

Board of Trustees  
Village of Tarrytown  
Regular Meeting No. 26  
November 5, 2018  
8:00 p.m.

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

ABSENT: Trustee Brown

The meeting began with the Pledge to the Flag.

MOMENT OF SILENCE – VICTIMS FROM THE TREE OF LIFE SYNAGOGUE IN PITTSBURGH, PA

Mayor Fixell requested a moment of silence in honor and memory of the people who were killed and injured at the Tree of Life Synagogue in the Squirrel Hill neighborhood of Pittsburgh, Pennsylvania.

REPORTS

Mayor Fixell reminded everybody that tomorrow is Election Day from 6 a.m. to 9 p.m. at the regular polling places in the Village.

Trustee McGovern reported on the following:

- The Village Halloween Parade was held on Sunday, the rain date, and there was still a tremendous crowd. Everybody had a lot of fun and the Reese's candy machine was a nice addition to the evening.
- On Sunday, November 18<sup>th</sup>, the Trudy Dunbar Memorial 5K Tarrytown Pilgrim Run will take place at a new location. It will start and finish at Pierson Park and begin at 9:30 a.m. It's a flat course and will be easier to run. Registration can be done on line or at the Recreation Office. Pre-registration fee is \$35.00 and registration fee (day of the race) is \$40.00. That includes a T-shirt to the first 125 registered participants. Turkey's will be presented to the male and female winner of each age group.

ADMINISTRATOR'S REPORT

Administrator Slingerland reported on the following:

- Hydrant Flushing will be taking place beginning today thru November 9<sup>th</sup>. The hours start at midnight and end at 5 a.m. If anybody experiences discolored water, please allow a faucet to run until the discoloration is gone.
- Update on the MTA Cell Tower Antenna. Metro North and the MTA have committed to removing the Cell Tower away from the playground behind Franklin Courts. We will schedule a call with the MTA to get confirmation as to exactly where the relocation site will be. At this time, we believe they are looking to move it on state property near the bridge. Mayor Fixell believes it could possibly be relocated on an existing pole near the bridge.
- The Route 9 Active Transportation Conceptual Design Plan Team will present the final report on the Pedestrian and Biking Improvements for Broadway on Saturday, November 17<sup>th</sup>, 1 – 3 p.m. at Mercy College in Dobbs Ferry. This includes the Rivertowns on the Route 9 corridor from Hastings-On-Hudson to Sleepy Hollow.

Trustee Butler noted that he noticed new lighting was installed at the Losee Park ballfields. Administrator Slingerland noted that was correct. The new lights are being installed at Losee Park. The new lighting was funded as part of the \$300,000 grant awarded to the Village from the New NY Bridge Community Benefit Fund. The lights will be L.E.D. lights replacing 50 year old, obsolete lights. The new lights will be more energy efficient, save money, improve lighting on the field and it won't emit light pollution in the surrounding area. In addition to that, the Village will have beautiful ballfields ready for

the spring season. Parks Foreman Anthony Ross has just finished working with our expert consultant on ballfield improvements. The fields will be regraded and leveled and will have a new water sprinkler system.

CONTINUATION OF A PUBLIC HEARING – ARCHITECTURAL REVIEW  
BOARD REQUIREMENTS (continued)

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

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

Trustee Hoyt moved, seconded by Trustee McGee, and unanimously carried, that the hearing be continued.

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 continue the public hearing to Monday, November 19, 2018, the next regular meeting of the Board of Trustees so that the revised text may be re-published prior to adoption.

PUBLIC HEARING – VILLAGE OF TARRYTOWN COMPREHENSIVE PLAN  
(continued)

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

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

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

Trustee Butler 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 Monday, November 19, 2018, the next regular meeting of the Board of Trustees.

SEQRA – VILLAGE OF TARRYTOWN COMPREHENSIVE PLAN

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

WHEREAS, the Village of Tarrytown has been working on the effort to update the Village of Tarrytown's Comprehensive Plan – Tarrytown Connected, through an effort that started in April, 2017, and which is approaching completion after a year and a half-long process including many public meetings, workshops, and opportunities for public input and comment; and

WHEREAS, on October 5, 2018, the Village of Tarrytown referred the proposed update to the Village's Comprehensive Plan to the Westchester County Planning Board in accordance with New York State General Municipal Law § 239-m and the Westchester County Code; and

WHEREAS, on October 5, 2018, the Village of Tarrytown circulated a notice on behalf of the Board of Trustees, to declare their intent to act as Lead Agency under the New York State Environmental Quality Review Act (SEQRA), for the SEQRA review and

determination of significance for the adoption of the updated Village of Tarrytown Comprehensive Plan – Tarrytown Connected.

