

# Village of Tarrytown, NY

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## Village Board of Trustees Minutes 12/02/2013

Board of Trustees  
Village of Tarrytown  
Regular Meeting No. 20  
December 2, 2013  
8:00 p.m.

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

The meeting began with the Pledge to the Flag.

### MOMENT OF SILENCE – JIM BROWN

Mayor Fixell requested a moment of silence in honor and memory of Jim Brown, who passed away a few days ago. Jim was a two-time former Fire Chief in the Village and a long-time member of Riverside Hose Fire Company.

### REPORTS

Mayor Fixell asked everyone to keep in their thoughts and prayers the injured and those who died in the Metro North railroad train accident. Tarrytown was the last stop before the tragic accident occurred in the Bronx.

Trustee Hoyt stated that the annual Holiday Tree Lighting will take place this Saturday, December 7<sup>th</sup> at 5:00 p.m. at Patriots Park.

Trustee McGee stated that immediately following the tree lighting, Santa Claus will be at the Warner Library and welcomed everyone to stop by. There will be a rock band and refreshments.

Trustee Butler stated that he asked the Village Administrator earlier today to obtain information for the Tarrytown commuters regarding the Metro North railroad train derailment.

### CHANGES AND/OR ADDITIONS TO THE AGENDA

Mayor Fixell stated that there will be two changes to tonight's agenda - a change in the total amount of the vouchers and one addition to tonight's agenda - a resolution to declare the Board of Trustees Lead Agency for the purpose to amend the Village's zoning code with respect to the Historic Commons District.

### ADMINISTRATORS REPORT

Metro North Railroad Train Derailment – Yesterday, Metro North Railroad implemented a bus system to shuttle people from the Tarrytown railroad station to the White Plains station in order to access the railroad into New York City. Metro North discontinued that service at 2 am this morning and commenced train service along the entire Hudson Line to Yonkers, where people are then bussed to the 242nd Street terminus of the Broadway #1 local subway in the Bronx. According to Metro North, that will be the system in place until service is restored through the area of the derailment. I contacted Metro North to question whether the railroad would restore the bus service to the White Plains station, since that only required 3 modes of transit (car, bus and train) versus the current system in place which requires 4 modes of transportation (car, train, bus and subway). I was informed that Metro North will not reinstitute bus service to White Plains. According to Metro North, they instituted the bus service to the White Plains station as an immediate action to address transit into the city until they had a chance to assess the situation. Once they assessed the situation, they realized that they could carry the Hudson Line passengers north of Yonkers to the Yonkers train station and then bus them to the subway; they decided that this was the most prudent way to handle the largest percentage of riders north of the Yonkers station.

Metro North has a fleet of 60 busses and all of those busses are being used between the Yonkers station and the subway station at 242<sup>nd</sup> Street. The representative I spoke with at Metro North also noted that ridership on the Harlem line increased by 30% and it is

questionable whether the Harlem line could handle the additional ridership that would occur via bus service from Tarrytown. My office also received a call questioning why Tarrytown had not reached out to White Plains to request that White Plains honour parking permits issued by Tarrytown at the parking garage at the White Plains train station. I contacted White Plains and was informed that they issue daily permits and those permits may only be used on the basement level and the top level. The daily permit areas are full by 6:30 a.m. All other levels in the parking garages are used by White Plains residents. If White Plains honoured parking permits issued by Tarrytown, White Plains residents would be displaced and that will not occur.

There are limited options available to Tarrytown residents and non-resident parking permit holders. First, there is the train service from Tarrytown to Yonkers and then to the bus and subway. Second, there is long term parking available in the Galleria Mall in White Plains and then people can walk to the White Plains train station. This option requires people to feed the meters at the mall. Third, Westchester County has opened up the Kensico Dam area in Valhalla for free parking. People can then walk to the Valhalla train station.

