

# Village of Tarrytown, NY

One Depot Plaza, Tarrytown, NY 10591-3199  
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## Village Board of Trustees Minutes 07/21/2014

Board of Trustees  
 Village of Tarrytown  
 Regular Meeting No. 10  
 July 21, 2014  
 8:00 p.m.

PRESENT: Mayor Fixell presiding; Trustees Basher; Butler; Hoyt; McGee and McGovern; Administrator Blau; Treasurer Hart; Village Attorney Shumejda and Village Clerk Booth

ABSENT: Trustee Zollo

The meeting began with the Pledge to the Flag.

### REPORTS

Trustee McGee noted that Westchester Family Magazine has named the Warner Library the winner of the “2014 Family Favorite Library Children’s Programs.” She congratulated Maureen Petry and Patty Cohn and the library staff for the wonderful job they do in regards to programming for the children.

Trustee Hoyt noted that the “Concerts in the Park” have begun on Thursday evenings in Pierson Park. For more information about the concerts, contact the Recreation Department at 914-631-8347.

Trustee Butler noted the following:

- The Tarrytown Environmental Advisory Council is sponsoring a “Green Mixer,” an Eco-Community Open House on July 24<sup>th</sup>, from 7 to 9 p.m. at the Watercooler, 21 N. Broadway.
- Asked if the Village can put a sign with the taxi fees by the Taxi stand. Administrator Blau stated that he could ask Metro North, since it is their property.

### ADMINISTRATORS REPORT

Administrator Blau reported on the following:

Phase 6 Cleaning and Cement Mortar Lining Project - The cleaning and cement mortar lining project of water lines on Cobb Lane, Oak Avenue, McKeel Avenue, Beech Lane, Walden Road and Suncliff Drive began today. The contractor is completing test pits on McKeel Avenue today and tomorrow. The first street to be completed will be Cobb Lane. The schedule for the remainder of the work has not been finalized as of yet, but as soon as we have that schedule, it will be placed on the Village’s website.

Fence Installation at Spillway – The erection of a new, permanent fence on the north and south side of the spillway at the Tarrytown Lakes dam was completed last week.

### PUBLIC INFORMATION MEETING – PROPOSED VIEWING PLATFORM FOR THE NEW NEW YORK BRIDGE

Kathryn Wolf of Trowbridge, Wolf and Michaels Landscape Architects, stated that they were asked to look at the Pilla Landing site at the RiverWalk Park for the development of a viewing station. One viewing station, to be funded from the Community Benefits Fund associated with the bridge construction, will be constructed on each side of the river for the public to view the construction of the New New York Bridge. Nyack will be developing a comparable facility in Memorial Park. Tarrytown is very fortunate in that you already have a handsome spiral stone overlook at the end of West Main Street. This is an ideal location to develop the proposed

viewing platform. Using the existing spiral overlook, there are three elements to add to make this functional for the viewing platform, and that is a two-tiered bench for seating, interpretive signage to explain what people are viewing on the bridge and on the river and a telescope to be able to zoom in and look more closely. We are also suggesting a second telescope that would be handicap accessible located at the entrance of the platform. The entire spiral walkway to the new viewing platform is at an ADA acceptable grade. They also thought that it would be good to get a little shade and came up with a very light, transparent, wooden overhead structure that would provide very light shade in late morning. The transparent trellis frames the benches and ties the whole space together. The interpretive signs have already been designed, were submitted for approval by the Village and are in production. The first sign is an orientation of the construction viewing platform, the second sign highlights the design features and the engineering of the bridge and the third sign is the spotter's guide, which includes the types of equipment being used in the construction and their function. The signs are replaceable, so at the end of the construction the Village can install whatever interpretive sign it chooses.

Trustee Butler noted that although he thinks this is a great design, he thought a second telescope may be needed on the actual platform in addition to the handicap accessible telescope. He also thought that people may use the telescope and not give it up for the next viewer in a timely manner. He believes the park attracts a lot of people and this viewing platform will be a very popular spot. Administrator Blau stated that as the project proceeds and there is funding left over, we can use that funding to install the third telescope.

Trustees McGovern and Basher noted that maybe we can install a sign asking people using the viewing platform to be considerate of others when using the telescopes.

