

**VILLAGE OF TARRYTOWN
BOARD OF TRUSTEES
WORK SESSION 6:00 P.M.
WEDNESDAY, OCTOBER 14, 2020**

Location: Zoom Video Conference – For Information on How to Join

Visit <https://www.tarrytongov.com/home/events/31956>

Any questions prior to the meeting may be emailed to administrator@tarrytongov.com. If you wish to speak during the meeting, please use the “raise hand” function during the meeting, or press *9 if calling in by phone

Board of Trustee Concerns

Open Session

1. LOSAP COVID Makeup
2. Downtown Trees
3. Fitness Center Rules
4. Discussion – Ramifications of Holding In-Person Meetings
5. Relocation of Hydrant and Reallocation of Parking Spaces on Broadway between Main Street and Central Avenue
6. Draft of Local Law Changes related to Protests, Demonstrations and Rallies with Draft Permits
7. Discussion – Loud Cars, Alleged Racing and Regional Issue of Drag Racing
8. Discussion – Putting Rumble Cuts on Center Median on Neperan Road
9. Placemaking Committee

Executive Session

- A. Sanitation Foreman
- B. 3 Members for Comprehensive Plan Management Committee





Tarrytown Fire Department

Chief: **BRYAN MEADE**
First Assistant: **KELLY MURPHY**
Second Assistant: **RICK TUCCI**

Secretary
KELLY MURPHY
Treasurer
DOMENIC MORABITO

www.tarrytownfd.org

September 15, 2020

Richard Slingerland
Village of Tarrytown-Village Administrator
1 Depot Plaza
Tarrytown, NY 10591

Mr. Slingerland,

At our monthly warden's meeting, the board of fire wardens discussed the executive order 202 in relation to Senate Bill 8251B. The original version of the bill was edited and amended in the Senate. It was then shortened to focus solely on the awarding of points to volunteers during the period when, for COVID 19 related reasons, volunteer firefighter and volunteer ambulance worker activities were cancelled and/or when restrictions/quarantines were in place on which some volunteers could not respond to calls. Senate Bill 8251B is attached.

As LOSAP Coordinator, I reached out to Ed Holohan, at Penflex who is our representative in regards to whether the points award has to apply for everyone or just those affected. He confirmed that it applies to everyone. The Board of Fire Wardens respectfully requests the Board of Trustees to write a resolution adopting this change, which will allow members to receive 5 points each month the executive order is in place. Also attached is an addendum to our point system description with the addition of the COVID section.

Firematically,

Kelly Murphy
Kelly Murphy

Department Secretary
LOSAP Coordinator



STATE OF NEW YORK

8251--B

IN SENATE

April 27, 2020

Introduced by Sens. KAMINSKY, BROOKS, GAUGHRAN, MARTINEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general municipal law, in relation to the determination of points for service award programs for volunteer firefighters and volunteer ambulance workers during a state disaster emergency; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 217 of the general municipal law is amended by
2 adding a new subdivision (p) to read as follows:

3 (p) For purposes of determining total points earned for a calendar
4 year in which a state disaster emergency, as defined in section twenty
5 of the executive law, has been declared pursuant to executive order
6 number two hundred two of two thousand twenty, as amended, to address
7 the outbreak of novel coronavirus, COVID-19, an active volunteer fire-
8 fighter service award program may provide for the crediting of up to
9 five additional points per month, prorated for periods of less than one
10 month, to each active volunteer firefighter for each month that special
11 emergency response rules were in place restricting firefighter responses
12 to emergency responses and/or restricting the holding of activities for
13 which points could be earned due to guidelines related to the state
14 disaster emergency. A political subdivision electing to provide the
15 additional points authorized under this subdivision shall adopt a resolu-
16 tion by April thirtieth, two thousand twenty-one determining the number
17 of additional points to be credited per month, provided that any addi-
18 tional points credited pursuant to this subdivision shall be in addition
19 to any other points earned pursuant to this section during the state
20 disaster emergency.

21 § 2. Subdivision 3 of section 219-e of the general municipal law is
22 amended by adding a new paragraph (k) to read as follows:

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD16211-07-0

1 (k) Determination of points. For purposes of determining total points
2 earned for a calendar year in which a state disaster emergency, as
3 defined in section twenty of the executive law, has been declared pursu-
4 ant to executive order number two hundred two of two thousand twenty, as
5 amended, to address the outbreak of novel coronavirus, COVID-19, an
6 active volunteer ambulance worker award program may provide for the
7 crediting of up to five additional points per month, prorated for peri-
8 ods of less than one month, to each volunteer ambulance worker for each
9 month that special emergency response rules were in place restricting
10 ambulance workers responses to emergency responses and/or restricting
11 the holding of activities for which points could be earned due to guide-
12 lines related to the state disaster emergency. A political subdivision
13 electing to provide the additional points authorized under this subdivi-
14 sion shall adopt a resolution by April thirtieth, two thousand twenty-
15 one determining the number of additional points to be credited per
16 month, provided that any additional points credited pursuant to this
17 paragraph shall be in addition to any other points earned pursuant to
18 this section during the state disaster emergency.

19 § 3. Subdivision 3 of section 219-m of the general municipal law is
20 amended by adding a new paragraph (k) to read as follows:

21 (k) Determination of points. For purposes of determining total points
22 earned for a calendar year in which a state disaster emergency, as
23 defined in section twenty of the executive law, has been declared pursu-
24 ant to executive order number two hundred two of two thousand twenty, as
25 amended, to address the outbreak of novel coronavirus, COVID-19, an
26 active volunteer ambulance worker award program may provide for the
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28 ods of less than one month, to each volunteer ambulance worker for each
29 month that special emergency response rules were in place restricting
30 ambulance workers responses to emergency responses and/or restricting
31 the holding of activities for which points could be earned due to guide-
32 lines related to the state disaster emergency. A political subdivision
33 electing to provide the additional points authorized under this subdivi-
34 sion shall adopt a resolution by April thirtieth, two thousand twenty-
35 one determining the number of additional points to be credited per
36 month, provided that any additional points credited pursuant to this
37 paragraph shall be in addition to any other points earned pursuant to
38 this section during the state disaster emergency.