On-Ramp to Tappan Zee Bridge – The on ramp from southbound Route 9 to the Tappan Zee Bridge is scheduled to close this coming Thursday, December 5 at 10 a.m. and will remain closed for approximately 5 years, throughout the construction of the new bridges.

H-Bridge - The current schedule is to install the expansion joints on Wednesday and reopen the northwest ramp on Friday.~ This schedule may change if the steel column which requires repair is not complete. Once this work is complete, the last component of the project is to repair a steel column on the southwest ramp. The Village will be working out the logistics of this work with the contractor.

#### PUBLIC HEARING – CHAPTER 27 – CODE OF ETHICS (adopted)

**PLEASE TAKE NOTICE** that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 2<sup>nd</sup> day of December, 2013, at 8 PM, in the Municipal Building, One Depot Plaza, Tarrytown, New York 10591, to hear, discuss and to act upon an amendment to Chapter 27 entitled "Code of Ethics". 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 27 entitled “Code of Ethics”.

#### SECTION 1. LEGISLATIVE INTENT AND FINDINGS OF FACT.

##### A. Findings of Fact.

The Board of Trustees adopted amending legislation on April 1, 2013 to address questions in regards to prospective purchases by a Fire Chief or Assistant Fire Chief which provided for a sunset provision which was subsequently extended. During this period, the Board of Trustees, with input from the Ethics Board, reviewed the amending legislation to determine whether the legislation adopted should remain part of the Village Code as it presently exists, whether the amendment should be rescinded or whether the amending language should be modified. Utilizing input from the Ethics Board, it is the desire of the Board to modify the language that was included in the amending legislation of April 1, 2013.

##### B. Legislative Intent.

The intent of this amendment to modify the language in the April 1, 2013 Village Code amendment to further clarify expenditures of the Fire Chief or Assistant Fire Chiefs and obligations pursuant to the Ethics Code.

Material to be deleted appears in parenthesis [ ], material to be added is in **bold typeface**.

#### SECTION 2. AMENDMENT TO §27-3 “CONFLICT OF INTEREST OF VILLAGE OFFICERS AND EMPLOYEES.”

§~27-3. Conflicts of interest of Village officers and employees.

- No Village officer or employee shall:

(1) **Own a five percent (5%) or greater legal or beneficial interest in, or [A]** act as attorney, director, broker, agent, consultant, representative or employee for any person, firm or corporation interested directly or indirectly in any manner whatsoever in business or professional dealings with the Village unless full disclosure is made as to such interest to the Village Ethics Board in writing and the Ethics Board affirmatively permits by waiver, pursuant to §~27-10 C (4), below, the business relationship otherwise prohibited

by this section. **The foregoing prohibition shall not apply to the Fire Chief or to any Assistant Fire Chief provided that [Should a Village officer or employee] the Fire Chief or Assistant Fire Chief(s) does not act as an employee for a person, firm or corporation and have no ability or control of Village purchasing associated therewith. Should the Fire Chief or Assistant Fire Chief(s) be in full compliance with the language of this Subsection, no waiver pursuant to Section 27-10 shall be required.**

(12) As Fire Chief or Assistant Fire Chief, execute a contract or approve a purchase or sale of any goods or services, on behalf of the Village or any agency thereof, with (a) a Related Person of either the Fire Chief or Assistant Fire Chief, or (b) a company or firm in which such Related Person is an employee or owner, or (c) with any other firm engaged in the same line of business as that of any Related Person. Whenever the foregoing prohibition prevents a Fire Chief or Assistant Fire Chief from any act that he/she is otherwise required to perform on behalf of the Village, the Village Administrator or Village Treasurer, acting alone, shall have the power and authority to perform such act in his/her sole discretion. [with a company(s) where there is an ownership interest, a management interest, employment interest or a Related Person to the Fire Chief or Assistant Fire Chief who owns, has a management interest or employment interest in the company or execute a contract or approve a purchase with another vendor in the same or similar business. In such a situation, the contract or purchase shall be supervised and processed by either the Village Administrator or the Village Treasurer.]

