

VILLAGE OF TARRYTOWN
BOARD OF TRUSTEES
ORGANIZATIONAL AND REGULAR MEETING 7:00 P.M.
MONDAY, DECEMBER 4, 2023
Tarrytown Village Hall
One Depot Plaza, Tarrytown, New York

Members of the Public may attend in person or remotely. For those members of the public interested in viewing and/or participating in the meeting remotely, visit <https://www.tarrytowngov.com/home/events/37446> for instructions on how to join & participate via zoom.

7:00 P.M. ANNUAL ORGANIZATIONAL MEETING

The meeting will begin with the Pledge to the Flag.

1. Swearing in of Village Justice Kyle McGovern
2. Swearing in of Mayor Karen Brown
3. Swearing in of Trustees Rebecca McGovern, David Kim and Effie Phillips-Staley

Oath of Office to be given by Village Justice Kyle McGovern

4. Note: Announcement of the Mayor's appointment of Rebecca "Becky" McGovern as Deputy Mayor for a term to expire on the first Monday in December of 2024.
5. Re-Appointment of Deputy Village Treasurer

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Azucena "Susy" V. Molina as Deputy Village Treasurer for a term to expire in December of 2024.

6. Re-Appointment of Deputy Village Clerk

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Alissa Fasman as Deputy Village Clerk for a term to expire in December of 2024.

7. Re-Appointment of Village Attorney

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint the firm of Silverberg Zalantis LLC as Village Attorneys for a term to expire in December of 2024.

8. Re-Appointment of Village Special Prosecutor

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Steven Bettman as Village Special Prosecutor (as a contractor, not an employee) for a term to expire in December of 2024.

9. Re-Appointment of Village Acting Justice

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint George Hlapatsos as Village Acting Justice for a term to expire in December of 2024.

10. Re-Appointment of Harbormaster

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Kevin Lustyik as Village Harbormaster for a term to expire in December of 2024.

11. Re-Appointment of Police Surgeons

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Dr. Robert Raniolo, Dr. Barry Geller and Industrial Medicine Associates as Police Surgeons for a term to expire in December of 2024.

12. Re-appointment of Deputy Registrars

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Richard Slingerland and Antoinette Morales as Deputy Registrars for a term to expire the first Monday in December of 2024.

13. Reappointment of Village Historian

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Sara Mascia as Village Historian for a term to expire the first Monday in December of 2024.

14. Re-Appointment of Chairperson of the Planning Board

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Joan Raiselis as Chairperson of the Planning Board for a term to expire in December of 2024.

15. Re-Appointment of Member of the Planning Board

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint David Aukland as a member of the Planning Board for a five-year term to expire in December of 2028.

16. Appointment of Alternate Member of the Planning Board

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Alex Marte as an alternate member of the Planning Board, replacing Judith Mezey who has resigned, for a term that expires in December of 2025.

17. Re-Appointment of Chairperson of the Zoning Board

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Sally Lawrence as Chairperson of the Zoning Board for a term to expire in December of 2024.

18. Re-Appointment of Member of the Zoning Board

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby reappoint Tricia Rachlin as a member of the Zoning Board of Appeals for a five-year term that will expire in December of 2028.

19. Re-Appointment of 2nd Alternate Member of the Zoning Board

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby reappoint Rich Isaacson as a 2nd Alternate Member of the Zoning Board of Appeals for a three-year term that will expire in December of 2026.

20. Re-Appointment of Chairperson of the Architectural Review Board

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Jane Greenwood as Chairperson of the Architectural Review Board for a term to expire in December of 2024.

21. Re-Appointment of Member of the Architectural Review Board

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby reappoint Monique Barwicki-Kozlowski as member of the Architectural Review Board for a term that will expire in December of 2026.

22. Appointment of Member of the Architectural Review Board

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Sharon Bryan-Morgan as a member of the Architectural Review Board (replacing Patricia Pinkney) for a three-year term that will expire in December of 2026.

