

VILLAGE OF TARRYTOWN
BOARD OF TRUSTEES
REGULAR MEETING 6:00 P.M.
Monday July 17, 2023
Tarrytown Village Hall
One Depot Plaza, Tarrytown, New York

Members of the Public may attend in person or remotely. For those members of the public interested in viewing and/or participating in the meeting remotely, visit <https://www.tarrytowngov.com/home/events/42251> for instructions on how to join & participate via zoom.

REGULAR MEETING: 7:00 P.M.

Pledge of Allegiance

1. BOARD MISCELLANEOUS AND LIAISON REPORTS
2. CHANGES AND/OR ADDITIONS TO THE AGENDA
3. ADMINISTRATOR'S REPORT
4. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD ONLY ON ITEMS LISTED ON THE AGENDA, OTHER THAN PUBLIC HEARING ITEMS. SPEAKERS SHALL HAVE THREE (3) MINUTES EACH TO ADDRESS THE BOARD OF TRUSTEES
5. RESOLUTION TO AUTHORIZE GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION TO FUND IMPROVEMENTS TO LAGANA FIELD, COURTS AND FACILITIES

WHEREAS the Village of Tarrytown is eligible for grant funding under the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) Environmental Protection Fund Grants Program for Parks, Preservation and Heritage (EPF); and

WHEREAS the Board of Trustees of the Village of Tarrytown has identified a need to improve Lagana Park facilities including reconstructing the tennis courts to include pickleball courts to meet resident demand, refurbishment of the basketball court, regrading and restoration of the multi-purpose field used for youth baseball/softball and soccer; and revitalization of the picnic area; and

WHEREAS, the refurbishment of Lagana Park supports a goal articulated in the 2018 Comprehensive Plan to "promote, maintain and ensure access to current [open space and recreational] assets;" and

WHEREAS over the past decade, the Village has focused attention on recreational facilities along the waterfront, the Lakes and in the downtown area, and Lagana Park has remained a neglected resource despite the fact that it provides important athletic and fitness opportunities in

walkable distance for neighborhoods further removed from central areas of the Village due in part to the bifurcation caused by the New York State Thruway; and

WHEREAS the 2011 Tri-Village Recreational Needs Assessment identified the fields and courts at Lagana Park as being in “fair to poor condition” and they have not been renovated in the intervening years; and

WHEREAS the Village’s participation in the Climate Adaptive Design Studio in 2022 revealed the threats posed to recreational facilities on the waterfront by projected sea level rise in the coming decades, re-enforcing the value in climate resilient investments for inland recreational facilities; and

WHEREAS the Village seeks grant funds from the OPRHP Environmental Protection Fund Grants Program in the amount of \$414,950 to fund the proposed restoration of Lagana Park facilities with an estimated total project cost of \$829,900 for improvements to the courts, fields and picnic area; and

WHEREAS the Village is committed to supplying the 50% match of \$414,950 in accordance with program guidelines through cash or in-kind contributions, and has borrowed funds toward the match in the amount of \$290,000 with the remaining balance available in the capital fund;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees determines that the proposed actions are Type II Actions under SEQRA Regulation 617.5(c)(2) “replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site...” and therefore, no further review is required under SEQRA;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby supports and will sponsor an application for OPRHP Environmental Protection Fund Grants Program funding for the amount of \$414,950 in grant funds toward a total project cost of \$829,900 for the reconstruction of the tennis courts to include pickleball courts, the refurbishment of the basketball court, regrading and restoration of the multi-purpose field used for both baseball and soccer, and revitalization of the picnic area; and

BE IT FURTHER RESOLVED that the Village Administrator is authorized to sign the applications and any agreements required for grant funding that result from the application.

