

Village of Tarrytown, NY

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Village Board of Trustees Minutes 10/07/2013

Board of Trustees
Village of Tarrytown
Regular Meeting No. 15
October 7, 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.

REPORTS

Mayor Fixell stated that for the past six years, he has encouraged people to mulch their leaves in place. It saves time, money and it's good for the lawn. It also saves the Village money because they don't have to be collected and hauled away. You mulch the leaves in and mow them down. The leaves compost over the winter and in the spring the mulch improves your lawn. There is information on mulching leaves on our website.

Trustee McGee stated that October 19th and 20th, the Friends of the Library will be holding their Fall Book Sale at the Warner Library from 10 a.m. to 5 p.m. The money raised at the book sale will help fund programming at the Warner Library. She encouraged people to come out and support the library.

Trustee Hoyt stated that the Recreation Department will be holding the following Halloween events:

- Saturday, October 12th at 10:30 a.m. - the Scarecrow Making Event held at the Patriots Park.
- Saturday, October 19th at 2 p.m. - The Rag-a-Muffin Sidewalk Parade starts at the Patriots Park and ends at the Main Street Fire House for food, fun and musical entertainment.
- Saturday, October 26th at 5:30 p.m. - the Annual Halloween Parade, starts at Patriots Park and ends at Main Street where there will be a live band until 10:30 p.m. Rain date is Sunday, 10/27. Individual and group floats are welcome.

For information on these events, please call the Recreation Department at 631-8347 or email ttrec@aol.com.

Trustee Butler stated that the Tarrytown Environmental Advisory Council's Annual Eco-Fair is this Saturday, October 12th from 10 a.m. to 2 pm. at the Patriots Park. There will be crafts, games, music, food, green home ideas and environmental information.

VILLAGE ADMINISTRATOR'S REPORT

Pierson Park/Andre Brook – Pursuant to the specifications for the Pierson Park Rehabilitation and Andre Brook Restoration projects, the contractor has provided the 10 day notice for a walk through of the project. Village staff, as well as the design consultant will be walking the projects on Wednesday which will establish the final punch list for the projects. This walk through should provide the information needed to establish a date that the park will be open to the public.

Basic Star Tax Exemption – Letters have gone out from the New York State Tax Department for property owners to register for the Basic Star Tax Exemption. The registration may be completed on line or by telephone. Property owners must complete the registration in order to receive the Star exemption for 2014 and subsequent years. The registration must be completed by December 31 of this year.

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.

CONSOLIDATION OF POLLING PLACES FOR VILLAGE ELECTIONS

Mayor Fixell noted that the following resolution is only for the Village March Elections.

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

WHEREAS, there are presently ten election districts in the Village of Tarrytown which are incorporated into eight polling places; and

WHEREAS, New York State Village Election Law 15-110 allows for the Board of Trustees to change the number of elections districts for a general Village election, by resolution adopted at least 120 days prior to the general Village election, provided that no district created by the action of the Board of Trustees contains more than 800 qualified voters, defined by State law as the average of the number of persons who voted in the three preceding Village elections; and

WHEREAS, in the March 2011 Village election 3,486 persons voted; in the March 2012 Village election 900 persons voted; and in the March 2013 Village election 223 persons voted; yielding the average number of persons voting in the three preceding elections as 1,536; and

WHEREAS, the Board of Trustees desires to decrease the number of polling places for general Village elections from eight polling places to four polling places, thereby ensuring disability accessibility, cost savings, adequate staffing, compliance with bilingual directions of the Voting Rights Act, and efficient oversight; and

WHEREAS, this action by the Board of Trustees only reduces the number of polling locations in the Village and not the number of election districts.

