

VILLAGE OF TARRYTOWN
BOARD OF TRUSTEES
REGULAR MEETING 7:00 P.M.
MONDAY, MARCH 1, 2021
VIA ONLINE ZOOM VIDEO CONFERENCE
Tarrytown Village Hall
One Depot Plaza, Tarrytown, New York

Members of the Public interested in viewing the meeting should visit <https://www.tarrytowngov.com/home/events/33736> for instructions on how to join & participate.

Members of the public who wish to have an item “screen shared” (i.e. displayed during the meeting) during their public comment period, must submit their document(s) to Administrator@tarrytowngov.com no later than 12PM the day of the Board of Trustees Meeting.

SPECIAL MEETING: 6:30 P.M. – Advice of Council regarding Agreements for development at 62 Main Street

REGULAR MEETING: 7:00 P.M.

1. Board Miscellaneous and Liaison Reports
2. Changes and/or Additions to the Agenda
3. Administrator’s Report
4. (Note: This Public Hearing is to be closed and the matter withdrawn) on a Proposed Local Law to amend the Village Code relating to Protests, Demonstrations and Rallies and related Permit Applications.

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby close and withdraw the item that is the subject of a public hearing relating to Protests, Demonstrations and Rallies and Permit Application.

5. Continuation of a Public Hearing – Chapter 305 Zoning – New Article for the Station Area Overlay (SAO) Zone

Guest Speaker - Village Engineer Dan Pennella to explain Building Height and Base Flood Elevation

Note: The Board of Trustees has advised that public comment period for this public hearing will be limited to one hour, after which the Board will deliberate to consider all the comments received to date.

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby continue the public hearing on the draft proposed Station Area Overlay (SAO) Zone law to the Monday, March 15, 2021, Regular Meeting of the Board of Trustees at 7:00 p.m. for ongoing consideration and public discussion to be held either via in-person meeting, or Zoom Video Conference, depending on the State’s directives about gatherings under NY on Pause.

6. 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.

7. Fire Department Membership Changes

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 February 16, 2021 Board of Fire Wardens meeting. Members: Sawyer Hershman has been approved for active membership at Hope Hose and Justin Sims has been approved for out-of-town active membership at Hope Hose. The following members have been removed from the Phenix Hose Active Rolls: Ryan Lucia, Joseph A. Arduino, Ronald Bucci, Sr., Ronald Bucci, Jr., Scott Nilsson, John Joe Minella, Tim Arduino, Nick Ranieri and Robert Errico Jr. The following members have been removed from the Hope Hose Active Rolls: Shawn Holmes, Chris McNally, Amada Reimundez, Ricardo Reimundez, Luis Soriano and Max Lopez. Drivers: Heraclio Gaytan has been approved as driver for Washington Engine.

8. Acknowledgement of Receipt of the 2020 Tarrytown Volunteer Fire Department Service Award (pension) Program Annual Report regarding qualifying points received

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby acknowledge receipt of the Tarrytown Volunteer Fire Department 2020 annual report of points achieved by respective members of the Fire Department for qualification for Village contribution to the Fire Department members service award program, which report shall be posted for public inspection and comment for 30 days prior to Board of Trustees' consideration of approving submission of the report to the pension fund underwriter, subject to final sign-off by the Mayor.

9. Appointment of Intermediate Clerk – Treasurer and Clerks Department

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Benjamin McCoy on a provisional basis to the position of Intermediate Clerk, Step 1, shared on roughly a 60/40% basis between the Treasurer's and Clerk's Department at an annual salary of \$49,849 effective Tuesday, March 2, 2021 and shall be subject to a probationary period and to all applicable Civil Service Rules and Regulations.

10. Appointment of Recreation Attendant

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Kathryn Morales as Recreation Attendant to work at the Front Desk at the Fitness Center at a salary of \$13.50 per hour effective March 2, 2021 and shall be subject to all applicable civil service rules and regulations.

11. Two Appointments to the Transportation and Mobility Council

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Salvatore Denise and Kerry Steib as members of the Transportation and Mobility Council for a term to expire in December, 2022.

12. Appointment of Chairwoman to the Ethics Board

BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown hereby appoints Mary McGee as Chairwoman of the Ethics Board, for a term that will expire in December, 2021.

13. Appointment of a member of the Ethics Committee

BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown hereby appoints Steve Kasoff as a member of the Ethics Board, for a term that will expire in December, 2021.

14. Appointment to the Fire Sprinklers Board of Appeals

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Albert Collado, P.E. as member of the Fire Sprinklers Board of Appeals for a term to expire in December of 2022.

15. Resolution to authorize a License Agreement for construction purposes, a Development Agreement for construction of 69 municipal parking spaces and public walkway to be conveyed to the Village between the Village of Tarrytown and the developers of 62 Main Street (currently owned by the Family YMCA of Tarrytown) and an Offeree Affidavit

WHEREAS, the Village of Tarrytown has been requested to enter into a Development Agreement and License Agreement with 62 MAIN HOUSING DEVELOPMENT FUND COMPANY, INC., an Article XI New York private housing finance law corporation and a New York not-for-profit corporation, having its principal office located c/o Housing Action Council, Inc., 55 South Broadway, Tarrytown, New York 10591 (the "HDFC"), as nominee of 62 MAIN LIMITED PARTNERSHIP, a New York limited partnership, having its principal office located c/o Wilder Balter Partners, Inc., 480 Bedford Road, Chappaqua New York 10514 (the "Partnership").