Mayor Fixell asked if there is such a sign by the Bridge over the Hudson, which is also a very popular site. Ms. Wolfe stated that she did not know.

#### CONTINUATION OF A PUBLIC HEARING – HISTORIC COMMONS DISTRICT (Continued to August 18, 2014)

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

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

Trustee Basher 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 continue the public hearing to the next regular Board meeting on August 18, 2014.

#### CONTINUATION OF A PUBLIC HEARING – ZONING MAP (Continued to August 18, 2014)

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

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

Trustee Basher 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 continue the public hearing to the next regular Board meeting on August 18, 2014.

#### CONTINUATION OF A PUBLIC HEARING – COMPREHENSIVE PLAN (Continued to August 18, 2014)

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

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

Trustee Basher moved, seconded by Trustee McGee, 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 continue the public hearing to the next regular Board meeting on August 18, 2014.

CONTINUATION OF A PUBLIC HEARING – WATERFRONT GENERAL BUSINESS DISTRICT (withdrawn)

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

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

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

Trustee Basher 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 does hereby withdraw from consideration the amendment to the Code of the Village of Tarrytown, Chapter 305 entitled “Zoning”, Article IX, Special Waterfront Zones, Section 42, Waterfront General Business District.

PUBLIC HEARING – HISTORIC COMMONS DISTRICT – MORATORIUM EXTENSION (adopted)

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

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

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

Trustee McGee moved, seconded by Trustee Basher, 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 Code of the Village of Tarrytown, Chapter 305-78 Zoning entitled “Moratorium on Development in the Historic Commons HC Zone,” to extend the period of time to the existing Local Law No. 5 of 2013, “Moratorium on Development in the Historic Commons HC Zone of the Village of Tarrytown.” for sixty (60) days to October 6, 2014.

WHEREAS, a public hearing was held for the proposed action on July 21, 2014; and

WHEREAS, a notice of public hearing was published in the Journal News on July 1, 2014; 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), this action is a Type II action pursuant to SEQRA and is thereby exempt.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown hereby adopts Local Law No. 6 of 2014.

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.

APPOINTMENT OF POLICE OFFICERS

Trustee Basher moved, seconded by Trustee Hoyt, 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 appoint Denny Vazquez to the position of Police Officer Step 6 Recruit/Police Academy in the Village of Tarrytown Police Department at an annual salary of \$39,396 effective August 4, 2014.

BE IT FURTHER RESOLVED that this appointment is subject to a probationary period of eighteen (18) months.

BE IT FURTHER RESOLVED that this appointment is conditioned upon receiving notice of the appointee successfully passing a medical exam and drug test and receiving a hiring certification from the Westchester County Department of Human Resources.

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Trustee McGovern moved, seconded by Trustee McGee, 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 appoint Samantha Schubert to the position of Police Officer Step 6 Recruit/Police Academy in the Village of Tarrytown Police Department at an annual salary of \$39,396.00 effective August 4, 2014.

BE IT FURTHER RESOLVED that this appointment is subject to a probationary period of eighteen (18) months.

BE IT FURTHER RESOLVED that this appointment is conditioned upon receiving notice of the appointee successfully passing a medical exam and drug test and receiving a hiring certification from the Westchester County Department of Human Resources.

APPOINTMENT TO THE ZONING BOARD OF APPEALS

Trustee Basher 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 re-appoint James Maloney as member of the Zoning Board of Appeals for a term to expire in April of 2019.

APPOINTMENT TO THE ARCHITECTURAL REVIEW BOARD

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 appoint Jane Greenwood as Chairperson of the Architectural Review Board for a term to expire in April of 2015.

APPOINTMENT TO THE ARCHITECTURAL REVIEW BOARD

Trustee Basher 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 appoint Monique Barwicki-Kozlowski as member of the Architectural Review Board for a term to expire in April of 2017.