23. Appointment of Member of the Architectural Review Board

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Molly Canu as a member of the Architectural Review Board (replacing Valerie Kopelman who has resigned) for a term that will expire in December of 2025.

24. Re-Appointment of Chairman of the Parks and Recreation Advisory Council

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby reappoint James DeSimone as Chairperson of the Parks and Recreation Advisory Council for a term to expire in December of 2024.

25. Re-Appointment of Member of the Parks and Recreation Advisory Council

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby reappoint Anneliese Galgano as Member of the Parks and Recreation Advisory Council for a five-year term to expire in December of 2028.

26. Appointment of Student Members of the Parks and Recreation Advisory Council

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Alexis Canfin (Irvington Schools) and Shyam Manjanath (Sleepy Hollow Schools) as Student Members of the Parks and Recreation Advisory Council for a one-year term to expire in December of 2024.

27. Appointment of Chair of the Ethics Board

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint _____ as Chair of the Ethics Board for a one-year term that will expire in December of 2024.

28. Re-Appointment of Members of the Ethics Board

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby reappoint Joseph Hynes and Andrea Taber as Members of the Ethics Committee for three-year terms that will expire in December of 2026.

29. Re-Appointment of Co-Chairs of TEAC

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby reappoint Rachel Tieger and Dean Gallea as Co-Chairs of the Tarrytown Environmental Advisory Committee (TEAC) for one-year terms that will expire in December of 2024.

30. Re-Appointment and appointment of Members of TEAC

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby reappoint Dean Gallea and Suzy Allman as Members of TEAC for two-year terms that will expire in December of 2025.

31. Re-Appointment of a Member of the Tarrytown Municipal Housing Authority (TMHA) Board

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby reappoint Michael Fortugno as a member of the Tarrytown Municipal Housing Authority (TMHA) Board for a five-year term that will expire in December of 2028.

32. Re-Appointment of Chair of Tree Commission

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Martin Hauser as Chair of the Tarrytown Tree Commission for a term that will expire in December of 2024.

33. Appointment of Member of the Tarrytown Tree Commission

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Mark Nattier to the Tarrytown Tree Commission for a three-year term that will expire in December of 2026.

BE IT FURTHER RESOLVED, that the Board of Trustees of the Village of Tarrytown does hereby reappoint Catherine Ruhland as liaison between TEAC and the Tarrytown Tree Commission for a one-year term that will expire in December 2024.

34. Re-Appointment of Village Tree Warden

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Stacey Parthemore as Village Tree Warden for a three-year term that will expire in December of 2026.

35. Re-Appointment of Chairperson of the Tarrytown Housing Affordability Task Force

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby reappoint Sadie McKeown as Chairwoman of the Tarrytown Housing Affordability Task Force for a term that will expire in December of 2024.

36. Re-Appointment of Members of the Tarrytown Housing Affordability Task Force

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby reappoint Sadie McKeown, Alec Roberts, Peter Feroe, Craig Singer, Tina Valenti and Paul Rode as Members of the Tarrytown Housing Affordability Task Force for one-year terms that will expire in December of 2024.

37. Re-Appointment of Members of the Tarrytown Fire Sprinkler Appeals Board

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby reappoint David Jacoby and Albert Collado PE as members of the Tarrytown Fire Sprinkler Appeals Board for a one-year term that will expire in December of 2024 and designates the three fire chiefs as serving on this Board in an ex-officio capacity, who are currently Fire Chief Sean Scogna Jr., 1st Assistant Fire Chief Frank Morabito and 2nd Assistant Fire Chief Patrick Derivan.

38. Re-Appointment of Chair of the Tarrytown Transportation and Mobility Council

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Henry Molina as Chair of the Tarrytown Transportation and Mobility Council for a one-year term that will expire in December of 2024.

39. Re-Appointment of Members of the Placemaking Committee

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Joyce Lannert, Barbara Goodman Barnett, Michelle Szczapa, Joanne Murray, Julia McCue, Jessica Pacciotti, Melissa Arango, as members of the Tarrytown Placemaking Committee for one-year terms that will expire in December of 2024.