NOW, THEREFORE, BE IT RESOLVED that at this time, having received no objections, and since the Board of Trustees of the Village of Tarrytown is the only agency that has approval authority over the Proposed Type 1 Action to update the Village's Comprehensive Plan, the Board of Trustees hereby authorizes and adopts Lead Agency status for the purposes of Article 8 (State Environmental Review Act) of the Environmental Conservation Law for the Village of Tarrytown Comprehensive Plan; and

BE IT FURTHER RESOLVED that 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, including the supporting technical memorandum dated October 25, 2018, the Village Board of Trustees hereby determines that the Proposed Action will not have a significant adverse impact on the environment, and hereby adopts a Negative Declaration, based on the SEQRA Part 1 that was circulated with the Notice of Intent, as well as the new Parts 2 and 3 that have completed and are now adopted and included as part of the record in this action.

#### PUBLIC HEARING – WATER CONSERVATION (adopted)

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will held a public hearing on the 5th day of November, 2018, at 8 PM, in the Municipal Building, One Depot Plaza, Tarrytown, New York 10591, and adopted Local Law No. 14 of 2018 to amend Chapter 297, entitled Water, of the Code of the Village of Tarrytown. A summary of the legislation is available at Village Hall. The complete text of this legislation follows:

A Local Law to amend the Tarrytown Village Code Chapter 297, entitled “Water” to add provisions in Article II regarding Water Conservation so that water restrictions can be imposed during water supply emergencies, based on planned shut-downs by the NYC DEP.  
Chapter 297, Water

Section 2. Chapter 297, Article II. Water Conservation, Sections 18 through 21 are amended to read as follows:

#### Article II. Water Conservation

##### § 297-18. Legislative intent.

The intent of this article is to restrict the wasteful, inefficient or nonessential use of water during periods of drought, or during periods of restricted water consumption due to maintenance, construction or repair, as determined either by the Village of Tarrytown as the Water System Owner and Operator, or by the New York City Department of Environmental Protection (NYC DEP) as the Village's water supplier to establish penalties for violations and to provide for enforcement of water conservation measures in the Village of Tarrytown for the protection of the health, safety and welfare of the people of the village. This section is being expanded to include water restrictions, based on reduced water availability, due to possible shut-downs due to system maintenance or repair, and due to shut-down plans by the NYC DEP on short-term and long-term bases to perform mandatory maintenance on the water supply infrastructure.

##### § 297-19. Restrictions on water consumption.

A. The Board of Trustees may, by resolution, establish a Phase I, Phase II or Phase III drought emergency or other water restriction emergency due to limited water supply in the Village of Tarrytown. The drought emergency **or water restriction emergency** and the restrictions shall remain in effect until the Board of Trustees rescinds, by resolution, the Phase I, Phase II or Phase III drought or water restriction emergency. **Phase 1, Phase II or Phase III drought or water restriction emergency are based on parameters established by the NYC DEP, pursuant to 15 RCNY Chapters 20 and 21 as it may be updated from time to time.**

B. Phase I, drought emergency **or water restriction emergency**. The following restrictions shall apply 24 hours after such a Phase I drought emergency resolution is passed by the Board of Trustees:

- (1) Use of fire hydrants for any purpose other than fire protection is prohibited.
- (2) Serving water to patrons in restaurants or eating establishments is prohibited unless specifically requested by the customer.
- (3) All industrial and commercial businesses must formulate and implement water conservation plans to reduce water consumption by 15%. The plans shall be available at all times during normal business hours for inspection, upon request, by authorized village agents.
- (4) Ornamental or display use of water, whether or not such water is recycled, is prohibited.
- (5) Use of hoses for street, driveway, sidewalk and/or vehicle washing is prohibited. "Vehicles" shall include but not be limited to automobiles, trucks and boats. Vehicles may be washed with a bucket.
- (6) Watering of lawns and gardens is restricted to the hours of 7:00 a.m. to 9:00 a.m. and 7:00 p.m. to 9:00 p.m. Odd/even distribution will be used: odd days for odd-numbered addresses; even days for even-numbered addresses, no address number on odd days.
- (7) There will be no restrictions on hand-held containers to water vegetables and fruits for human consumption. Nurseries and other commercial plant users or sellers have no restrictions on water used, provided that they submit water conservation plans for a fifteen-percent reduction.
- (8) Use of water to clean building exteriors is prohibited.
- (9) Leaks in house water connections shall be repaired within 48 hours.
- (10) Water meters must be installed on all water-cooled air-conditioning units.
- (11) Swimming pools shall not be filled more than once per year; make up water as necessary. All swimming pools must be equipped with a recirculating filter.

C. Phase II, severe drought **or severe water restriction emergency**. The following restrictions shall apply 24 hours after such a Phase II drought emergency resolution is passed by the Board of Trustees:

- (1) No private swimming pools shall be filled or spillage replenished.
- (2) Municipal or public-type pools fall under Phase I restrictions.
- (3) Lawns and gardens shall not be watered, except that water may be used to irrigate, from hand-held containers only, vegetables or fruits grown for human consumption.
- (4) All industrial and commercial businesses must formulate and implement water conservation plans to reduce water consumption by 20%. The plans shall be available at all times during normal business hours for inspection, upon request, by authorized village agents.

D. Phase III, extreme drought **or extreme water restriction emergency**. The following restrictions shall apply 24 hours after such a Phase III drought emergency resolution is passed by the Board of Trustees:

- (1) Water restrictors shall be installed in all shower heads.
- (2) Water-cooled air conditioners shall be shut off for a two-hour period, either from 8:00 a.m. to 10:00 a.m. or 4:00 p.m. to 6:00 p.m. This should be posted in lobby areas. The average room temperature shall not fall below 78° F.
- (3) All industrial and commercial businesses must formulate and implement water conservation plans to reduce water consumption by 25%. The plans shall be available at all times during normal business hours for inspection, upon request, by authorized village agents.

§ 297-20. Penalties for offenses.

A. Any violation of any restrictions in this article shall be an offense punishable by a fine not to exceed ~~\$25~~ **\$50** for the first offense, not to exceed ~~\$100~~ **\$250** for the second offense and not to exceed \$500 for the third and every subsequent offense or, alternatively, by a maximum of 15 days' imprisonment for each offense after the second offense.

B. Any person violating any restrictions imposed under § ~~297-19D~~ hereinabove and who has been convicted of at least two other offenses of this article shall be subject to a fine not to exceed \$1,500.

C. Each day that such a violation continues shall constitute a separate offense for which a fine or imprisonment may be imposed.

§ 297-21. When effective.

This article shall take effect immediately, and its provisions shall be enforced at all times during the existence of a drought, severe drought or extreme drought, **or water restriction event, severe water restriction event, or extreme water restriction event as further provided by the City of New York DEP as water supplier**, within the Village of Tarrytown, as declared by **the Mayor and/or** the Board of Trustees.

Section 4. Severability

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this local law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this local law.

Section 5: Effective Date

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

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

Mayor Fixell asked 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 public hearing be closed.

Trustee Hoyt 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 amend the Village Code of the Village of Tarrytown, Chapter 297, Water, Article II. Water Conservation to add provisions in Article II regarding Water Conservation so that water restrictions can be imposed during water supply emergencies, based on planned shutdowns by the NYC DEP.

WHEREAS, a public hearing was held for the proposed action on November 5, 2018; and

WHEREAS, a notice of public hearing was published in the Journal News on October 18, 2018; 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 the 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 does hereby adopt Local Law No. 14 of 2018.

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.

RECREATION SUPERVISOR

Trustee McGovern moved, seconded by Trustee Butler, that the following resolution be approved. Motion carried, all voting “aye” with the exception of Trustee Hoyt who recused himself. Approved: 5-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve a 2% salary increase for the Recreation Supervisor effective December 1, 2018.

FIRE DEPARTMENT MEMBERSHIP CHANGES

Trustee Hoyt moved, seconded by Trustee Zollo, 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 October 16, 2018 Board of Fire Wardens meeting: Members: Dominic Buono and Victor Vera have been elected to active membership at Washington Engine.