## SECTION 2. EFFECTIVE DATE

This local law shall take effect immediately, as provided by 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 Basher 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 hearing be closed.

Trustee McGovern 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 27 entitled "Code of Ethics" to clarify expenditures made by the Fire Chief or Assistant Fire Chiefs and obligations pursuant to the Ethics Code.

WHEREAS, a public hearing was held for the proposed action on December 2, 2013; and

WHEREAS, a notice of public hearing was published in the Journal News on November 22, 2013; 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 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 hereby adopts Local Law No. 13 of 2013.

PUBLIC HEARING – CHAPTER 259 – STREETS AND SIDEWALKS (adopted)

**PLEASE TAKE NOTICE** that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 2<sup>nd</sup> day of December, 2013, at 8 PM, in the Municipal Building, One Depot Plaza, Tarrytown, New York 10591, to hear, discuss and to act upon an amendment to Chapter 259, entitled "Streets and Sidewalks". 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 259 entitled "Streets and Sidewalks", Article I, Excavation in Streets, Article XI, Construction of Sidewalks and Curbs and Article XIV, Miscellaneous Provisions.

#### SECTION 1. LEGISLATIVE INTENT AND FINDINGS OF FACT.

##### A. Findings of Fact.

Staff submitted for consideration by the Board of Trustees issues that have arisen in regards to the failure of contractors working for private developers and utility companies as well as staff working for utility companies to complete work requiring Street Opening Permits and Sidewalk Opening Permits. Permits issued are often not worked on by the entity that obtained the Street Opening permit or Sidewalk Opening Permit for periods exceeding thirty (30) days. The failure to act on the work associated with the permit in an expeditious manner creates an unacceptable situation for vehicular traffic and pedestrians having to navigate the areas where the work is being performed for protracted periods of time. It is the belief of the Board of Trustees that the work associated with the issuance of Street Opening Permits and Sidewalk Opening Permits should be completed as quickly as possible by the entity that applied for and received the said permit and since the work is not being completed expeditiously, it is necessary to legislate to address the timeliness of the work. In addition, staff submitted other issues for consideration by the Board relating to streets and sidewalk to address the safety of pedestrians and vehicles as well as public and private property.

##### B. Legislative Intent.

The intent of this amendment to modify the language in Chapter 259, Streets and Sidewalks to address the issues submitted by staff in regards to work permits and poles and wires.

Material to be deleted appears in parenthesis [ ], material to be added is in **bold typeface**.

#### SECTION 2. AMENDMENT TO 259, STREETS AND SIDEWALKS, ARTICLE I, EXCAVATIONS IN STREETS, SECTION 5, "OBLIGATIONS OF PERMITTEES", SECTION 7, "ISSUANCE OF PERMIT" AND SECTION 10, "PENALTIES FOR OFFENSES".

##### §~259-5. Obligations of permittees.

- The following duties and obligations are imposed upon each person receiving a permit under the provisions of this article:

2) The permittee shall not permit the excavation to remain open longer than is strictly necessary for the performance of the work which required the excavation, **but in no case shall the excavation remain open for more than thirty (30) days.**

**3) Should the permittee fail to properly secure the excavation to a condition acceptable to the Village Engineer and/or Superintendent of Public Works or his/her designee, and after two (2) hours' notice to the permittee to correctly secure the excavation, the Village will secure the excavation at the expense of the permittee, said cost to be deducted from the deposit paid and any deficiency remaining after such deduction shall be paid on demand by the Village to the permittee. Should the Village determine that the failure to properly secure the excavation poses an immediate danger to the health and safety of vehicles and/or pedestrians, the Village will secure the excavation at the expense of the permittee, said cost to be deducted from the deposit paid and any deficiency remaining after such deduction shall be paid on demand by the Village to the permittee.**

Subsection 259-5.A.(3) shall become 259-5.A.(4)