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby modify the manner in which general Village elections occur in the Village by incorporating ten election districts in four polling places as opposed to ten election districts in eight polling places. The four polling locations are noted below and this change in the number of polling places shall be commencing with the 2014 general Village election:

Election Districts # 1 & 6 & 74 - Village Hall, One Depot Plaza
Election Districts # 2 & 3 - Main Street Fire House, 50 Main Street
Election Districts # 4 & 5 - Baptist Church, 56 South Broadway
Election Districts # 7 & 55 & 76 - Washington Engine Fire Company, 157 White Plains Road

CLARKSTOWN LANDFILL

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

WHEREAS, during the period from November 1981 through December 1983 the Village of Tarrytown disposed of garbage at the Clarkstown Landfill; and

WHEREAS, the Village of Tarrytown executed two contracts for the disposal of garbage in the Clarkstown Landfill during this period; and

WHEREAS, the State of New York has incurred costs in excess of \$24,000,000 to clean-up and close the Clarkstown Landfill; and

WHEREAS, the State of New York is attempting to recover costs associated with the clean-up and closure of the Clarkstown Landfill from municipalities and other entities and disposed of garbage at the landfill; and

WHEREAS, numerous municipalities, including the Villages of Ardsley, Dobbs Ferry, Elmsford, Hastings-on-Hudson, Irvington

have settled with the Clarkstown Joint Defense Group for clean-up and closure costs; and

WHEREAS, the Village Attorney has negotiated a settlement cost for the Village of Tarrytown in line with the settlement costs agreed to by other Villages in the Town of Greenburgh; and

WHEREAS, it is the belief of the Board of Trustees that it is in the best interest of the Village of Tarrytown to settle this matter in a manner similar to the other Villages in the Town of Greenburgh.

NOW THEREFORE BE IT RESOLVED that the Board of Trustees does hereby authorize a settlement for costs associated with the clean-up and closure of the Clarkstown Landfill.

BE IT FURTHER RESOLVED that the Village Administrator is hereby authorized and directed to execute any and all necessary documents associated with this settlement.

FIRE DEPARTMENT MEMBERSHIP CHANGES

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 approve the following Fire Department membership changes recommended at the September 17, 2013 Board of Fire Wardens meeting: Membership: Lyle Hendrick was approved to out-of-town active membership with Washington Engine; Luis Zhanay was approved to out-of-town active membership with Riverside Hose. Ariel Hilario, Dan Lopez, Jodie Williams, Vincent Sampieri and Lyle Hendrick were approved to the boat crew and Ray Tuohy was approved as a Fireboat 5 operator. Kevin McNally has been dropped from active membership with Hope Hose.

SCHEDULE A PUBLIC HEARING – SANDWICH BOARD SIGNS IN RESTRICTED RETAIL ZONING DISTRICT

Trustee Hoyt 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 Monday, October 21, 2013 at 8:00 p.m. at Village Hall, One Depot Plaza, Tarrytown, New York, to hear, discuss and to act upon a proposed amendment to Chapter 247 entitled "Sidewalk Cafes, Vending and Musicians," Chapter 251 entitled "Signs" and Chapter 259 entitled "Streets and Sidewalks" to allow for the placement of sandwich boards for all establishments in the Restricted Retail zoning district subject to conditions to safeguard pedestrians in the Restricted Retail zone.

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF THE BOARD OF TRUSTEES HELD ON SEPTEMBER 6, 2013

Trustee Basher moved, seconded by Trustee McGee, that the following resolution be approved. Motion carried, all voting "aye" with the exception of Mayor Fixell and Trustee Butler who recused themselves. Approved: 5-0-2

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 September 6, 2013 as submitted by the Administrator.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON SEPTEMBER 16, 2013

Trustee McGovern moved, seconded by Trustee Zollo, that the following resolution be approved. Motion carried, all voting "aye" with the exception of Trustees Basher and Hoyt who recused themselves. Approved: 5-0-2

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, 2013 as submitted by the Clerk.

APPROVAL OF AUDITED VOUCHERS

Trustee Basher 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. 6 and hereby orders the Audited Vouchers to be paid in the following amounts:

General	\$	432,411.34
Water		41,370.21
Sewer Fund		0.00
Capital		28,295.18
Library		14,993.12
Trust & Agency		<u>5,953.85</u>
Total	\$	523,023.70

The Board was polled all voting "aye" with the exception of Trustee McGee who recused herself from Voucher Number 2012242559. 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 TO EXECUTIVE SESSION

Trustee Basher moved, seconded by Trustee Hoyt, and unanimously carried, that the meeting be adjourned at 8:16 p.m. to Executive Session to discuss contract negotiations.

ADJOURNMENT

Trustee Zollo moved, seconded by Trustee McGovern, and unanimously carried, that the meeting be adjourned at 8:58 p.m.

Carol A. Booth
Village Clerk