39 § 4. This act shall take effect immediately and shall expire and be
40 deemed repealed December 31, 2022.



Village of Tarrytown Volunteer Firefighter Service Award Program Point System

Type of Activity	Maximum Annual Points for This Activity	How Points Are Credited	Comments
<p>Completion of Training Courses</p>	<p>25</p>	<p>Based on duration of training courses:</p> <ol style="list-style-type: none"> 1. Under 20 Hours = 1 Point per hour. Maximum of 5 points per course. 2. 20 – 45 hours = 5 Points plus 1 point per hour over 20 hours. 3. Over 45 hours = 15 points. 	<p>Training courses should be satisfactorily completed (certificate of completion required) and designated as approved course by the Service Award Committee. A list of approved courses will be posted and updated periodically.</p> <p>NOTE: Persons who are paid to attend training courses as part of their job or profession- get no credit in the Service Award Program for attending such courses.</p>
<p>Attendance at Drills</p>	<p>20</p>	<p>1 Point per drill. (Minimum 2 hours duration)</p>	<p>Extra long drills of 4 or 6 hours are sometimes treated as two or more separate drills of at least 2 hours each.</p>
<p>Participating in Sleep-In or Stand-by session.</p>	<p>20</p>	<ul style="list-style-type: none"> ➤ Sleep-in Session = 1 Point for each full night. (Shift of at least 8 hrs)Day or Night. ➤ Stand-by Session = 1 Point for each session (4 hour minimum duration). <p>Stand-by is defined as "a line of duty activity of the volunteer fire company, lasting four hours, not falling under one of the other categories.</p>	
<p>Attendance at Official Fire Department Meetings. (Regular and Special Department-Wide Meetings called by the President or Chief.)</p>	<p>20</p>	<p>1 Point earned per meeting.</p>	<p>Note: Must be a meeting all firefighters are expected to attend. (i.e., does not include committee meetings which are miscellaneous category, and also does not include officer/warden meetings, etc. which can be in the miscellaneous category.</p>



Village of Tarrytown Volunteer Firefighter Service Award Program Point System

Type of Activity	Maximum Annual Points for This Activity	How Points Are Credited	Comments
<p>Miscellaneous Activities</p>	<p>15</p>	<p>1 Point per activity for participating in activities covered by the Volunteer Firefighters Benefit Law for which points cannot be earned otherwise, including:</p> <ul style="list-style-type: none"> ▲ Annual Fire Department Inspection ▲ Wakes & Memorial Services ▲ Parades ▲ Work Details/ Clean ups (2 hours Minimum.) ▲ Firematic Competitions ▲ Company or Department Committee Meetings (must be minimum of 1 hour and 5 points max) ▲ Fund Drive (envelope drive- either delivering envelopes or stuffing envelopes) ▲ Other Fund raising activities (Boot drive, etc., minimum 1 hour) ▲ Attendance at Outside Firematic Association Activities (max 5 points) 	



Village of Tarrytown Volunteer Firefighter Service Award Program Point System

Type Of Activity	Maximum Annual Points for This Activity	How Points are Credited	Comments																																																		
<p>Holding a Specified Elected or Appointed Position</p>	<p>25</p>	<p>Points are earned for the completion of a one year term as a "line officer, a department officer, and president, vice president, treasurer and secretary of a fire company or department" as follows:</p> <table border="1" data-bbox="565 615 1459 1417"> <thead> <tr> <th>TITLE</th> <th>POINTS</th> </tr> </thead> <tbody> <tr><td>President</td><td>15</td></tr> <tr><td>Vice President</td><td>10</td></tr> <tr><td>Captain</td><td>15</td></tr> <tr><td>Chief</td><td>25</td></tr> <tr><td>Assistant Chiefs</td><td>25</td></tr> <tr><td>Deputy Chiefs</td><td>10</td></tr> <tr><td>Treasurer</td><td>10</td></tr> <tr><td>Secretary</td><td>10</td></tr> <tr><td>Recording Secretary</td><td>10</td></tr> <tr><td>Financial Secretary</td><td>10</td></tr> <tr><td>Computer Operator</td><td>10</td></tr> <tr><td>Radio Dispatcher</td><td>15</td></tr> <tr><td>Wardens</td><td>10</td></tr> <tr><td>Lieutenants</td><td>10</td></tr> <tr><td>Chief Driver</td><td>10</td></tr> <tr><td>Assistant Chief Driver</td><td>5</td></tr> <tr><td>Trustee</td><td>2</td></tr> <tr><td>Directors</td><td>2</td></tr> <tr><td>Arson Investigator</td><td>3</td></tr> <tr><td>Safety Officer</td><td>3</td></tr> <tr><td>Training Officer</td><td>3</td></tr> <tr><td>Chaplain</td><td>3</td></tr> <tr><td>Public Affairs Officer</td><td>3</td></tr> <tr><td>Chauffer for Apparatus</td><td>5</td></tr> </tbody> </table>	TITLE	POINTS	President	15	Vice President	10	Captain	15	Chief	25	Assistant Chiefs	25	Deputy Chiefs	10	Treasurer	10	Secretary	10	Recording Secretary	10	Financial Secretary	10	Computer Operator	10	Radio Dispatcher	15	Wardens	10	Lieutenants	10	Chief Driver	10	Assistant Chief Driver	5	Trustee	2	Directors	2	Arson Investigator	3	Safety Officer	3	Training Officer	3	Chaplain	3	Public Affairs Officer	3	Chauffer for Apparatus	5	<p>NOTE: Points are awarded annually to one person for no more than one office, or points will be awarded up to a maximum of 25 (Twenty five) points annually for a person who simultaneously completes a one year term in more than one office.</p> <p>NOTE: An officer will be required to have fulfilled his duties of the office before points are granted.</p>
TITLE	POINTS																																																				
President	15																																																				
Vice President	10																																																				
Captain	15																																																				
Chief	25																																																				
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Treasurer	10																																																				
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Village of Tarrytown Volunteer Firefighter Service Award Program Point System