Subsection 259-5.A.(4) shall become 259-5.A.(5)

##### §~259-7. Issuance of permit.

When there has been full compliance with the provisions herein stated and no other valid objections have appeared, the Superintendent of Highways will issue a permit to the applicant therefor. **Work associated with a permit so issued shall be commenced and be completed within thirty (30) days of the date of issuance of the permit. Should the work not commence and be completed within the thirty (30) day period, the permit shall automatically be deemed null and void and the permit**

fee shall be retained by the Village and not refunded to the permit applicant or the person who paid the fee for the permit. A new permit shall be applied for and a new permit fee paid for the work declared null and void, pursuant to this Section.

§~259-10. Penalties for offenses.

Except where otherwise noted, any person committing an offense against any provision of this Chapter, shall be guilty of a violation and upon conviction thereof, shall be punishable for each offense by a fine of not less than \$250 for the first offense, \$500 for the second offense and no more than \$1,000 for each offense thereafter or by imprisonment for not more than fifteen (15) days, or both. Every violation of any provision shall be a separate and distinct offense, and in the case of continuing violations, every day that the violation continues shall be and is deemed to be a separate and distinct offense. In addition, [F] for the infraction of any provision hereof, any permit may be canceled and permission to do similar work may be withheld from the offender for a period of three months from the time of such violation. This penalty is in addition to and not in derogation of or in substitution for the general penalties provided in Chapter 1, General Provisions, Article II.

SECTION 3. AMENDMENT TO 259, STREETS AND SIDEWALKS, ARTICLE XI, CONSTRUCTION OF SIDEWALKS AND CURBS, SECTION 31, "PERMIT APPLICATION" AND SECTION 33, "ISSUANCE OF PERMIT".

§~259-31. Permit application.

Application for a permit shall be made, in writing, by the owner of the abutting property or his agent, identifying the owner and the contractor proposed to do the work, and shall specify the nature and extent of the work proposed to be done, if of concrete construction, the specifications thereof, and in all instances, the depth and nature of the bedding and such further information as the Superintendent of Highways may require. **The permittee shall not permit the excavation to remain open longer than is strictly necessary for the performance of the work which required the excavation, but in no case shall the excavation remain open for more than thirty (30) days.**

§~259-33. Issuance of permit.

Upon approval by the Superintendent of **Public Works** [Highways] of the construction specified in the application and of the competency of the contractor to construct the same and upon payment of the fee therefor, the **Superintendent of Public Works or the General Foreman** shall issue a permit therefor to the owner of the abutting property. **Work associated with a permit so issued shall be commenced and be completed within thirty (30) days of the date of issuance of the permit. Should the work not commence and be completed within the thirty (30) day period, the permit shall automatically be deemed null and void and the permit fee shall be retained by the Village and not refunded to the permit applicant or the person who paid the fee for the permit. A new permit shall be applied for and a new permit fee paid for the work declared null and void.**

SECTION 4. AMENDMENT TO 259, STREETS AND SIDEWALKS, ARTICLE XIV, MISCELLANEOUS PROVISIONS, SECTION 47, "POLES AND WIRES; PERMIT REQUIRED".

§~259-47. Poles and wires; permit required.

- No person not otherwise authorized by law to do so shall erect or maintain on or over any sidewalk or street within the Village any [telegraph,] telephone, electric-light or **electric power, cable television** or other poles or string wire over any sidewalk or street or over or in front of any building in the Village without a permit from the Superintendent of **Public Works** [Highways]. No fee shall be charged for any such permit.
- All [telegraph,] telephone, electric-light or electric-power, **cable television or other** poles located upon a street in the Village shall be suitably marked to indicate the owner of such poles.
- **All utility poles shall be structurally sound and capable of standing in the vertical position and carrying the utility service lines attached to the pole without the support, direct or indirect, or any other utility pole. Guy wires may be used to support a utility pole, but no guy wire shall cross any road, street, sidewalk or paved or unpaved pedestrian walkway in such a manner as to pose a hazard to vehicles or pedestrians.**
- **All cables, wires, service lines, pipes, conduits, fixtures, appliances or any other element of the delivery system of any public or private utility service must be securely attached to a utility pole or structure. Cables, wires, service lines, pipes, conduits, fixtures, appliances or any other element of the delivery system of any public or private utility service must be set at a minimum height of twelve (12) feet above grade when running perpendicular or across a curb or sidewalk and a minimum height of fourteen (14) feet above grade when crossing over a road, street or highway.**