And be it further resolved that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Joyce Lannert as Chair of the Tarrytown Placemaking Committee for a one-year term that will expire in December of 2024.

40. Re-Appointment of Members of the Warner Library Board

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Dean Gallea and Tina Valenti as Members of the Warner Library Board for five-year terms that will expire in December of 2028.

Policy determinations and official designations (official newspaper, depositories, auditors, etc.)

Adoption of meeting schedule of the Board of Trustees for December 2023 through December 2024

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby adopts the meeting schedule for December, 2023 through December, 2024 (Note – the Board Regular Meetings are on the first and third Mondays starting at 7 p.m.; the Work Sessions are on the Wednesdays before the Regular Board meetings at 6 p.m., and the summer reduced meeting schedule will be for one work session and one regular board meeting each month during the months of July and August.)

Board Meeting schedule for Official Year Dec. 2023 through Dec. 2024

Day, Date and time	Meeting type
Monday, December 4, 2023, 7 p.m.	Organizational and Regular Board Meeting
Wednesday, December 13, 2023, 6 p.m.	Work Session
Monday, December 18, 2023, 7 p.m.	Regular Board Meeting
Wednesday, December 27, 2023, 6 p.m.	Work Session
Wednesday, January 3, 2024, 7 p.m.	Regular Board Meeting
Wednesday, January 10, 2024, 6 p.m.	Work Session
Tuesday, January 16, 2024, 6 p.m.	Regular Board Meeting
Wednesday, January 31, 2024, 6 p.m.	Work Session
Monday, February 5, 2024, 7 p.m.	Regular Board Meeting
Wednesday, February 14, 2024, 6 p.m.	Work Session
Tuesday, February 20, 2024, 6 p.m.	Regular Board Meeting
Wednesday, February 28, 2024, 6 p.m.	Work Session
Monday, March 4, 2024, 7 p.m.	Regular Board Meeting
Wednesday, March 13, 2024, 6 p.m.	Work Session
Monday, March 18, 2024, 7 p.m.	Regular Board Meeting
Wednesday, March 27, 2024, 6 p.m.	Work Session
Monday, April 1, 2024, 7 p.m.	Regular Board Meeting
Wednesday, April 10, 2024, 6 p.m.	Work Session
Monday, April 15, 2024, 7 p.m.	Regular Board Meeting
Wednesday, May 1, 2024, 6 p.m.	Work Session
Monday, May 6, 2024, 7 p.m.	Regular Board Meeting
Wednesday, May 15, 2024, 6 p.m.	Work Session
Monday, May 20, 2024, 7 p.m.	Regular Board Meeting
Wednesday, May 29, 2024, 6 p.m.	Work Session
Monday, June 3, 2024, 7 p.m.	Regular Board Meeting
Wednesday, June 12, 2024, 6 p.m.	Work Session
Monday, June 17, 2024, 7 p.m.	Regular Board Meeting

Wednesday, July 10, 2024, 6 p.m.	Work Session
Monday, July 15, 2024, 7 p.m.	Regular Board Meeting
Wednesday, August 14, 2024, 6 p.m.	Work Session
Monday, August 19, 2024, 7 p.m.	Regular Board Meeting
Wednesday, August 28, 2024, 6 p.m.	Work Session
Wednesday, September 4, 2024, 7 p.m.	Regular Board Meeting
Wednesday, September 11, 2024, 6 p.m.	Work Session
Monday, September 16, 2024, 7 p.m.	Regular Board Meeting
Wednesday, October 2, 2024, 6 p.m.	Work Session
Monday, October 7, 2024, 7 p.m.	Regular Board Meeting
Wednesday, October 16, 2024, 6 p.m.	Work Session
Monday, October 21, 2024, 7 p.m.	Regular Board Meeting
Wednesday, October 30, 2024, 6 p.m.	Work Session
Monday, November 4, 2024, 7 p.m.	Regular Board Meeting
Wednesday, November 13, 2024, 6 p.m.	Work Session
Monday, November 18, 2024, 7 p.m.	Regular Board Meeting
Wednesday, November 27, 2024, 6 p.m.	Work Session
Monday, December 2, 2023, 7 p.m.	Annual Org. Mtg & Regular Board Meeting