6. RESOLUTION FOR APPLICATION TO WATER INFRASTRUCTURE IMPROVEMENT ACT GRANT PROGRAM: PHASE VIIB OF WATER MAIN IMPROVEMENTS ON MARTLING AVENUE AND WHITE PLAINS ROAD

WHEREAS the Board of Trustees of the Village of Tarrytown seeks to have Richard Slingerland, Village Administrator with the assistance of the Village Engineer, submit a grant application to the New York State Environmental Facilities Corporation requesting funding through the NYS Water Infrastructure Improvement Act (WIIA) grant program in the Drinking Water Project category for Phase VIIB: Water Main Improvements on Martling Avenue and White Plains Road; and

WHEREAS Phase VIIB will replace and upsize approximately 3,325 linear feet of water main iron pipe including valves, hydrants and service connections and replace 36 hydrants to bring them up to current National Fire Protection Association standards; and

WHEREAS the total project cost is estimated to be \$2.61 million, and the Village is committed to providing \$1,044,000 (or 40%) toward the project cost; and

WHEREAS, the Board of Trustees of the Village of Tarrytown has committed to funding the above project by issuing a bond resolution for water improvement projects including this one on February 22, 2022 in the amount of \$2,492,500, and has funds available in the Capital Fund earmarked for water system improvement projects should they be required;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees determines that the proposed actions are Type II Actions under SEQRA Regulation 617.5(c)(1) (“maintenance or repair involving no substantial changes in an existing structure or facility”) and 617.5(c)(2) (“replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site”), and 617.5(c)(13) (“extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list,”) and therefore, no further review is required under SEQRA;

AND BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown authorizes the Village Administrator to execute and file this application to the Environmental Facilities Corporation Water Infrastructure Improvement Act grant program requesting 60% of total project costs in the amounts of \$1,566,000; and take the necessary and appropriate actions to complete, file and administer this grant application by the deadline of July 28, 2023.

7. RESOLUTION FOR APPLICATION TO WATER INFRASTRUCTURE IMPROVEMENT ACT GRANT PROGRAM: PHASE VIIIA WATER MAIN IMPROVEMENTS ON HILLSIDE PLACE, ROSEHILL AVENUE, ALTAMONT AVENUE, AND GROVE STREET

WHEREAS the Board of Trustees of the Village of Tarrytown does seek to have Richard Slingerland, Village Administrator with the assistance of the Village Engineer, submit a grant application to the New York State Environmental Facilities Corporation requesting funding through the NYS Water Infrastructure Improvement Act (WIIA) grant program in the Drinking Water Project category for Phase VIIIA of Water Main Improvements on Hillside Place, Rosehill Avenue, Altamont Avenue, and Grove Street; and

WHEREAS Phase VIIIA will replace and upsize approximately 4,800 linear feet of iron pipe for water mains including valves, hydrants, and lead service lines; extend the water main from Hillside Place to Cobb Lane; and install connections that ensure the safe abandonment of a historic buried reservoir; and

WHEREAS the total project cost is estimated at \$3,301,500 million, and the Village is committed to providing \$1,320,600 (or 40%) toward the project cost; and

WHEREAS, the Board of Trustees of the Village of Tarrytown has committed to funding the project among others by issuing bond resolutions for water improvement projects on February 22, 2022 in the amount of \$2,492,500 and on September 6, 2022 in the amount of \$2,492,500; and has funds available in the Capital Fund earmarked for water system improvement projects should they be required;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees determines that the proposed actions are Type II Actions under SEQRA Regulation 617.5(c)(1) (“maintenance or repair involving no substantial changes in an existing structure or facility”) and 617.5(c)(2) (“replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site”), and 617.5(c)(13) (“extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list,”) and therefore, no further review is required under SEQRA.

AND BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown authorizes the Village Administrator to execute and file this application to the Environmental Facilities Corporation Water Infrastructure Improvement Act grant program requesting 60% of total project costs in the amounts of \$1,980,900, and take the necessary and appropriate actions to complete, file and administer this grant application by the deadline of July 28, 2023.

8. CON EDISON AGREEMENT TO CONTRIBUTE PARTIAL FUNDING TOWARDS REPAVING SHELDON AVENUE

WHEREAS, Con Edison has been performing gas main repairs, rehabilitation and replacement work at multiple locations around the Village of Tarrytown, in order to update and repair damaged and outdated lines, and eliminate gas leaks as they are discovered; and

WHEREAS, one such location where this Con Edison work has taken place is along Sheldon Avenue, near the intersection with Meadow Street; and

WHEREAS, the Village of Tarrytown has participated in a multi-Village public bid for milling and paving work, with the Village of Irvington taking the lead on this bid process, and the resulting lowest responsible bid has been awarded to Montesano Brothers, Inc., of New Rochelle, NY, and

WHEREAS, since the Village of Tarrytown plans to mill and repave a major portion of Sheldon Avenue, then from the standpoint of efficiency and cost-effectiveness it makes sense for Con Edison to contribute funding to the Village to effect this work, so that the work is not duplicative or segmented.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby authorize a co-funding agreement with Con Edison to contribute funding towards the Village of Tarrytown’s efforts to repave Sheldon Avenue and authorizes the Village Administrator to execute this agreement after it has been revised to the satisfaction of the Village Attorney.

