

Board of Trustees  
Village of Tarrytown  
Regular Meeting No. 23  
October 7, 2019  
8:00 p.m.

PRESENT: Mayor Fixell presiding; Trustees: Brown, Butler, Hoyt, McGovern, Rinaldi and Zollo; Village Administrator Slingerland; Assistant Village Administrator Ringel; Village Treasurer Hart; Village Attorney Kathy Zalantis and Village Clerk Booth

The meeting began with the Pledge to the Flag.

### REPORTS

Mayor Fixell noted that there will be Early Voting in New York State for the 2019 General Election and the days and hours are as follows:

- Saturday, October 26<sup>th</sup> and Sunday, October 27<sup>th</sup>: 12 p.m. to 5 p.m.
- Monday, October 28<sup>th</sup>, Wednesday, October 30<sup>th</sup> and Friday, November 1<sup>st</sup>: 8 a.m. to 4 p.m.
- Tuesday, October 29<sup>th</sup> and Thursday, October 31<sup>st</sup>: 12 p.m. to 8 p.m.
- Saturday, November 2<sup>nd</sup> and Sunday, November 3<sup>rd</sup>: 12 p.m. to 5 p.m.

Tarrytown residents will early vote at Dobbs Ferry Village Hall. Please check the Westchester County Board of Elections website for information on early voting.

Trustee Rinaldi noted the following:

- There is going to be a Census 2020 Job Fair at the Warner Library. There will be recruiters at the Warner Library on Tuesday, October 22<sup>nd</sup> from 11 a.m. to 4 p.m. to assist local residents applying for jobs with the census bureau.
- The Warner Library will be holding its semi-annual Book Sale on Saturday and Sunday, October 19 and 20 from 10 a.m. to 5 p.m. He urged everyone to come out and support the library.

Trustee McGovern noted the following:

- Saturday, October 12<sup>th</sup>, the Scarecrow Making Event will be held at Patriots Park at 10:30 a.m. at Patriots Park. Come and make your own scarecrow. Bring old clothes from home. If you wish to donate old clothes, please contact the Tarrytown Recreation Department.
- Wednesday, October 16<sup>th</sup>, there will be window painting on Broadway.
- Saturday, October 19<sup>th</sup> from 4 p.m. to 8 p.m. the Trunk or Treat Event will be held at the Tarrytown Recreation parking lot at Pierson Park.
- The Village's Halloween Parade will be held on Saturday, October 26<sup>th</sup> at 5:30 p.m. After the parade, there will be a big block party on Main Street with music and food. For more information about participating in the parade, contact the Recreation Department or the Halloween Committee website, [tarrytownhalloweenparade.com](http://tarrytownhalloweenparade.com). The rain date for the Halloween Parade will be on Sunday, October 27<sup>th</sup>.

Trustee Hoyt noted the following:

- Yesterday, October 6<sup>th</sup>, was National Fallen Firefighter's Day and he thanked all the firefighters who go out and risk their lives to save people and property. In particular, he thanked the Tarrytown Fire Department, which he believes is the best Fire Department in the State of New York.
- TEAC held its annual Eco-Fair this past Saturday, October 5<sup>th</sup> at Patriots Park and he thanked TEAC for their great efforts for a successful event.

Trustee Brown noted that the last day to register to vote is Tuesday, October 16<sup>th</sup>. Go to [ny.gov](http://ny.gov) and you can register to vote in less than 5 minutes.

### ADMINISTRATOR'S REPORT

Village Administrator Slingerland noted the following:

- This past Saturday, the Village had a very positive tree planting and dedication ceremony. The Village planted a tulip poplar tree at Patriots Park in honor of the Washington Irving's Sketch Book, celebrating its 200<sup>th</sup> Anniversary this year. In attendance was Mayor Fixell, Trustees Brown, Hoyt, McGovern and Rinaldi along with Anne O'Brien from the Tree Commission and Jim Desimone from the Parks and Recreation Advisory Council. The TaSH Farmers Market was very well attended on Saturday and the TaSH Farmers Market will continue to operate every Saturday until the Saturday before Thanksgiving.
- The Trudy Dunbar Memorial Turkey Trot will be held on Sunday, November 24<sup>th</sup> at 9:30 a.m. with a start and finish at Pierson Park. Trustee McGovern noted that this year, there will be a 1-mile Gobble Trot for children, ages 7 - 9.
- The Village's Annual Tree Lighting will be held on Saturday, December 7<sup>th</sup>, starting early this year at 2:30 p.m., so people can come and visit Santa. The Tree Lighting will take place at 5 p.m.
- Hackley School is participating with the Hudson Scholar Program, to support rising 6, 7 and 8<sup>th</sup> graders from our local communities of Sleepy Hollow and Tarrytown for ongoing summer and academic year support and mentoring. The recruiting process has begun, so if anyone would like to participate or learn more about it, please contact the Hackley School.
- The Warner Library is coordinating a number of events. There is the Sleepy Hollow film festival, which is coordinated with the Tarrytown Music Hall.
- The Building Department staff and the Village Attorney are working on drafting legislation on Backyard Chickens to provide to the Village Board.
- The Village will be placing the order shortly for the speed humps for Miller Park. As soon as the order is placed, we will let you know the lead time on the order. Mayor Fixell asked Administrator Slingerland to get the lead time information prior to placing the order in case the delivery time is excessively long.
- The Village is moving ahead to increase the number of vehicle charging stations at the train station.
- The Village Board appointed Lou Martirano, our new Superintendent of Public Works. We were hoping he was going to join us tonight; Lou has a career in both public service and in private construction. Howard Wessells, Superintendent of Public Works will be retiring on October 28<sup>th</sup> and Lou Martirano will start on October 21<sup>st</sup>.
- The Village was approached by the EF School students on what they can do to benefit the Village and address climate change. The Village recommended that the School plant new trees in the Village. They have already started to plant the trees around the Tarrytown Lakes to replace the trees that have been taken down by past storms.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD ONLY ON AGENDA ITEMS. SPEAKERS SHALL HAVE THREE (3) MINUTES EACH TO ADDRESS THE BOARD OF TRUSTEES

There were no speakers.

BUILDING DEPARTMENT/ENGINEERING INTERN – EXTENSION OF WORK AGREEMENT

Trustee Zollo moved, seconded by Trustee Rinaldi, 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 authorize extension of the work agreement with Mariana Reis as Building Department/Engineering Intern at an hourly rate of \$25.00 per hour with hours not to exceed 17.5 per week, through January 31, 2020.

AUTHORIZATION TO ACCEPT A DONATION OF A PARK BENCH

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

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize acceptance of a park bench from Richard S. Cohen to be placed in Pierson Park at a site to be determined at a later time on the RiverWalk.

#### EXTENSION OF SNOW AND ICE AGREEMENT WITH STATE OF NEW YORK

Trustee Hoyt moved, seconded by Trustee Rinaldi, 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 authorize and direct the Village Administrator to enter into an Agreement for the 2019 – 2024 Extension Snow and Ice Agreement, with future provisions for extensions/renewals with the State of New York for reimbursement for the Village's snow plowing of Route 9/Broadway.

#### VILLAGE DPW FACILITY LEASING AGREEMENT

Trustee McGovern moved, seconded by Trustee Brown, 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 authorize and direct the Village Administrator to renew the lease agreement between the Village of Tarrytown and the Union Free School District of the Tarrytowns to lease a portion of the Village DPW facility to be utilized by the school district for bus repair purposes.

#### LICENSE AGREEMENT WITH 31 BIRCH WAY

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

WHEREAS, in the past few weeks during the installation of curbs along Birch Way and LeRoy Avenue, an issue came up at 31 Birch Way; and

WHEREAS, many years ago, a split rail fence was installed and shrubs were planted at 31 Birch Way in the Village's right-way; and

WHEREAS, during the installation of the curbs, the owner has requested the Village's permission to keep the split rail fence and shrubs in the Village's right-away; and

WHEREAS, the homeowner of 31 Birch Way will be responsible for maintenance and improvements to the fence and shrubs; and

WHEREAS, the Village will not be responsible for repair or replacement of any of these items if the Village has to go back and do work in the Village's right-of-way.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby authorizes the Village Administrator to enter into and sign a license agreement with James and/or Pasqualina (Patty) McVeigh, 31 Birch Way to allow the split rail fence and shrubs to be restored in the Village's right-of-way, with the understanding that the shrubs must be maintained so that they do not encroach on the road.