41. DESIGNATION OF THE OFFICIAL VILLAGE DEPOSITORIES AND AUTHORIZED CHECK SIGNERS.

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby designates that the J P Morgan Chase Bank, Key Bank, Valley Bank, Tompkins Bank, RBC Bank (for LOSAP) and NY CLASS be designated as official depositories for the Village of Tarrytown. All checks drawn on the payroll shall be signed by Village Treasurer Antoinette Morales and all checks drawn on accounts other than payroll funds shall be signed by Mayor Brown and Village Treasurer Antoinette Morales; the signatures of Treasurer Morales and Mayor Brown may be manual or by an automatic signing device. The Deputy Mayor is authorized to sign in the absence or unavailability of Mayor Brown and Deputy Treasurer Azucena "Susy" V. Molina is authorized to sign in the absence or unavailability of the Treasurer.

42. DESIGNATION OF AN OFFICIAL NEWSPAPER

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby designates The Journal News as the Official Newspaper of the Village of Tarrytown.

43. AUTHORIZATION OF POLLING PLACES

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize the use of Village facilities, including Conqueror & Hope Hose Firehouse, Riverside Hose Firehouse, Phenix Hose Firehouse, Washington Engine Firehouse, Consolidated Engine Firehouse and Village Hall as official polling places for the Presidential Primary on April 2, 2024, the New York State Primary Election on June 25, 2024 and the General Election being held on November 5th, 2024.

44. RE-ADOPTION OF THE VILLAGE OF TARRYTOWN BOARD OF TRUSTEES OFFICIAL RULES OF PROCEDURE

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown, pursuant to New York State Village Law, Section 4-412(2), hereby designates the following Official Rules of Procedure (as attached to the minutes of this meeting). Said Rules of Procedure also are subject to other provisions of New York Law and the Village of Tarrytown Code and shall govern the meetings of the Board of Trustees of the Village of Tarrytown.

PART A: MEETINGS

SECTION 1 - Regular Meetings

The Board of Trustees generally will hold regular meetings on the 1st and 3rd Monday of each month, with the exception of the months of July and August, when the meeting shall be held on the 3rd Monday of the month and due to conflicts with holidays, the following

dates: Wednesday, January 3, 2024, Tuesday, January 16, 2024, Tuesday, February 20, 2024, and Wednesday, September 4, 2024. All such regular meetings shall commence at 7:00 PM, unless set for another time by action of the Board of Trustees and shall be conducted in the Boardroom at the Village Hall, or by other means and location pursuant to applicable provisions of law, including but not limited to the NY State Open Meetings Law, the applicable provisions of law as may be set forth in Executive Orders of the Governor, or any other applicable provisions of law or order. Any deviation from this schedule shall be determined by the Board of Trustees.

SECTION 2 - Special Meetings

Special Meetings of the Board of Trustees are all those Board meetings other than regular meetings. A special meeting may be called by the Mayor or by three (3) members of the Board of Trustees upon notice to the entire Board. Notice shall be given in accordance with law.

SECTION 3 - Executive Sessions

Executive Sessions shall be held in accordance with the New York State Public Officers Law §105. All executive sessions shall be commenced in a public meeting (See Part C, Section 4).

SECTION 4 – Work Sessions

Work Sessions of the Board of Trustees shall be held on the Wednesday before the Monday Board of Trustees meeting noted in Section 1 hereinabove. These meeting are open to the public; however, the public shall not be permitted to comment on any issue. Individuals or groups invited to meet with the Board of Trustees at the Work Session for specific agenda items shall be permitted to comment on that specific agenda item. Notice shall be given in accordance with law.

PART B: POLICIES

SECTION 1 - Quorum

A quorum of the Board of Trustees shall be required to conduct business. A quorum of the seven (7) member Board shall be four (4).