9. RESOLUTION ESTABLISHING THE MULTI-MUNICIPALITY ROUTE 9 ACTIVE TRANSPORTATION COORDINATION COMMITTEE AND ADVISORY COMMITTEE TO WORK WITH THE NYS DOT

WHEREAS, the Route 9 Intermunicipal Steering Committee (Steering Committee) was created by resolutions adopted by the Boards of Trustees of Sleepy Hollow, Tarrytown, Irvington, Dobbs Ferry and Hastings-on-Hudson to follow up on complete streets policies in the various municipalities in 2016; and

WHEREAS, the municipalities with the assistance of Sustainable Westchester, secured \$150,000 in funding from the New NY Bridge Community Benefit Fund, administered by the NYS Thruway Authority, for a conceptual plan/feasibility study of the shared Route 9 corridor, with a focus on improved pedestrian, cyclist and motorist safety and quality of life, and improved accessibility to the Beeline bus system; and

WHEREAS, the objectives included connectivity, economic development, and a reduction in greenhouse gas emissions; and

WHEREAS, the transportation planning firm of Nelson Nygaard was retained to draft a conceptual plan known as the Route 9 Active Transportation Conceptual Design which was completed in 2019; and

WHEREAS, in 2022, through the efforts of State Senator Senate Majority Leader Andrea Stewart-Cousins, funding was designated to NYSDOT to engage the engineering firm of WSP, to move into preliminary and detailed engineering design of the Route 9 corridor starting in Spring of 2023; and

WHEREAS, the previously formed Steering Committee has completed the task with which it was charged; and

WHEREAS, it is necessary for each village to select a designee and representation to interface with NYSDOT on this project who will execute decisions regarding the project as per the instructions of each respective Board of Trustees; and

WHEREAS, it is also desirable to collaborate with fellow designees from the involved Villages, as NYSDOT and its consultant WSP prepare the preliminary and detailed engineering design, and so a Joint Committee is proposed to perform this function;

WHEREAS, it is also desirable to maintain a corridor-wide project perspective, provide institutional memory, expertise and advice, and provide input on public engagement planning and events, and so an Advisory Committee is proposed to perform this function.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Village of Tarrytown acts to dissolve the previously appointed Steering Committee; and

BE IT FURTHER RESOLVED, the Board of Trustees authorizes the Village of Tarrytown to participate in the Route 9 Joint Committee to interface with the NYSDOT and its consultant and designates Richard Slingerland, Village Administrator as the Village of Tarrytown's designee, and assigns Trustee David Kim as a representative to the committee; and

10. RESOLUTION REQUESTING THE NYS DOT TO REVIEW A PORTION OF ROUTE 9 TO BE DESIGNATED AS A 25 MPH ZONE.

WHEREAS, due to recent changes in New York State Law, the Village of Tarrytown enacted a village wide change in the speed limit from 30 MPH to 25 MPH, except where otherwise posted as another speed; and

WHEREAS, after enacting a change to the Village's vehicle and traffic Village Code section to enact this change, the Village worked with New York State to enact local

legislation and establish Route 9 (Broadway) and Route 119 (White Plains Road) as 30 MPH roads, except for the portions that are school zones; and

WHEREAS, after enacting this change, the Village realized that due to congestion, parking, pedestrian activity and school zones, that it would make sense for the section of Route 9 from Leroy Avenue to the Sleepy Hollow border to be designated a 25 MPH zone, except where posted as a lower speed limit in school zones, in the best interests of the public health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby requests the NYS DOT to evaluate the section of Route 9 from Leroy Avenue to the Sleepy Hollow border to be designated as a 25 MPH zone, except where posted otherwise in school zones; and

BE IT FURTHER RESOLVED that the Board of Trustees hereby suggests that the Village of Sleepy Hollow to continue this request regarding a 25 MPH zone, except for the school zone, from the Sleepy Hollow border to the intersection of Route 448, in the best interests of the public health, safety and welfare, and asks the Village Clerk to convey a copy of this resolution to the Sleepy Hollow Village Clerk to be shared with the Mayor and Board of Trustees.

