for holding this benefit.
- The Pilgrim Run will take place on Sunday, November 12th. It will be changed to a 5K run, which will be a more popular length to attract more participants. In the near future, he would like to work with the Recreation Department to make this a chip race and change the route of the run.
- The Fitness Center will be closed this Thursday in order to have blinds installed, which will help members with the morning glare.
- Administrator Slingerland apologized to the members of the Fitness Center regarding a few items in the fitness center that are broken. The Village has put the builder on notice to have a few sinks repaired and to repair the window in the ladies bathroom.
- The last day for the Village Pool is this Saturday. We had a great season and we plan to have a recap of the season for both the Pool and the Camp, to look at the revenues and expenses and to plan ahead for the year 2018. Trustee Zollo asked how many pool memberships for this year. Administrator Slingerland noted approximately 1,110 members.

CONTINUATION OF A PUBLIC HEARING – FILMING

Trustee Zollo moved, seconded by Trustee McGovern 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, and asks the Village Clerk to re-publish the proposed law to comply with the publication and notice requirements of NYS Law.

PUBLIC HEARING - GARBAGE, RUBBISH AND REFUSE (adopted)

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 18th day of September, 2017, at 8 PM, in the Municipal Building, One Depot Plaza, Tarrytown, New York 10591, to hear, discuss and to act upon a proposed amendment to Chapter 183 entitled Garbage, Rubbish and Refuse 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 Tarrytown Village Code Chapter 183 entitled Garbage, Rubbish and Refuse, Article II. General Provisions Section 12 Operation of private refuse, waste and rubbish collection vehicles, to provide limited collection times by private carters on Saturdays.

Be it enacted by the **Board of Trustees** of the **Village of Tarrytown** as follows
Language in **Bold** to be added, language in [parenthesis to be deleted]:

Section 1. Chapter 183-12. Operation of private refuse, waste and rubbish collection vehicles, Part B. is deleted in its entirety and the following language is enacted:

§ 183-12.

B. Private collection vehicles shall operate only between the hours of 8:30 a.m. and 5:00 p.m., Monday through Friday, **and 8 a.m. to 10:30 a.m. on Saturdays** excluding holidays as otherwise provided, except in those areas designated as a location where Monday through Friday collection may be made between the hours of 4:00 a.m. and 5:00 p.m. The Board of Trustees, upon written application from a property owner, may consider the designation of such an exempted location. This decision shall be based upon the real need for such exemption, its effect on the encompassing zoning district, the likely effect of noise to residential dwellings in close proximity to the location, and any history of noise complaints relative to the collection of the abovementioned materials at that location or other nearby locations during the specified hours.

Section 2: 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 judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this local law.

Section 3: 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.

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

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

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby amend the Code of the Village of Tarrytown, Chapter 183, Garbage, Rubbish and Refuse to provide limited collection times by private carters on Saturdays.

WHEREAS, a public hearing was held for the proposed action on September 18, 2017; and

WHEREAS, a notice of public hearing was published in the Journal News on September 7, 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. 8 of 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.

AWARD OF CONSTRUCTION MANAGEMENT SERVICES FOR LOH PARK PROJECT

Trustee Hoyt thanked Village Administrator Slingerland and Village Engineer Pennella for helping to expedite this project.

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

WHEREAS, the Village Administrator and Village Engineer contacted six companies to ask them to submit Proposals for Construction Management Services for the Loh Park Drainage Improvement Project; and

WHEREAS, by the notified deadline of Thursday, September 14, 2017, at 12 Noon, four companies submitted proposals as follows:

Company

- Arcadis Inc.
- James Hahn Engineering
- JMC Engineers
- Woodard & Curran Engineers

WHEREAS, the proposals were reviewed by the Village Engineer and the Village Administrator and it is their recommendation to award an agreement for Construction Management Services for the Loh Park project to JMC Engineering, PLLC as the most qualified experienced and responsible proposing engineering firm, per their proposal dated September 14, 2017 last revised September 15, 2017 in the amount not to exceed \$175,000.00 billed according to the hourly rates for each phase.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby award the contract for Construction Management and Inspection Services for the Loh Park Project to JMC Engineering, PLLC as the most qualified experienced and responsible proposing engineer/engineering firm, per their proposal dated

September 14, 2017 last revised September 15, 2017 in the amount not to exceed \$175,000.00 billed according to the hourly rates for each phase.

BE IT FURTHER RESOLVED that the Village Administrator is hereby authorized and directed to execute a contract with JMC Engineering, PLLC for the Construction Management and Inspection Services for the Loh Park Project.

HALLOWEEN PARADE

Trustee McGovern moved, seconded by Trustee Butler, that the following resolution be approved. Motion carried, all voting "aye" with the exception of Trustees Hoyt, McGee and Zollo who voted no. Approved: 4-3

WHEREAS, the Village of Tarrytown will hold its annual Halloween Parade on Saturday, October 28, 2017; and

WHEREAS, the Board of Trustees of the Village of Tarrytown have been requested by representatives of business and of the Village Recreation Department's Halloween Parade Committee to allow the consumption of beer and wine in a controlled area on Main Street as part of the parade.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Trustees of the Village of Tarrytown does hereby grant permission for the sale and consumption of beer and wine in a controlled, outdoor portion of Main Street between Kaldenberg Place/John Street and South Washington Street; and

BE IT FURTHER RESOLVED THAT each establishment must obtain a New York State Liquor Authority (SLA) offsite premise permit, provide insurance naming the Village of Tarrytown as additional insured for this event and the following limitations will be enforced:

- a) The establishments must have a valid Village of Tarrytown Sidewalk Café Permit.
- b) The permitted area will be restricted to three (3) establishments on Main Street between Kaldenberg Place/John Street and South Washington Street.
- c) Permitted hours for the sale of beer and wine outdoors will be 8 p.m. to 10 p.m.
- d) The establishments that sell and serve alcohol will be required to issue a bracelet to each person who possesses and has shown legal identification and proof as being of legal age to purchase alcohol.
- e) Only for Saturday, October 28, 2017 from 8 p.m. to 10 p.m. as a test case.

APPOINTMENT OF PART TIME COURT ATTENDANT

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

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby appoints John Naccari to the position of Court Attendant, part-time, effective September 20, 2017 at a salary of \$25.00 per hour subject to all Civil Service rules and regulations.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON SEPTEMBER 5, 2017

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

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the minutes of the regular meeting of the Board of Trustees held on September 5, 2017 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS

Trustee McGee 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 Abstract No. 5 of Audited Vouchers to be paid in the following amounts:

General	\$ 517,853.52
Water	239,957.80
Sewer Fund	0.00
Capital	125,301.48
Library	3,470.96
Trust & Agency	<u>11,428.00</u>
Total	\$ 898,011.76

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

Louis Chacha, Tarrytown resident, noted that the street signs are obstructed at the corner of Main Street and White Street. It is not safe for school children to cross the street. He also noted that maybe a cross walk should be put there. The cars go very fast and it is dangerous for the school children. Administrator Slingerland noted that he will have the Superintendent of Public Works have the street signs cleared and unobstructed.

ADJOURNMENT

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the meeting be adjourned at 8:25 p.m.

Carol A. Booth
Village Clerk