SECTION 2 - Voting

Pursuant to Village Law each member of the Board of Trustees shall have one vote. The Mayor may vote on any matter and must vote in case of a tie. The affirmative vote of four (4) members of the Board is necessary to pass a matter unless otherwise specified by New York State Law.

SECTION 3 - Agendas

The agenda shall be prepared by the Village Clerk, in cooperation with the Village Administrator by Friday preceding the Monday meeting. An item may be placed on the agenda at any time, including during the meeting, by consent of a majority of the Board.

SECTION 4 - Order of Business

The order of business shall be:

- Call to order
- Miscellaneous and Liaison Reports
- Changes and/or Additions to the Agenda
- Village Administrator's Report
- Public Hearings and/or Public Information Meetings
- Opportunity for the Public to Address the Board only on Agenda Items
- Resolutions
- Approval of Minutes
- Approval of Audited Vouchers
- Opportunity for the Public to Address the Board
- Adjournment

The order of business need not be followed if the Mayor determines that it is appropriate to deviate.

SECTION 5 - Minutes

Minutes at all Board of Trustee meetings shall be the responsibility of the Village Clerk, who pursuant to approval from the Board of Trustees may employ the services of a person to take minutes. Minutes of an open meeting shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon. Minutes of an executive session shall be taken of any action that is taken by formal vote and shall consist of a record or summary of the final determination of such action and the vote thereon; provided, however, that such summary need not include any matter which is not required to be made public by the New York State Freedom of Information Law.

Minutes need not contain a summary of the discussion leading to action taken or include verbatim comments unless a majority of the Board resolves to have the Clerk do so. Minutes shall be considered for approval at the next Board meeting after the minutes are received by the Village Clerk.

PART C: RULES AND PROCEDURES

SECTION 1 - General Rules of Procedure

The Mayor shall preside at meetings of the Board of Trustees. In the Mayor's absence the Deputy Mayor shall preside. In the absence of the Mayor and the Deputy Mayor, the remaining members of the Board of Trustees shall decide which member shall serve as the presiding officer. Board members are not required to rise but must be recognized by the presiding officer before making motions and speaking. A member once recognized shall not be interrupted when speaking unless it is to call the member to order. If a member, while speaking, be called to order, he or she shall cease speaking until the question of order is determined, and, if in order, he or she shall be permitted to proceed.

There is no limit to the number of times a Board Member may speak on a question.

Motion to close or limit debate may be entertained but shall require the affirmative vote of four (4) members of the Board.

Procedural questions which are not governed by New York State law or the Village Code or addressed in these Rules of Procedure shall be determined in accordance with Robert's Rules of Order.

SECTION 2 - Guidelines for Public Comment

The public shall be allowed to speak only during Public Hearings and Public Comment periods.

General Requirements

Speakers must be recognized by the presiding officer.

Speakers must step to the front of the room and speak into the microphone or at the lectern should one be provided. Speakers are not to approach the dais without invitation and are directed to make their remarks from the microphone or lectern.

Speakers must give their name, address and organization represented, if any.

No items or documents may be placed on the dais or presented to the Board unless either authorization is requested and granted by the presiding officer or a Board member specifically requests to see an item. All items for presentation that are granted authorization or requested by a Board member shall be presented to the Village Clerk who shall pass it the Board.

Public Hearings

Speakers shall have three (3) minutes to address the Board of Trustees on the specific matter that is the subject of the Public Hearing before yielding to the next speaker.

Public Comment

Speakers shall have three (3) minutes to address the Board of Trustees before yielding to the next speaker.

Board members may interrupt a speaker during the speaker's remarks, but only for the purpose of asking questions of the speaker for purposes of clarification, information or to ask follow-up questions.

All remarks shall be addressed to the Mayor and Board of Trustees.
Board members may respond to questions or comments at their discretion.

Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste and shall not use foul language, display unacceptable behavior, or be disruptive of the proceedings.