FIRE DEPARTMENT MEMBERSHIP CHANGE

Trustee McGovern moved, seconded by Trustee Butler, that the following resolution be approved as amended. Motion carried, all voting “aye” with the exception of Trustee Hoyt who recused himself. Approved: 5-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the following Fire Department membership change recommended at the September 18, 2018 Board of Fire Wardens meeting: Driver: Richard Miscioscia has been approved as a driver for Washington Engine; and

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby ratify the actions of the Tarrytown Fire Department and approve Richard Miscioscia’s non-residence status as member of Conqueror Hook and Ladder; and

BE IT FURTHER RESOLVED that in 2018, Richard Miscioscia responded to over 40% of the fire calls.

BOND RESOLUTION, DATED NOVEMBER 5, 2018, AUTHORIZING THE ISSUANCE OF UP TO \$385,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF TARRYTOWN, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION OF POLICE COMMUNICATIONS EQUIPMENT IN AND FOR THE VILLAGE

Trustee McGee moved, seconded by Trustee Zollo, 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 is the only agency which has approval authority over the Proposed Action, and is therefore the Lead Agency for the Proposed Action.

BE IT FURTHER RESOLVED, that 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) the Village Board of Trustees hereby

determines that Proposed Action will not have a significant adverse impact and hereby adopts a Negative Declaration for the proposed action.

WHEREAS, the Board of Trustees of the Village of Tarrytown (the "Village"), located in the County of Westchester, in the State of New York (the "State"), hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the acquisition of police communications equipment for the Village, including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total cost not to exceed \$385,000, all in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Tarrytown, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village in the aggregate principal amount of up to \$385,800, pursuant to the Local Finance Law, in order to finance the acquisition of police communication equipment for the Village, including any preliminary and incidental costs related thereto (the "Project").

Section 2. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, described in subdivision 25 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is ten (10) years. The serial bonds authorized herein shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$385,800; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, or from the proceeds of bond anticipation notes issued in anticipation of such serial bonds; (d) the maturity of the obligations authorized herein may not be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs of the Project for which proceeds of such obligations are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize capital financing of such item.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the serial bonds authorized herein, and bond anticipation notes in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute, on behalf of the Village, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to affix the seal of the Village (or attach a facsimile thereof) on all such serial bonds and bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. Each of the serial bonds authorized by this bond resolution and any bond anticipation notes issued in anticipation of the issuance of such serial bonds shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village is hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published together with a notice in substantially the form

prescribed by Section 81.00 of the Local Finance Law in The Journal News, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized by this bond resolution, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law which should have been complied with as of the date of the publication of this bond resolution, or such summary thereof, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State.

Section 7. Prior to the issuance of the obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of the obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the obligations authorized herein to finance the costs of the Project. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made with respect to the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the obligations authorized herein, the Village agrees in accordance with and as an obligated person with respect to the obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the “Rule”), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment, shall be the Village’s continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution shall take effect immediately upon its adoption by the Board of Trustees of the Village.

VEHICLE AND TRAFFIC AMENDMENT – NO LEFT TURN, EAST FRANKLIN, GROVE STREET

Trustee Hoyt 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 amend the Vehicle and Traffic Code to update the Village Code, Section 291-7, Schedule VI: Prohibited Turns at the Intersection of East Franklin Street and South Broadway on weekdays (7 a.m. to 8 a.m.), which is already established and will be added to the Village Code; and

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby amend the Vehicle and Traffic Code to update the Village Code, Section 291-7, Schedule VI: Prohibited Turns at the Intersection of Grove Street and East Franklin on weekdays (7 a.m. to 8 a.m.) to diminish traffic in the area for pedestrian and student safety.

All new material is set forth in **bold** letters.

§ 291-71. Schedule VI: Prohibited Turns at Intersections.