WHEREAS, pursuant to a certain Declaration of Interest and Nominee Agreement to be entered into on or about March 2021, the HDFC will become the bare legal or record owner, and the Partnership will be the beneficial and equitable owner, of certain real property located in the Village of Tarrytown, County of Westchester, State of New York, and identified on the Tax Map of the Town of Greenburgh as Section 1.70, Block 33, Lots 23.1 and 23.2) (the "Property");

WHEREAS, the HDFC is the co-general partner of the Partnership, and HDFC and the Partnership have been formed for the purpose of providing residential rental accommodations for persons of low income, and in particular to develop, own, construct, maintain and operate the Project (as defined herein); and

WHEREAS, the Village is the fee owner of the adjacent property known as South Washington Street West Lot, located at S. Washington Street, Tarrytown, New York, also known and designated on the tax assessment map of the Town of Greenburgh as Section 1.70, Block 33, Lot 11, which is used as a municipal parking lot and consists of twenty-five (25) metered parking spaces (the "Municipal Lot"); and.

WHEREAS, the Partnership intends to redevelop the Property with a new affordable mixed-income senior multi-family building consisting of a 50-foot, four-story building (the "Building") with 109 dwelling units (14 efficiency/studio units and 95 one (1) bedroom units), and a parking structure (the "Garage") in which 69 parking spaces on the ground floor level will be designated exclusively for Village/public use (a net increase of at least 64 spaces due to the spaces lost through the creation of the access ramp in the Municipal Lot) (the "Municipal Spaces"), which Municipal Spaces will be accessible only from the Municipal Lot and 121 parking spaces on a portion of the ground floor level and two below-ground levels will be for building residents (collectively, the "Project").

NOW, THEREFORE, BE IT RESOLVED that in furtherance of the development of the Project, the Board of Trustees of the Village of Tarrytown does hereby authorize the Village of Tarrytown to enter into a Development Agreement and for the Village Administrator to execute such agreement for construction of 69 parking spaces and walkway and a License Agreement for use of a portion of the Municipal Lot for construction purposes with HDFC and the Partnership, in form to the satisfaction of the Village Attorney and the Village Administrator, upon the conveyance of the Property to HDFC as bare legal/record owner and the Partnership as beneficial and equitable owner, and authorizes the Village Administrator to take the necessary and appropriate actions to effect and execute such agreements; and

BE IT FURTHER RESOLVED, that the Village Administrator is hereby authorized to execute an Offeree Affidavit on behalf of the Village of Tarrytown in support of the application of Wilder Balter Partners, Inc. to the New York State Attorney General's Office for a "No-Action Letter" for the creation of a commercial condominium at the Property (Tax Parcels Section 1.70, Block 33, Lots 23.1 and 23.2), whereby Unit 2 will consist of the residential apartments, amenity spaces and resident parking, and Unit 1 will consist of 69 municipal parking spaces and walkway and will be conveyed to the Village in accordance with the Development Agreement; and

BE IT FURTHER RESOLVED, that the Village Administrator is hereby authorized to execute any and all documents, agreements, instruments and certificates, necessary and proper to carry out the purposes and intent of this resolution and to do such acts as may be reasonable and necessary to effectuate and consummate the transactions authorized hereby, including approving such changes thereto as determined reasonable by the Village Administrator and Village Attorney and consistent with the approved terms as set forth in this resolution.

16. Adoption of the Finalized Police Reform and Reinvention Report

BE IT RESOLVED, that pursuant to the Governor's Executive Order #203 of 2020 to review the Village of Tarrytown's Police Department and how it provides public safety and law enforcement services to our community, and upon completion of that process and the production of a report on Police Reform and Reinvention for the Village of Tarrytown, the Board of Trustees of the Village of Tarrytown does hereby adopt the final report and enacts the Board's recommendations as enumerated in the Report under Board Actions, to complete the Police Reform and Reinvention process, and will include public comment from public meetings held on January 26, 2021, February 9, 2021, February 17, 2021, and other written communications received by the Village on this topic in January and February, 2021; and

BE IT FURTHER RESOLVED, that the Police Chief, the Village Clerk and the Village Administrator are hereby directed to take the necessary and appropriate actions to file this report as set forth in the Governor’s Executive Order by the deadline of April 1, 2021.

- 17. Schedule a Public Hearing on a Proposed Local Law to amend the Village Code regarding Special Events and Parades and related Permit Applications.

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby schedule a public hearing to be held on Monday, March 15, 2021, at 7:00 p.m., at the Regular Tarrytown Village Board Meeting to be held either via in-person meeting, or Zoom Video Conference, depending on the State’s directives about gatherings under NY on Pause, to add a Section to the Code of the Village of Tarrytown regarding Special Events and Parades and related Permit Applications.

- 18. Approval of the Minutes of the Board of Trustees Regular Meeting of February 16, 2021

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 Monday, February 16, 2021 as submitted by the Village Clerk.

- 19. Approval of the Minutes of the Board of Trustees Special Meeting regarding the Police Reform Public Hearing #2

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the minutes of the special meeting regarding the Police Reform and Reinvention Public Hearing #2 held on Tuesday, February 9, 2021 as submitted by the Village Clerk.

- 20. Approval of the Minutes of the Board of Trustees Special Meeting with the Police Reform and Reinvention Committee

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the minutes of the special meeting with the Police Reform and Reinvention Committee to finalize the Police Reform Report held on Wednesday, February 17, 2021 as submitted by the Village Clerk.

- 21. Approval of Audited Vouchers

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No. 16 of Audited Vouchers in the total amount of \$317,258.87 as presented by the Village Treasurer, to be paid in the following amounts:

General	\$ 183,769.80
Water	\$ 17,031.79
Sewer Fund	\$ 143.33
Capital	\$ 88,247.48
Library	\$ 10,254.26
Trust & Agency	\$ <u>17,812.21</u>
Total	\$ 317,258.87

22. 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.
23. Adjournment