A timer shall be utilized that will beep or produce another sound to indicate that a speaker's three (3) minute time limit for Public Comment or three (3) minute time limit has been reached. Upon being notified that his or her time limit has been reached, a speaker shall cease speaking, leave the microphone or lectern, if one is provided, and return to his or her seat.

The presiding officer may modify these guidelines if warranted.

SECTION 3 - Use of Recording Equipment

All members of the public and all public officials are allowed to photograph and tape or video record public meetings so long as the photography or recording is done in a manner which does not interfere with the meeting. The presiding officer may make the determination that the photography or recording is being done in a manner that interferes with the meeting after taking into consideration attendant movement and activity, distance from the deliberations of the Board, noise, size of equipment, ability of the public to participate in the meeting notwithstanding the photography or recording, and any other pertinent factor. If the presiding officer makes the determination that the photography or recording is interfering with the meeting, the presiding officer may request an accommodation to avoid the interference and if not sufficient or complied with, order the photography or recording to be stopped.

SECTION 4 - Executive Session Policy

It is the policy of the Board of Trustees of the Village of Tarrytown to conduct Village business in an open fashion and to make available as much information as may legally and practically be disseminated.

The New York State Open Meetings Law authorizes the Board to conduct business in executive session in a number of areas. These include:

1. Matters which will imperil the public safety if disclosed;
2. Matters which may disclose the identity of a law enforcement agent or informer;
3. Information relating to criminal investigations which would imperil effective law enforcement if disclosed;
4. Discussions relating to proposed, pending or current litigation;
5. Collective bargaining negotiations;
6. Personnel matters relating to particular individuals; and
7. The proposed acquisition, sale, or lease of real property or securities when disclosure would substantially affect the value.

The Board recognizes that it is authorized to use executive sessions in these and other situations, but will do so with restraint.

To maintain confidentiality and to encourage the uninhibited discussion of the subject matter in Executive Session, all statements made and positions taken by all participants must remain confidential and may not be disclosed by any participant unless and until disclosure is authorized by affirmative vote of four (4) members of the Board.

It has been and continues to be the practice of the Board that all members of the Board, acting together, come to agreement by consensus on the specific information which is to be released to the public, the suitable vehicle for reporting that information, and the timing of the reporting.

45. REVIEW AND RE-ADOPTION OF PROCUREMENT POLICY

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown has reviewed the Village of Tarrytown Procurement Policy, pursuant to Paragraph 8 of the policy and does hereby approve the said policy for the 2023-2024 year.

46. VILLAGE OF TARRYTOWN INVESTMENT POLICY

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-adopt the Investment Policy for the Village of Tarrytown which applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

47. VILLAGE OF TARRYTOWN FUND BALANCE POLICY

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-adopt the Fund Balance Policy to maintain an unrestricted fund balance in a range

between 15% and 25% of expenditures, and that it should not go below 10% except for emergencies or other extenuating circumstances; and

BE IT FURTHER RESOLVED that if the Village realized an unrestricted fund balance in excess of 25% of expenditures at the end of any fiscal year, the Village would utilize those funds for proper uses such as capital expenses, reduction or avoidance of debt, or establishment of a reserve for defined long-term financial exposures.

48. RE-ADOPTION OF WORKPLACE VIOLENCE POLICY

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown has reviewed the Village of Tarrytown Workplace Violence Policy, and does hereby re-adopt the said policy for the 2023-2024 year.

Note: The Following are the designation of liaison assignments by the Mayor:

- Mayor Brown – Housing Affordability Ad Hoc Committee
- Deputy Mayor McGovern – Fire Department, Parks and Recreation Advisory Council, Tarrytown Seniors
- Trustee Hoyt – Police and TVAC
- Trustee Kim – TMC and Tree Commission
- Trustee Phillips-Staley – TEAC
- Trustee Rinaldi – TMHA, Ethics Committee
- Trustee Mitchell – Placemaking Committee and Library Board