SECTION 5. EFFECTIVE DATE

This local law shall take effect immediately, as provided by 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 Basher moved, seconded by Trustee Zollo 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 Hoyt, and unanimously carried, that the hearing be closed.

Trustee Basher 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 259 entitled "Streets and Sidewalks" to establish time frames associated with the issuance of Street Opening and Sidewalk Opening Permits and to establish requirements for utility poles and wires installed in the Village.

WHEREAS, a public hearing was held for the proposed action on December 2, 2013; and

WHEREAS, a notice of public hearing was published in the Journal News on November 22, 2013; 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 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 hereby adopts Local Law No. 14 of 2013.

**PUBLIC HEARING – HISTORIC COMMONS DISTRICT (continued to December 16, 2013)**

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

Melissa Kaplan-Macey, BFJ Planning Consultant stated that the scope of the project was to review the Historic Commons District in the southern portion of Tarrytown, which is currently subject to a moratorium. The Board adopted the moratorium because the language in the Zoning Code relating to the Historic Commons Zoning District is confusing and it is unclear the specific requirements relating to compatible use permits in the district.

Ms. Kaplan-Macey read through Attachment A: Proposed Amendments to the Village of Tarrytown Historic Commons District Zoning Regulations, which will be attached to the official minutes of this meeting. She stated that everything shown with an underline is new text and everything shown with a strike through the text, has been deleted. She then read the Purpose and Intent of the amended language which she believes provides guidance as to the specific language in the amendment.

- Purpose and Intent "The purpose and intent of the Historic Commons District is to preserve the visual integrity of historic resources within the district and their surrounding landscapes and maintain the existing pattern of development between South Broadway and the Hudson River. The lands included within the Historic Commons District represent a unique historic and cultural asset to the Village of Tarrytown and must be protected and maintained for future generations. The unique character of this area is of educational and economic value to the Village, serving an important function in the preservation of the region's history and as a destination for cultural tourism. It is the intent of the district to ensure that any new development or reuse of existing structures within the district is architecturally compatible with the historic character of the district and the

visual quality of existing buildings and landscapes.”

Mayor Fixell asked if there was a definition for senior independent housing in our zoning code that explains what is meant by “senior independent housing” as one of the items in section E. “Uses Requiring Compatible Use Permits.” Melissa Kaplan-Macy stated that if the zoning code doesn’t define it, it can be defined. It is her belief that it means that no service is provided to the seniors in the housing. She stated that it can certainly be defined in the amending legislation.

Mayor Fixell stated that “public restaurant” is listed in both Section E. “Uses Requiring Compatible Use Permits and in Section F. Permitted accessory uses for compatible use permits.” Melissa Kaplan-Macy stated that it was a good catch and she will strike it from Section F. “Permitted accessory uses for compatible use permits.”

Mayor Fixell asked if in Section H. “Viewshed Protection,” Subsection 2. “Any application for new development in the Historic Commons District must not result in a significant aesthetic impact on any *existing* structure within the Historic Commons District,” should read *place or* structure as stated in Subsection 3. Melissa Kaplan-Macy stated that she agrees and she will make that correction.

Trustee Butler asked in Section G. “Bulk Regulations, Subsection 3. Residential density-Multifamily”- maximum 10 units per lot; is the lot 5 acres? Melissa Kaplan-Macy stated, “yes.”