Type of Activity	Maximum Annual Points for This Activity	How Points Are Credited	Comments
<p>Responding to Fire Calls i.e. Department Responses</p>	<p>25</p>	<p>10% of the Total Number of Calls for an Individual Company*</p>	<p>For example: if a company responds to a total of 356 calls for the year, a firefighter in that company is required to make 35 calls (10%) of those calls to get the 25 points for the year.</p> <p>NOTE: If a firefighter responds to more than the 10% for his company, (say 48 in the above example) he/she will still only get a maximum 25 points for this activity.</p> <p>*Note: The 10% required percentage is for 0-500 total calls for the Department. For 500 -1000 calls 7.5% is required. For 1000-1500 calls 5% is required. For 1500 + calls 2.5 % is required.</p>
<p>COVID</p>	<p>5/month</p>	<p>Each month that the Executive Order was in place, allows a member to earn up to 5 points a month.</p>	<p>For Example: You award up to five points per month (that's like 1.25 points per week). Prorating means if the disaster ends before a full month, you only award points for the weeks that were covered in that month (so 1.25 points per week.) We will round up to the nearest whole number.</p>

To earn credit for a calendar year a firefighter must earn 50 points under the Service Award Program Point System during the calendar year and must be an active volunteer firefighter as that term is defined in Article 11-A of the General Municipal Law of the State of New York (i.e., the Service Award Program Law):

"Active volunteer firefighter" means a person who has been approved by the authorities in control of a duly organized volunteer fire company or volunteer fire department as an active volunteer firefighter of such fire company or department and who is faithfully and actually performing service in



Village of Tarrytown Volunteer Firefighter Service Award Program Point System

the protection of life and property from fire or other emergency, accident or calamity in connection with which the services of such fire company or fire department are required.

How he or she accumulates the points will be through participating in the previously listed activities. Each activity awards different points. If a firefighter who for whatever reason (such as regular work hours) cannot earn as many points under one or more categories as other firefighters, he or she should focus on the total number of points he or she could earn from all categories of allowable point accumulation activities.

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**VILLAGE OF TARRYTOWN
VILLAGE ADMINISTRATOR'S OFFICE
MEMORANDUM**

TO: Richard Slingerland, Village Administrator
FROM: Joe Arduino, Recreation Supervisor
RE: Recreation Department Fitness Center Rules and Regulations
DATE: January 16, 2020 (Updated October 7, 2020)

In an effort to provide the Village Board a set of discussion points for the Fitness Center Rules and Regulations, please find below the framework for a draft of policy constructed from information pooled from College Fitness Centers, Private Fitness Centers and Work Place gyms. This covers a wide range of items pertaining to the Fitness Center members. Thank you for your consideration.

HOURS OF OPERATION

Mondays through Fridays 5:00am to 9:00pm
Saturdays 7:00am to 8:00pm
Sundays 7:00am to 4:00pm
Please Note: Hours are subject to change on certain holidays.

MEMBERSHIP TYPES AND FEES:

Adult Membership Ages 18 through 60 years old
Senior Membership Any person 60 years of age or older
Family Membership Consists of Two Adults and (any number of) Children/Dependents, living in the same household Ages 13 to 22 years of age:
College Membership Persons aged 17 to 22 with proof of active student status
Guest Fee \$15.00 per person (limit of 2 guests per visit)

RULES AND POLICIES

- You must submit your membership ID card to enter the Fitness Center every time you use the facility. On the rare occasion that a member does not have their card, they may produce another form of identification to check the system for valid membership.
- The Village reserves the right to ask any person using the gym to provide proof of active membership or identification so such membership can be confirmed.
- Gym members must be a full-time resident of the Village of Tarrytown or a Village of Tarrytown Employee.

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- If you wish to change a radio or television station, please alert the front desk and we can assist in the changing of the station or channel. Personal headsets or earbuds are welcome as long as the volume is not disruptive to others. No personal boom boxes, blue tooth speakers or stereos are allowed.
- Food is not allowed in the Fitness Center or in the Studio Room. Closed beverage containers are permitted. No glass containers are allowed.
- Please wipe down the equipment after each use.
- Taking or Making phone calls in the fitness center or studio is prohibited.
- If equipment is moved from a designated area, we ask that it is returned to its original place after you are done using it.
- We provide a towel service for you or you may bring your own towel. If you borrow a towel, you must leave your membership ID at the front desk. You then exchange the towel for your ID on your way out of the fitness center.
- Athletic attire and the proper footwear must be worn in the Fitness Center.
- Fitness Center members are not allowed to leave bags or backpacks in the workout area. All personal belongings should be left in the lockers. Jackets can be hung up on the rack outside of the Fitness Center.
- Weight plates are not to be leaned against equipment standards, mirrored walls or machines.
- After utilizing equipment, please remove weights from a bar and return plates and dumbbells to their proper storage areas.
- Fitness Center members should report all equipment malfunctions, personal injuries, and specific concerns immediately to the staff.
- A Fitness Center member is not permitted to use the Studio Room if the room is being occupied by a class or an instructor for a group of 5 or more persons.
- Studio schedule is subject to change whenever new programs are added.
- Programs that are taught and classes held in the Studio Room are not limited to Fitness Center members.
- The Fitness Center hours maybe adjusted due to inclement weather, holiday or public health threat.