A. In accordance with the provisions of Section 291-9, no person shall make a turn of the kind designated below at any of the following locations:

<b>Franklin Street, East</b>	<b>West</b>	<b>Left Turn</b>	<b>7:00 a.m. to 8:00 a.m., weekdays only</b>	<b>Broadway, South</b>
<b>Grove Street</b>	<b>North</b>	<b>Left Turn</b>	<b>7:00 a.m. to 8:00 a.m., weekdays only</b>	<b>Franklin Street, East</b>

VEHICLE AND TRAFFIC AMENDMENT – PARKING ON MEADOW STREET

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 amend the Vehicle and Traffic Code to update the Village Code, Section 291- 77, Schedule XII: Parking Prohibited at All Times on the east side of Meadow Street to prevent vehicles from parking on the Meadow Street grass/field area ultimately helping for the preservation of this area.

All new material is set forth in **bold** letters.

<u>Street</u>	<u>Side</u>	<u>Location</u>
<b>Meadow Street</b>	<b>East</b>	<b>From a point 150 feet south of Millbrook Avenue south towards the cul-de-sac for a distance of 150 feet.</b>

WORKERS COMPENSATION ALLIANCE PLAN

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

WHEREAS, in Spring of 2018, the Board of Trustees of the Comp Alliance adopted, and the New York State Workers’ Compensation Board (WCB) approved, changes to the Plan Document for the New York State Municipal Workers’ Compensation Alliance (hereinafter “the Plan Document”); and

WHEREAS, the last time the Plan Document was amended was in 2008. The changes made by the Board of Trustees of the Comp Alliance are reasonable and relatively modest,

largely intended to clean up existing inefficiencies and ambiguities in the Plan Document;  
and

THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown does hereby authorize and direct the Village Administrator to execute the revised Plan Document on behalf of the Village of Tarrytown.

#### AUTHORIZATION FOR FUNDING FOR ABI FORCE MACHINE FOR BALLFIELDS

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

BE IT RESOLVED that the Village of Tarrytown does hereby authorize appropriation of funding to purchase an ABI Force Machine in the amount of \$18,842.05 from the General Fund, Parks Department, New Equipment line, A.7141.250.

#### SURPLUS VEHICLES

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 declare the following Parks Department vehicles/machines as surplus, as having exceeded their useful life:

- 2002 Club Car, VIN: 8713
- 1994 John Deere, Model 455
- 1994 John Deere, Model 755
- 2012 John Deere, Model 1200A, VIN: 0208

#### SCHEDULE A PUBLIC HEARING – WATER

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 schedule a Public Hearing for the regular meeting of November 19, 2018, 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 297, Water, Section 297-6. Water Meters and Water Rents to update the section on remote-readable water meters and to add a new section on tampering or vandalism.

#### SCHEDULE A PUBLIC HEARING – TAXICABS AND LIVERIES

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 schedule a Public Hearing for the regular meeting of November 19, 2018, 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 273. Taxicab and Liveries with respect to the taxi corporation structure including the application for a taxicab or livery license and transfers.

#### APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON OCTOBER 15, 2018

Trustee McGee 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 minutes of the regular meeting of the Board of Trustees held on October 15, 2018 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS

Trustee Hoyt moved, seconded by Trustee Zollo, 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. 8 of Audited Vouchers to be paid in the following amounts:

General	\$	734,453.27
Water		59,949.61
Sewer Fund		0.00
Capital		737,846.85
Library		27,403.62
Trust & Agency		8,665.71
Total	\$	1,568,319.06

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 noted that the status of the MTA Cell Tower Antenna is that we are waiting to hear from Metro North either this Thursday or Friday on the determination of the relocation of the cell tower. There is no discussion to relocate it on Village property at all. They are looking at the state police or the State DOT property on an existing pole.

Jeff Goldstein, 109 Roundabend Road, noted that once there is a determination, how can the public get that information. Administrator Slingerland noted that he would immediately put the determination on the Village's website and Facebook 10591.

Sharon Mandel, 101 Roundabend Road, noted that they are looking for the finality on this issue and putting it behind them. Ms. Mandel congratulated the Board for their success to get the MTA to move the cell tower antenna. Mayor Fixell noted that he believes the residents had a big influence on their decision.

ADJOURNMENT TO EXECUTIVE SESSION

Trustee Hoyt moved, seconded by Trustee McGovern, and unanimously carried that the meeting be adjourned to Executive Session at 8:30 p.m. to discuss contractual matters.

ADJOURNMENT OF EXECUTIVE SESSION

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried that the Executive meeting be adjourned at 9:20 p.m.

Carol A. Booth  
Village Clerk