Melissa Kaplan-Macy stated that there are two changes that they recommend to be made to the zoning uses map in the comprehensive master plan. The HC District is shown on the map as medium density residential and it should reflect that the HC district is actually low density. The map included with the environmental documents submitted with the proposed amending legislation reflects that the current HC District zoning is low density. It made sense to make that correction on the map. The other item was to add the Riverwalk south onto the map, which was added since the Comprehensive Plan.

Mayor Fixell asked on a compatible use permit for multi-family, if a proposal came forward and the Planning Board thought that putting the buildings closer together and clustering the buildings and possibly increasing contiguous open space, would the Planning Board have the ability to do that? Melissa Kaplan-Macy stated that she would have to look into the cluster regulations for multi-family.

Andrew Tung from Divney, Tung & Schwalbe, Planning and Engineering Consultants from White Plains, representing Montefiore stated that Montefiore acquired the 90 acre former Kraft campus earlier this year. Montefiore’s southernmost parcel is located in the northernmost parcel in the HC District. Therefore, they are very interested in the Villages efforts to refine the language and to clarify the use regulations in the HC District. Montefiore does not have any comments tonight, but would like to have more time to study this further. Mr. Tung asked if the Board would continue the public hearing and the written comment period for a month, until the first Board meeting in January and also asked if they can confer with the Village’s Planning Consultant if they have any questions during that period. Attorney Shumejda stated that the Board of Trustees generally adjourns for two week periods to the next regular Board of Trustees meeting, which would be December 16 and if the Board decides that it requires further adjournment, they can take that action on December 16<sup>th</sup>.

Mayor Fixell stated that the Board of Trustees will get back to Mr. Tung regarding the question as to whether he can confer with the Village’s Planning Consultant.

Trustee Zollo moved, seconded by Trustee Basher, 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 for two weeks to the next regular Board meeting.

**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.

**LEAD AGENCY STATUS - HISTORIC COMMONS DISTRICT**

Trustee Basher 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 declare itself lead agency with regard to the local law to amend the zoning code of the Village of Tarrytown with respect to the Historic Commons District.

DESIGNATION OF CODE ENFORCEMENT OFFICERS

Trustee Basher 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 designate the following employees as Code Enforcement Officers for the Village of Tarrytown:

- Michael McGarvey, Village Engineer/Building Inspector
- Donato Pennella, Assistant Village Engineer/Assistant Building Inspector
- Howard Wessells, Superintendent of Public Works
- Scott Weaver, General Foreman of Public Works

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON NOVEMBER 18, 2013

Trustee Basher moved, seconded by Trustee McGovern, that the following resolution be approved. Motion carried, all voting “aye” with the exception of Trustee Zollo 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 November 18, 2013 as submitted by the Clerk.

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF THE BOARD OF TRUSTEES HELD ON NOVEMBER 20, 2013

Trustee Zollo moved, seconded by Trustee McGovern, that the following resolution be approved. Motion carried, all voting “aye” with the exception of Trustee Fixell 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 special meeting of the Board of Trustees held on November 20, 2013 as submitted by the Administrator.

APPROVAL OF AUDITED VOUCHERS

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

BE IT RESOLVED the Board of Trustees hereby approves the Audited Vouchers included in Abstract No. 10, as revised, and hereby orders the Audited Vouchers to be paid in the following amounts:

General	\$2,286,343.57
Water	144,448.94
Sewer Fund	0.00
Capital	217,370.12
Library	6,799.72
Trust & Agency	<u>3,872.77</u>
Total	\$2,661,425.12

The Board was polled all voting “aye” with the exception of Trustee McGee who recused herself from Voucher Number 2012243258 and Trustee Hoyt who recused himself from Voucher Number 2012243257. Motion carried. 7-0

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 Basher, and unanimously carried, that the meeting be adjourned at 8:53 p.m.

Carol A. Booth  
Village Clerk