SUMMER CAMP EMPLOYMENT

Trustee Hoyt moved, seconded by Trustee Basher, 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 additional staff

members to be added to the summer day camp employment schedule approved by the Board of Trustees on June 16, 2014:

Wendell Brand, Jr.	Camp Counselor	\$7.00/hour
Jhane Coello	Camp Counselor	\$7.00/hour
Matt Dorazio	Camp Counselor	\$7.00/hour
Jonathan Falconer	Camp Counselor	\$8.00/hour
Lisandra Hall	Camp Counselor	\$7.00/hour
Dashley Rodriguez	Camp Counselor	\$7.00/hour
Janine Scaglione	Office Manager	\$15.00/hour
Lauren Vallo	Camp Counselor	\$7.00/hour
Alex Milhaven	Arts/Crafts Director	\$12.00/hour

BE IT FURTHER RESOLVED THAT the hourly rate for Kristina Figuero be amended from \$10.00 per hour to \$14.00 per hour due to additional duties associated with the day camp programs; and

BE IT FURTHER RESOLVED that the appointment of the additional summer day camp staff members and change in hourly rates shall be retroactive to June 30, 2014.

#### FIRE DEPARTMENT MEMBERSHIP CHANGES

Trustee Basher 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 June 17, 2014 Board of Fire Wardens meeting: Membership: Jorge Guzman has been elected to out-of-town active membership in Hope Hose; Melissa Ojito and Elpidio Daniel Negron have been elected to out-of-town active membership in Riverside Hose; and Thomas Lipping has been elected to out-of-town active membership in Conqueror Hook and Ladder.

#### COMMUNITY BENEFITS PROGRAM AGREEMENT – TARRYTOWN CONSTRUCTION VIEWING PLATFORM

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 authorize and direct the Village Administrator to enter into an agreement with the New York State Thruway Authority for the construction of a viewing platform for the New New York Bridge to be incorporated into the stone elevated structure in the Scenic Hudson RiverWalk Park.

#### REQUEST FOR PROPOSAL FOR DRAINAGE ON DORIS LANE

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

WHEREAS, Requests for Proposals were sent out to four companies for the replacement of 150 linear feet of deteriorating 36 inch corrugated metal storm sewer on a village-owned easement on Doris Lane; and

WHEREAS, this section of storm sewer system requires replacement before the pipe creates problems upstream of the deteriorated pipe; and

WHEREAS, the Village received two (2) responses to the Request for Proposals and the responses are listed below:

- PVS Construction LLC                      \$27,750 plus addition fill at \$175 per  
cubic yard if required

- ELQ Industries Inc. \$54,022 plus addition fill at \$55 per

cubic yard if required

WHEREAS, all of the proposals have been reviewed by Village staff and staff recommends that the project be awarded to the lowest responsible bid proposer, PVS Construction LLC of Hopewell Junction, New York, in the amount of \$27,750.00 with addition of fill at \$175 per cubic yard, if required.

NOW THEREFORE, 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 PVS Construction LLC of Hopewell Junction, New York, per their proposal of \$27,750.00 with addition of fill at \$175 per cubic yard, if required.

CAPITAL BUDGET FOR FISCAL YEAR 2014-2015

Trustee McGovern moved, seconded by Trustee Basher, 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 capital budget for fiscal year 2014-2015:

<b>CAPITAL BUDGET - GENERAL FUND 2014-2015</b>	
<b>DPW - Roads, Sidewalks, Drainage</b>	~
Milling and Paving Existing Roadways (\$157,287 of CHIPS funds available for FY 14-15)	\$126,000
Replace Curbs and Sidewalks	\$10,500
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Street Sign Replacement	\$20,000
Purchase and Installation of Multi-Space Meters	\$80,000
Altamont Avenue Retaining Wall Repair (\$35,000 to be used from FY 13-14 Capital Budget)	\$35,000
<b>Buildings</b>	~
Replace Roof on Warner Library (46.68% of cost paid by Sleepy Hollow)	\$325,000
<b>Recreation</b>	~
RiverWalk Park Sinkhole Repair - Construction (\$145,000 requested from Scenic Hudson from funds appropriated for RiverWalk Park)	\$786,000
RiverWalk Park Sinkhole Repair - Engineering and Construction Management	\$25,000
Purchase and Installation of Artificial Ice at Losee Park (size of hockey rink with boards)	\$65,000
<b>Police</b>	~
Replace Sprinkler System in Server Rooms (PD and Village Hall)	\$45,000
<b>Fire</b>	~
Repair of Truck Floor - Riverside Hose Company	\$80,000
Engineering - Repair of Truck Floor	\$10,000
Epoxy Paint for Truck Floor	\$5,000
Asbestos Abatement - Main Street Firehouse	\$25,000
<b>Treasurer</b>	~