11. TRI-VILLAGE CHLORINATION BOOSTER PROJECT IMA

WHEREAS, the Villages of Briarcliff, Sleepy Hollow and Tarrytown have been working cooperatively for many years on various water related projects, including the Catskill/Delaware tap location east of Tarrytown in Greenburgh, the transmission lines from the tap, and the exploration of sharing services by combining the water pump station operations; and

WHEREAS, at the present time, the three Villages are under an order from the NYS DOH to increase the chlorine levels and chlorine contact time for the water drawn from the NYC DEP, so that the water may be subjected to the proper disinfection to kill hazardous organisms in the water drawn from the NYCDEP surface water supply; and

WHEREAS, the Village of Briarcliff is taking the lead in procuring the equipment, construction services and installation of the equipment to create this new chlorine booster installation on the tri-Village transmission line.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown authorize the Village to enter into an Inter-Municipal Agreement (IMA) with the Villages of Briarcliff and Sleepy Hollow for this project, authorizes the Village Administrator to sign this agreement on behalf of the Village of Tarrytown, agrees to the co-funding of the project based on established proportions between the three communities, authorizes the Village to make an initial funding contribution of fifteen thousand dollars (\$15,000) to the Village of Briarcliff to be used towards the purchase of equipment that is on order; and

BE IT FURTHER RESOLVED that the Board hereby authorizes the Village Administrator, Village Engineer, Village Treasurer and Superintendent of Public Works to take the necessary and appropriate actions to effect this agreement and this work in

the best interests of the health, safety and welfare of all of the consumers who use and consume the water from the Tarrytown Public Water Supply.

12. APPOINTMENT OF INTERMEDIATE CLERK

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint _____ of _____, to the position of Intermediate Clerk Step 2, at an annual salary of \$ _____ effective _____, 2023, with a start date of _____, August _____, 2023 and shall be subject to a probationary period of a minimum of 12 weeks and a maximum of 1 year and subject all other applicable Civil Service Rules and Regulations.

13. APPOINTMENT OF A MEMBER OF THE HOUSING AFFORDABILITY TASK FORCE

BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown does hereby appoint Tina Valenti to the advisory Housing Affordability Task Force, for a term that expires in December, 2023.

14. FIRE DEPARTMENT MEMBERSHIP CHANGES

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves the following membership changes recommended at the June 20, 2023 Board of Fire Wardens Meeting.

Drivers: Sawyer Hershman and Sam Langer have been approved as drivers for Engine 79.

15. APPROVAL OF THE MINUTES OF THE BOARD OF TRUSTEES MEETING OF JUNE 20, 2023

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves the minutes of the Board of Trustees Meeting held on Tuesday, June 20th, 2023 as submitted by the Village Clerk.

16. APPROVAL OF THE MINUTES OF THE SPECIAL BOARD OF TRUSTEES MEETING OF JULY 5, 2023

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves the minutes of the Board of Trustees Special Meeting held on Wednesday, July 5, 2023 as submitted by the Village Clerk.

17. APPROVAL OF AUDITED VOUCHERS

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No.3 of Audited Vouchers (for 7-5-23 & 7-19-23) in the total amount of \$1,600,810.38 as presented by the Village Treasurer, to be paid in the following amounts:

General	\$ 932,349.79
Water	\$ 126,671.60
Sewer Fund	\$ 1,120.02
Capital	\$ 441,160.98
Library	\$ 65,396.90
Trust & Agency	\$ 9,492.86
CM (Special Funds)	<u>\$ 24,618.23</u>
Total	\$1,600,810.38

18. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD ON ITEMS NOT INCLUDED ON THE AGENDA. SPEAKERS HAVE THREE (3) MINUTES BEFORE YIELDING TO THE NEXT SPEAKER

19. ADJOURNMENT