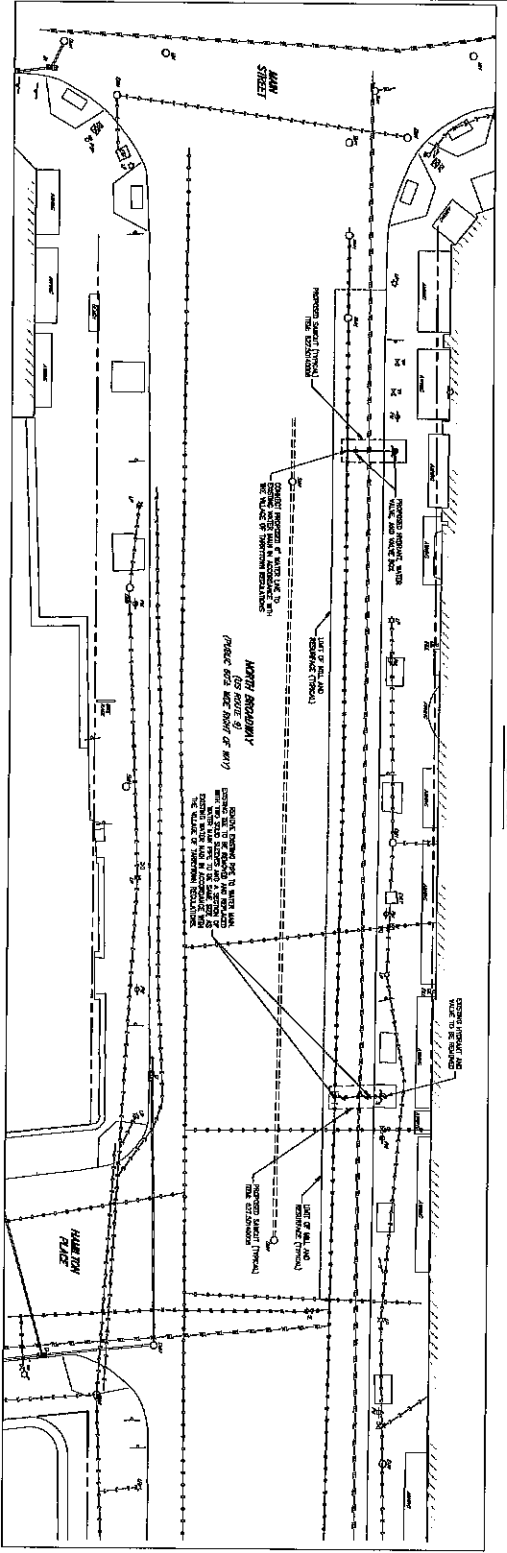
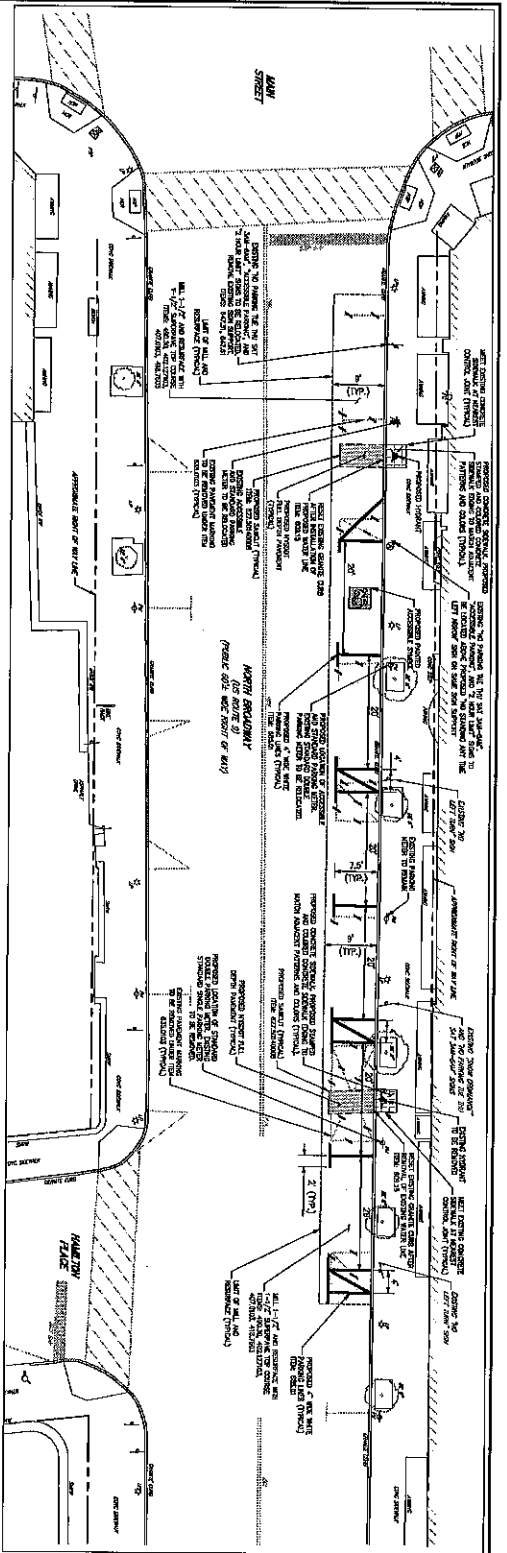
- Please adhere to 30 minutes of use on designated machines when other members are waiting to use said machine.
- The Fitness Center is not responsible for the storage of members' valuables.
- You are expected to act in a courteous and respectful manner. You are required to follow the instructions of the Fitness Center staff at all times. Profanity, yelling, rude or boisterous behavior will not be tolerated.
- Liability: Participation in any of the activities of the Village of Tarrytown Recreation Department is done so at the individual's own risk.
- Refund Policy: Refunds are issued only for the following reasons:

1. A full refund will be issued for any program canceled by the Tarrytown Recreation Department.
2. A refund request because of illness or an injury must be accompanied by doctor's note.
3. All refunds will be prorated based on the date received with a \$10.00 processing fee attached.
4. Please note that the participant assumes the risk of all changes in personal and business affairs.

- Individuals who do not comply with the established policies may be asked to leave and/or may have their membership suspended.