Upgrade Tax Software Program (interface with other software programs for a more integrated system)	\$18,000
<b>Vehicles</b>	~
<b>DPW</b>	~
2003 Chevrolet Pick-up Truck (H-4) replaced with Mason Dump Truck	\$75,000
2001 International (T-8) new body with lift gate	\$40,000
<b>TOTAL</b>	<b>\$1,770,500</b>
<b>CAPITAL BUDGET - WATER FUND</b>	
<b>2014 - 2015</b>	
<b>Department</b>	<b>2014-2015</b>
<b>Rehabilitation of Water Tanks</b>	~
Project Construction	\$750,000
Construction Management fees	\$40,000
<b>Crest Area Water System Improvements</b>	~
Design, surveying soil boring and testing fees (Project A, B and C)	\$230,000
Project A - Pump Station Construction	\$750,000
Project B - Distribution piping and control valves	\$1,000,000
Construction Management	\$60,000
~	
<b>TOTAL</b>	<b>\$2,830,000</b>

<b>CAPITAL BUDGET - SEWER FUND</b>	
<b>2013-2015</b>	
~	<b>2014-2015</b>
<b>Sewer Distribution - DPW</b>	~
Sewer Main and Manhole Rehabilitation and/or Replacement	\$100,000
Engineering	\$20,000
~	
<b>TOTAL</b>	<b>\$120,000</b>

TAX CERTIORARIS – LYCEUM – 1, CENTRAL AVENUE A/K/A 35 N. BROADWAY

Trustee Hoyt moved, seconded by Trustee McGee, 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 settlement of the tax certiorari case with the Lyceum Building, 1 Central Avenue, a/k/a 35 N. Broadway, as outlined in the Village Attorney's memorandum dated July 1, 2014; and

BE IT FURTHER RESOLVED that the Board of Trustees may fund this tax certiorari from a future financing resolution.

TAX CERTIORARIS – TARRYTOWN ASSOCIATES, LLC

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 settlement of the tax certiorari case with Tarrytown Associates, LLC, 1 Main Street/Kaldenberg Place, as outlined in the Village Attorney’s memorandum dated July 3, 2014; and

BE IT FURTHER RESOLVED that the Board of Trustees may fund this tax certiorari from a future financing resolution.

TAX CERTIORARIS – VERIZON – POLES AND CABLES

Trustee Basher moved, seconded by Trustee Hoyt, 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 settlement of the tax certiorari case with Verizon for Poles and Cables, as outlined in the Village Attorney’s memorandum dated July 2, 2014; and

BE IT FURTHER RESOLVED that the Board of Trustees may fund this tax certiorari from a future financing resolution.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON JUNE 16, 2014

Trustee McGovern moved, seconded by Trustee Basher, 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 June 16, 2014 as submitted by the Village Clerk.

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF THE BOARD OF TRUSTEES HELD ON JUNE 24, 2014

Trustee McGee moved, seconded by Trustee McGovern, that the following resolution be approved. Motion carried, all voting “aye” with the exception of Mayor Fixell who recused himself. Approved: 5-0

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 June 24, 2014 as submitted by the Village Clerk.

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF THE BOARD OF TRUSTEES HELD ON JUNE 26, 2014

Trustee Basher moved, seconded by Trustee McGovern, that the following resolution be approved. Motion carried, all voting “aye” with the exception of Mayor Fixell and Trustee Butler who recused themselves. Approved: 4-0

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 June 26, 2014 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS

Trustee Basher 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. 2 of Audited Vouchers to be paid in the following amounts:

General	\$ 1,465,622.26
Water	269,226.15
Sewer Fund	0.00

Capital	203,447.74
Library	53,350.11
Trust & Agency	<u>24,858.02</u>
Total	\$ 2,016,504.28

The Board was polled all voting “aye” with the exception of Trustee McGee who recused herself from Voucher Numbers 2012246201, 2012246370 and 2012246473 and Trustee Hoyt who recused himself from Voucher Number 2012246134. Motion carried. 6-0

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 McGovern, and unanimously carried, that the meeting be adjourned at 8:40 p.m.

Carol A. Booth  
Village Clerk