#### SURPLUS EQUIPMENT – DPW DUMP TRUCK

Trustee Butler 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 the following Department of Public Works Dump Truck as surplus:

- 1994 Mack Dump Truck – Department of Public Works VIN: 5895

REVOKE HEAD-ON PARKING AT WASHINGTON STREET PARKING LOT

Trustee Hoyt 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 abolish the regulation for Head-On Parking Only at the Washington Street Parking Lot.

SCHEDULE A PUBLIC HEARING – CHAPTER 52. RESIDENCY REQUIREMENTS

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 schedule a Public Hearing for the regular meeting of October 21, 2019, at 8:00 p.m., in the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider a proposed amendment to the Code of the Village of Tarrytown, Chapter 52. Residency Requirements, Section 52-2. Village, county or bordering county residency for the purpose to remove the position of Superintendent of Public Works from this requirement since this position is not a public officer under the definition of the law. Therefore, the person in this position is not required to live in New York State.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD ON ITEMS NOT INCLUDED ON THE AGENDA. SPEAKERS HAVE FIVE (5) MINUTES BEFORE YIELDING TO THE NEXT SPEAKER; THEN THREE (3) MINUTES FOR ADDITIONAL COMMENTS

Peter Bartlet, 12 S. Broadway and member of the Tree Commission, asked the Board if they were considering to allow vehicles with Resident Parking Permits to park in the Neperan Road parking lot. He noticed that the Neperan Parking Lot is under-utilized during the day, but very busy when Music Hall has an event and on Friday and Saturday nights. Mayor Fixell noted that the Village has a new parking committee that is looking at the downtown parking and they will consider his request.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON SEPTEMBER 16, 2019

Trustee McGovern moved, seconded by Trustee Butler, 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 16, 2019 as submitted by the Village Clerk.

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF THE BOARD OF TRUSTEES HELD ON OCTOBER 2, 2019

Trustee McGovern moved, seconded by Trustee Brown, 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 special meeting of the Board of Trustees held on October 2, 2019 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS

Trustee McGovern moved, seconded by Trustee Butler, 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. 6 of Audited Vouchers in the total amount of \$1,373,063.47 as presented by the Village Treasurer, to be paid in the following amounts:

General	\$ 807,486.13
Water	\$ 77,806.77
Sewer Fund	\$ 0.00
Capital	\$ 445,614.58
Library	\$ 33,082.91
Trust & Agency	<u>\$ 9,073.08</u>
Total	\$1,373,063.47

The Board was polled all voting “aye” with the exception of Trustee Hoyt who recused himself from Voucher Numbers 2018010820 and 2018010821. Motion carried. 7-0

PRESENTATION BY VILLAGE AUDITORS NAWROCKI & SMITH ACCOUNTING FIRM REGARDING THE VILLAGE’S FINANCIAL AUDIT FOR FISCAL YEAR 2018-2019

David Tellier, Partner of Nawrocki and Smith, introduced Chris Angotta, Senior Manager who led the team on a day to day basis for the Village. Nawrocki and Smith was contracted to perform an audit of the Village’s financial statements for the year ended May 31, 2019. They also conducted an audit of the Justice Court Funds and issued their findings and recommendations on improving internal controls. Their team was on sight and started the fieldwork on July 9, 2019. They really appreciate all of the work and cooperation we received by the Accounting Department at the Village. The New York State Annual Update Document (“AUD”) was filed on time. The Auditor’s Report noted that it is a clean and unmodified opinion on the general purpose financial statements. There were no material weaknesses or significant deficiencies in the internal controls and no compliance findings as well. There are no current year recommendations or suggestions to improve on the internal control and policies of the Village.

Trustee Brown asked for more information on the revenue and expenditures in the General Fund. Mr. Tellier noted that he can email her schedules that would explain it in detail.

ADJOURNMENT

On the motion of Trustee Hoyt, seconded by Trustee McGovern, the meeting was adjourned at 8:40 p.m. by vote of seven in favor, none opposed.

Carol A. Booth  
Village Clerk