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SIGN TABLE

Sign Name	Sign Type	Sign Color	Sign Size	Sign Location
A	Rectangular	White	8' x 4'	Corner
B	Rectangular	White	8' x 4'	Corner
C	Rectangular	White	8' x 4'	Corner
D	Rectangular	White	8' x 4'	Corner
E	Rectangular	White	8' x 4'	Corner
F	Rectangular	White	8' x 4'	Corner
G	Rectangular	White	8' x 4'	Corner
H	Rectangular	White	8' x 4'	Corner
I	Rectangular	White	8' x 4'	Corner
J	Rectangular	White	8' x 4'	Corner
K	Rectangular	White	8' x 4'	Corner
L	Rectangular	White	8' x 4'	Corner
M	Rectangular	White	8' x 4'	Corner
N	Rectangular	White	8' x 4'	Corner
O	Rectangular	White	8' x 4'	Corner
P	Rectangular	White	8' x 4'	Corner
Q	Rectangular	White	8' x 4'	Corner
R	Rectangular	White	8' x 4'	Corner
S	Rectangular	White	8' x 4'	Corner
T	Rectangular	White	8' x 4'	Corner
U	Rectangular	White	8' x 4'	Corner
V	Rectangular	White	8' x 4'	Corner
W	Rectangular	White	8' x 4'	Corner
X	Rectangular	White	8' x 4'	Corner
Y	Rectangular	White	8' x 4'	Corner
Z	Rectangular	White	8' x 4'	Corner



LEGEND

[Symbol]	PROPOSED PROPERTY LINE
[Symbol]	EXISTING PROPERTY LINE
[Symbol]	PROPOSED DRIVEWAY
[Symbol]	EXISTING DRIVEWAY
[Symbol]	PROPOSED SIDEWALK
[Symbol]	EXISTING SIDEWALK
[Symbol]	PROPOSED BIKEWAY
[Symbol]	EXISTING BIKEWAY
[Symbol]	PROPOSED TRAFFIC CALMING
[Symbol]	EXISTING TRAFFIC CALMING
[Symbol]	PROPOSED SIGN
[Symbol]	EXISTING SIGN
[Symbol]	PROPOSED UTILITY LINE
[Symbol]	EXISTING UTILITY LINE
[Symbol]	PROPOSED DRIVEWAY
[Symbol]	EXISTING DRIVEWAY
[Symbol]	PROPOSED SIDEWALK
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[Symbol]	EXISTING UTILITY LINE

- NOTES**
1. ALL PROPOSED CHANGES TO THE EXISTING PLAN SHALL BE SHOWN WITH DASHED LINES.
 2. ALL EXISTING CONDITIONS SHALL BE SHOWN WITH SOLID LINES.
 3. ALL PROPOSED CHANGES TO THE EXISTING PLAN SHALL BE SHOWN WITH DASHED LINES.
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 8. ALL EXISTING CONDITIONS SHALL BE SHOWN WITH SOLID LINES.

No.	Revised	By	Date

REVISIONS

No.	Revised	By	Date

PROJECT INFORMATION

PROJECT NO. NB-1
 DATE: 01/20/2023
 DRAWN BY: JMC
 CHECKED BY: JMC
 APPROVED BY: JMC

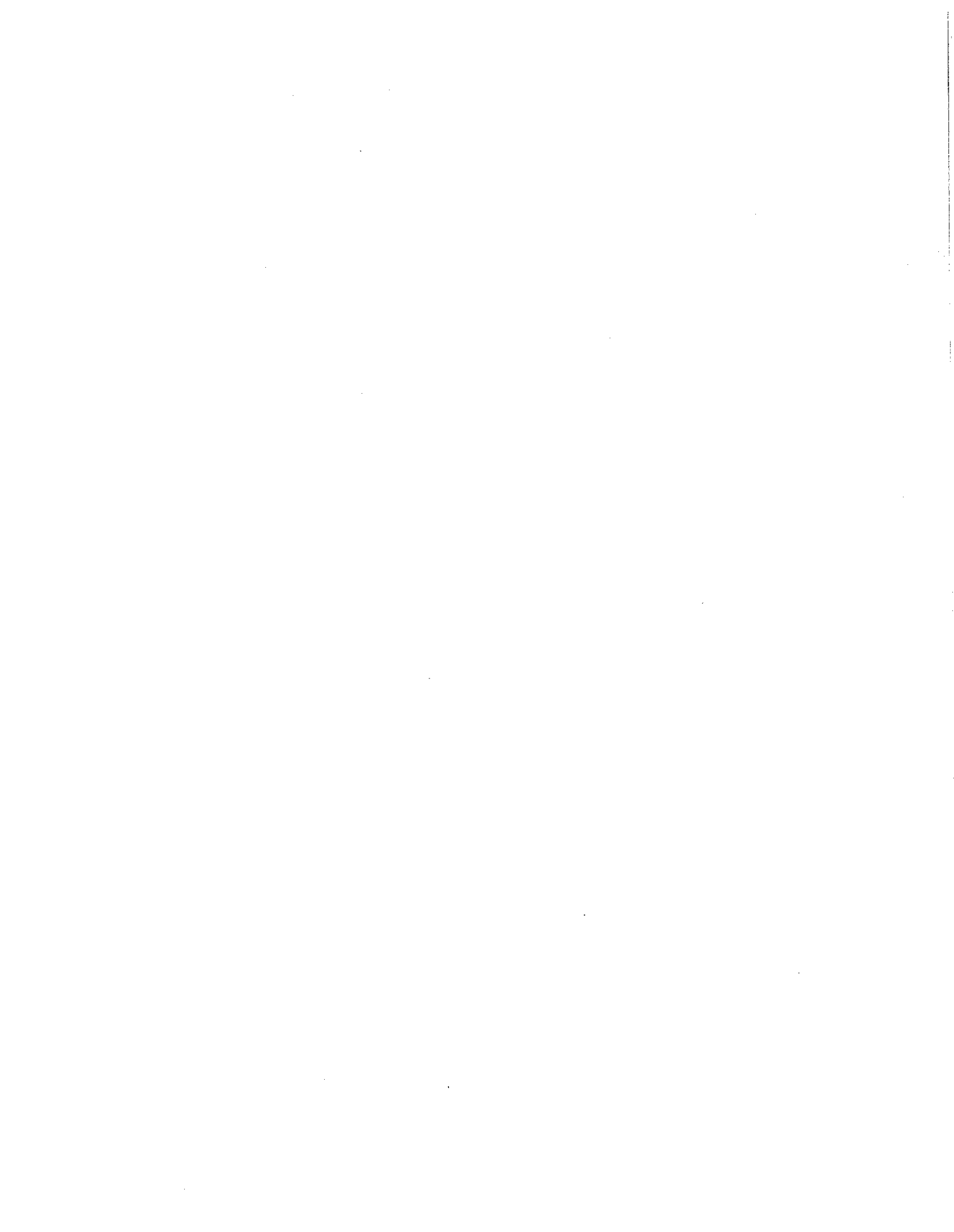
**NORTH BROADWAY
LAYOUT & UTILITIES PLAN**

TARRYTOWN TRAFFIC CALMING
VILLAGE OF TARRYTOWN, NEW YORK



VILLAGE OF TARRYTOWN
ONE DEPOT PLAZA
TARRYTOWN, NY 10591

VILLAGE OF TARRYTOWN
ONE DEPOT PLAZA
TARRYTOWN, NY 10591



LOCAL LAW __ - 2020

A local law to amend Chapter 218 of the Code of the Village of Tarrytown, entitled "Parades"

Section 1. Be it enacted by the Board of Trustees of the Village of Tarrytown as follows (Language in **bold and underlined** to be added, language in ~~Strikethrough and bold and underlined~~ to be deleted):

Section 2. Amending Existing Chapter Heading. The title of Chapter 218 entitled "Parades" shall be amended to read as follows: "Parades, **Special Events and Demonstrations**"

Section 3. Existing Provisions Repealed. Chapter 218, Section 1 entitled "Authorization required" and Chapter 218, Section 2 entitled "Penalties for offenses" are repealed.

Section 4. Amended Existing Chapter. Chapter 218, Sections 1 and 2 shall be replaced and Chapter 218 further amended as follows:

§ 218-1 Definitions

For purposes of this Chapter, the following terms shall have the following meanings:

- (a) A "parade" is any procession or race, which consists of a recognizable group of 20 or more pedestrians, vehicles, bicycles or other devices moved by human power, or ridden or herded animals or combination of the foregoing proceeding together upon any public street, roadway or public area.
- (b) "Demonstration" shall mean a group activity or congregation including, but not limited to, a meeting, assembly, protest, rally or vigil, moving or otherwise, which involves the expression of views or grievances, involving more than 12 people.
- (c) "Special event" shall mean "a group activity or congregation including, but not limited to, a performance, meeting, assembly, contest, exhibit, ceremony, parade, athletic competition, reading, or picnic involving more than 12 people or a group activity or congregation involving less than 12 people for which specific space is requested to be reserved by the Village for the special event.
- (d) "Applicant" shall mean the person or entity that applies for a permit under this Chapter to hold a parade, demonstration or special event. Any person or entity responsible for organizing a parade, Demonstration or special event, or any person or entity that publicizes a parade, or demonstration or special event through advertisements or other means of mass communication, including but not limited to social media, is authorized to act as the Applicant.

§ 218-2. Parades

A. Applications.

- (1) Applications for parade permits must be received by the Village Clerk at least ~~fifteen~~ **thirty** days prior to the requested date for the parade.
- ~~(2) Applications for parade permits that seek to partially or fully close a public street or~~

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~~sidewalk in the Village, or would result in a public street or sidewalk in the Village not being able to be utilized in its regular manner, must be received by the Village Clerk at least thirty days prior to such parade.~~

(23) Applications must be submitted to the Village Clerk by completing the form available at the Village Clerk's office and on the Village's website in writing either by mail or email and will be considered in the order in which they are received.

B. Permits.

A parade shall be permitted upon any street or in any public place in the Village of Tarrytown only after a written permit therefor has been obtained from the Village Administrator. The Village Administrator shall, after due investigation of such application, including but not limited to consultation with the Police Department, Fire Department and Department of Public Works, grant such permit subject to the following restrictions:

1. The Village Administrator shall not grant a permit where the Village Administrator has objective reason to believe that the proposed parade will be disorderly in character, will disturb the public peace or will be a detriment to public health, safety and welfare;
2. Except as otherwise provided herein, the Village Administrator shall not grant a permit for the use of any street or any public place, or material portion thereof, which is ordinarily subject to substantial congestion or traffic or is chiefly of a business or mercantile character, except, upon those federal holidays or when places of business along the proposed route are closed, or on other days between the hours of 6:30 and 9:00 PM, except if such street which is subject to substantial congestion or traffic is fully shut down to motor vehicles. six thirty post meridian and nine ante meridian;
3. Each such permit shall designate specifically the route through which the parade shall move and include such conditions, rules and regulations as the Village Administrator deems reasonably necessary, if any;
4. Permits for parades for occasions of extraordinary public interest, not annual or customary, or not so intended to be, may be granted by the Village Administrator for any street or public place, and for any day or hour, with the written approval of the mayor;
5. The Applicant of a parade for which a permit is granted by the Village Administrator shall be responsible for the strict observance of all rules and regulations included in said permit by all participants.
6. The granting of a parade permit by the Village does not absolve the applicant from any additional permitting requirements from State or Federal agencies, including but not limited to obtaining permits from the New York State Department of Transportation.

C. Exemptions. This section shall not apply:

1. To the ordinary and necessary movements of the United States army, United States navy, national guard, Village or other municipal police department and Village or other municipal fire department; or
2. To funeral processions where no streets are sought to be fully or partially closed.
3. To parades which have marched annually upon the streets for more than ten years prior to the adoption of this Local Law as such parades only need approval from the Board of Trustees.

§218-3. Special Events and Demonstrations.

A. Applications.

- (1) Applications for special event permits must be received by the Village Clerk at least **24** ~~30~~ days prior to the requested date for the special event.
- (2) Applications for demonstration permits must be received by the Village Clerk at least **10-15** days prior to the requested date for the demonstration. Notwithstanding this requirement, the Village Clerk will accept all applications for demonstrations involving the expression of viewpoints on topical issues whenever submitted and process such applications as soon as it is feasible to do so, considering the magnitude of the event and the resources of the Village and its police department.
- (3) Applications for special event and demonstration permits to take place in Pierson Park, Patriots' Park and Losee Park must be received by the Village Clerk no less than **two (2)** months nor more than **nine (9) months** before the date of the proposed event. However, applications for a demonstration permit made less than **two (2)** months before the proposed event where the Applicant can demonstrate exigent circumstances prevented timely application shall be accepted by the Village Clerk for review by the Village Administrator, provided that the limitation on the number of events in subsection G of this section has not already been reached
- (4) Applications must be submitted to the Village Clerk by completing the form available at the Village Clerk's office **and on the Village's website** in writing either by mail or email and will be considered in the order in which they are received.

B. Permits and Timing

(1) Permits. A special event or demonstration on any street, sidewalk or in any public place in the Village of Tarrytown may only be held after a written permit has been issued by the Village Administrator, which permit may include such conditions, rules and regulations as the Village Administrator deems reasonably necessary, if any;

C. Denial of Permit; Alternative.

- (1) The Village Administrator, after consultation with the Police Department and any other Village Departments, may deny a permit if:
 - (a) the location sought is not suitable because of landscaping, planting, or other environmental conditions reasonably likely to be harmed by the proposed event;
 - (b) the location sought is not suitable because it is a specialized area including, but not limited to, proximity to the Hudson River or other environmentally sensitive area, to public recreation areas, including but not limited to, tennis courts and a swimming pool, or because the proposed event is of such nature or duration that it cannot reasonably be accommodated in that location;
 - (c) the date and time requested have previously been allotted by permit;
 - (d) within the preceding two years, the applicant had been granted a permit and did, on that prior occasion, violate a material term or condition of the permit, or any applicable law, ordinance, statute or regulation;
 - (e) the event would interfere unreasonably with the enjoyment of the public space by other users;
 - (f) the Village Administrator has objective reason to believe that the proposed

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~~parade-special event or demonstration~~ will be disorderly in character, will disturb the public peace or will be a detriment to public health, safety and welfare;

(g) the limitations contained in subsection (G) of this section are not complied with.

(2) If the permit has been denied pursuant to subsection (C)(1) of this section, the Village Administrator shall state the reasons for the denial in writing and, to the extent practicable, employ reasonable efforts to offer the applicant suitable alternative locations and/or times and/or dates for the proposed event.

D. Appeals

(1) After a permit application is denied or approved with conditions objected to by the Applicant, the applicant may appeal the determination in writing to the Village Clerk.

(2) The designated appeals officer shall be the Mayor who may reverse, affirm, or modify the original determination and provide a written explanation of his or her finding.

(3) Timing of Appeal. An appeal must be submitted in writing to the Village Clerk within ten days of the Applicant's receipt of the determination or if there is less than ten days between the date the Applicant receives the determination and the proposed special event or demonstration, at least two business days before the event.

E. Revocation or Suspension of Permit

(1) After notice and an opportunity for the Applicant to be heard, the Village Administrator may alter or add terms and conditions to a permit, or revoke a permit, based upon the criteria set forth in subsection (C)(1)(a) through (g) of this section.

(2) If the Village Administrator revokes or alters a permit prior to the date of the event, the permittee may appeal the revocation or alteration, subject to the time limitations set forth in subsection (D)(3) of this section.

(3) During the course of an event, the Village Administrator may suspend a permit where exigent circumstances exist in the vicinity of the location for which such permit has been issued or circumstances have changed such that the criteria set forth in subsection (C)(1)(a) through (g) of this section apply.

F. Limitations on Permits

(1) The granting of a permit does not give the permittee the right to sell or offer for sale any articles, tickets, or refreshments within or adjacent to any park area ~~or to operate motor vehicle in any park areas~~. To do this requires a separate **Peddler Permit** issued by the Village Administrator.

(2) Permits are not transferable.

~~(3) If a permittee intends to drive vehicles (e.g., buses, cars, trucks, and vans) into any Village park for deliveries to an event site or for any other legitimate purpose, the permittee must obtain a separate written permit for each such vehicle, specifying the date, time, route, and parking privilege.~~

G. Pierson Park, Patriots Park and Losee Park.

(1) The following conditions apply to applications for permits for special events and

demonstrations in Pierson Park:

(a) Large events. In any calendar year, there will be a maximum of **two** permits granted for large events in each of Pierson Park, Patriots Park and Losee Park. For purposes of this subsection, a large event is a special event or demonstration with anticipated attendance over **250** people, ~~and which requires the use of the ballfields in Pierson Park.~~

(b) Small and **M**edium Events. Small events in Pierson Park are not subject to the limitation contained in paragraph (1) of this subsection. For purposes of this subsection, a small event is a special event or demonstration with anticipated attendance of less than **30** participants, ~~and which does not require the use of any of the ballfields during the hours that the ballfields are used for athletic uses, and does not displace any athletic use in Pierson Park.~~ Medium events is a special event or demonstration of ~~:(i) 30 participants or less that requires exclusive use of the ballfields; or (ii) between 31 and 249~~ **149** participants. ~~Medium events are subject to subparagraphs (de) and (gh) below. of this subsection.~~

(c) Attendance at large events may not exceed **1000** persons.

~~(d) Large events may take place only during the months of _____.~~

~~(d)~~ **(e)** Permitted special events and demonstrations in Pierson Park, Patriots Park and Losee Park are subject to cancellation or postponement by the Village Administrator due to inclement weather and/or soil and turf conditions. Factors the Village Administrator will take into consideration in determining whether to cancel or postpone an event in Pierson Park, Patriots Park and Losee Park shall include: (i) the possibility of lightning or other extreme weather condition; (ii) rainfall (including forecasted, current, or cumulative rainfall); (iii) soil saturation levels or other risks to turf health; and (iv) any other field conditions that might lead to significant damage to Pierson Park or the surrounding landscapes or hazardous conditions for the attendees of the demonstration or special event.

~~(e)~~ **(f)** The permit application for large events must include a **load-in** plan acceptable to the Village Administrator **and Police Chief** to ensure (i) the orderly flow of attendees through park landscapes on appropriately designated areas; and (ii) the attendees will not damage adjacent landscapes. In addition, in the case of large events as defined in subsection G(1)(a), the load-in plan must ensure the maximum number of persons attending does not exceed 1,000 and is in compliance with all restrictions. In determining whether the Applicant's **load-in** plan is acceptable such that a permit may be granted, the Village Administrator shall take into consideration, among other relevant factors, any evidence that the applicant has efficiently and safely executed event productions and audience management in the past.

~~(f)~~ **(g)** An applicant seeking to hold a large event shall post a cash bond in an amount sufficient to pay for any anticipated damage to Pierson Park, Patriots Park and Losee Park in connection with the scheduled event and made payable to the Village of Tarrytown. The amount of the bond will be determined by the Village Administrator based upon the following factors: (i) the length of the event; (ii) the time of year of the event; (iii) the nature of the event, including but not limited to, the type of equipment that will need to be brought into Pierson Park, Patriots Park or Losee Park, the location of such equipment, and the use of any vehicles in Pierson Park, Patriots Park or Losee Park; (iv) the number of people attending the event; (v) the Applicant's experience regarding any prior events of the same or a similar nature; and (vi) whether the event or any activities associated with the event present a high risk of property damage. In addition, for large events, the applicant must provide satisfactory proof of insurance naming the Village as an additional insured.

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However, the Village Administrator shall have the authority to waive the bond required by this subsection where the applicant is able to demonstrate that such bond cannot be obtained without imposing an unreasonable hardship on the applicant. Any request for a waiver of the bond required by this subsection shall be addressed in the permit application. The burden of demonstrating unreasonable hardship shall be on the applicant and may be demonstrated by a showing that the cost of obtaining the bond for the event exceeds twenty-five percent (25%) of the applicant's budget for the event. The budget for the event must include not only cash, but also the actual value of any materials and services to be used by the applicant for the event.

(gh) The applicant shall provide a written acknowledgment stating, where applicable, how the applicant will comply with the foregoing provisions in this subsection G(1) no less than 10 days prior to the scheduled event's initial load-in. However, for an application for a demonstration that is made less than ten days before the proposed event, where exigent circumstances prevented timely application, the written acknowledgment must be executed as soon as practicable before the demonstration's initial load-in.

H. Other areas. Parking lots on the west side of the train station ~~_____~~ [Lot F], are available for small, medium or large special events or demonstrations.

I. Passive Recreation Areas only. Wilson Park and the Tarrytown Lakes Parks and Field are reserved solely for passive recreation and the Losee Park ballfields and Wilson Park Soccer Field ~~_____~~ [soccer field] are reserved solely for athletic events ~~with permits~~ and passive recreation. The Village Administrator shall not grant any permits for special events or demonstrations in Wilson Park, the Tarrytown Lakes Parks, Losee Park ballfields or Wilson Park Soccer Field. ~~_____~~

J Funeral Demonstrations

A Permit in accordance with this section shall be required for any demonstration within one thousand feet of a funeral event and during or within one hour before or after such funeral event. For purposes of this subsection, a "funeral event" shall mean a wake, funeral, burial or memorial service conducted within thirty days after the death of the person who is the subject of such demonstration.

§ 218-4. Permittees' Obligations

For any permit issued under the Chapter:

- (1) Permittees are subject to the rules and regulations of the Village, the specific terms and conditions of the permit, and to all applicable Village, County, State, and Federal laws.
- (2) Permittees must have the permit in their possession at the time and site of the event, as well as any other permits or documentation for the event required by the Village or any other governmental agency.
- (3) Permittees must confine their activities to the locations and times specified on their permit. The Village Administrator may establish specific guidelines for certain designated parks or park locations.
- (4) Permittees are responsible for cleaning and restoring the site after the event. The cost of any employee overtime incurred because of a permittee's failure to clean and/or restore the site following the event will be borne by the permittee.

(5) Permittees shall be held liable for any and all damages or injuries to persons or property that may occur or be caused by the use of the permit. By accepting a permit, permittees agree to indemnify and hold harmless the Village of Tarrytown and its officers and employees from any and all claims whatsoever that may result from such use.

(6) Permittees shall be responsible for the procurement of and payment for any electrical energy used during the event. Permit applications must indicate whether electrical energy is required for the event.

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§ 218-5 Violations and Penalties.

A, It shall be a violation of these rules to advertise any special event or demonstration requiring a permit under this Chapter via posting, print media, radio, television, or the internet prior to obtaining a permit. There shall be a rebuttable presumption that any person or organization whose name, telephone number or other identifying information appears on any advertisement and who has not obtained a permit has violated this subdivision by either (1) illegally advertising an event or (2) directing or permitting a servant, agent, employee or other individual under such person's or organization's control to engage in such activity; provided, however, that such rebuttable presumption shall not apply with respect to criminal prosecutions brought pursuant to violations of this Chapter.

B. Violations.

1. Any person participating in any parade for which a permit has not been issued when required by this Chapter shall be subject to penalties as provided in Chapter 1, General Provisions, Article II.
2. Any person participating in any special event or demonstration for which a permit has not been issued when required by this Chapter shall be subject to penalties as provided in Chapter 1, General Provisions, Article II.

Section 5: 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 6: 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.