REGULAR MEETING AGENDA

49. Board Miscellaneous and Liaison Reports

50. Changes and/or Additions to the Agenda

51. Administrator's Report

52. Public Hearing for a Local Law to Amend Section 297-7 to add a new subsection regarding replacement of water meters and to Amend Chapter 297-17 of the Village Code to add a penalty for non-compliance with maintenance, repair, or replacement of water meter

WHEREAS the Village of Tarrytown Water Department is in the process of replacing all water meters in the Village for the purposes of upgrading outdated and failing equipment; and

WHEREAS accurate water meter readings contribute to an efficient and well-maintained system that accounts for water usage, detects leaks, and identifies potential repair and maintenance needs; and

WHEREAS the cost of non-compliance with the water meter replacement project is significant in hours of labor for manual water meter reads; and

WHEREAS the Village, through the installation contractor, Saks Metering, will continue to make every effort to communicate and work with water users to schedule appointments for water meter replacement, but as the year-long project winds down, a mechanism to enforce compliance short of cutting off water service is necessary;

WHEREAS, a notice of Public Hearing was published in the Journal News on November 26, 2023; and

WHEREAS, a Public Hearing was held on the proposed action on December 4th, 2023; and

WHEREAS, the Board of Trustees of the Village of Tarrytown is the only agency which has approval authority over the proposed action; and

WHEREAS, the proposed action is a Type II Action and therefore no further review under SEQRA is required.

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby adopt Local Law #5-2023 to amend Section 297-7 to add a new subsection regarding replacement of water meters and to amend Chapter 297-17 of the Village Code to add a penalty for non-compliance with maintenance, repair, or replacement of water meter. A copy of the proposed Local Law can be found at the end of this agenda.

53. Opportunity for the Public to address the Board only on items listed on the agenda, other than Public Hearing items. Speakers shall have three (3) minutes each to address the Board of Trustees

54. Appointment of Temporary Assistant Building Inspector

BE IT RESOLVED by the Board of Trustees hereby appoints Scott Dougherty of Pound Ridge, NY, on a temporary basis to the position of Assistant Building Inspector at his current salary with an effective date of December 1, 2023 and that all civil service rules and regulations shall apply to this appointment.

55. Building Inspector Salary

BE IT RESOLVED by the Board of Trustees, after review, hereby authorizes an increase in the salary for Building Inspector Feliciano Valvano to \$160,000 per year, effective December 4, 2023.

56. Fire Department Membership Changes

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves the following membership changes recommended at the November 21, 2023 Board of Fire Wardens Meeting.

Officers: Ray Tuohy has replaced Scott Toth as Warden for Washington Engine

Active Membership: Mark Myers has been elected to active membership of Consolidated Engine

Drivers: Justin Hoyt has been approved as a driver on Tower Ladder 78.

57. Approval of the Minutes of the Board of Trustees Meeting of November 20, 2023

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves the minutes of the Board of Trustees Meeting held on Monday, November 20th, 2023 as submitted by the Village Clerk.

58. Approval of Audited Vouchers

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No.11 of Audited Vouchers in the total amount of \$697,853.03 as presented by the Village Treasurer, to be paid in the following amounts:

General	\$ 125,056.35
Water	\$ 105,829.70
Sewer Fund	\$ 6,732.54
Capital	\$ 437,475.08
Library	\$ 8,919.36
Trust & Agency	\$ 13,840.00
CM (Special Funds)	\$ <u>0.00</u>
Total	\$ 697,853.03

51. Opportunity for the Public to Address the Board on items not included on the agenda. Speakers have three (3) minutes before yielding to the next speaker

52. Adjournment

LOCAL LAW 5 - 2023

A local law to amend Chapter 297 entitled "Water" to amend Section 297-7 to add a new subsection regarding replacement of water meters and to amend 297-17 of the Tarrytown Code, to add a penalty for non-compliance with the Village for maintenance, repair or replacement of the Village of Tarrytown water meter

Section 1. Amending § 297 "Water", Article 1, General Regulations, Section 297-7 "Installation of water meters" to add a new subsection as follows (language in **Bold and Underlined to be added, language in ~~Strikethrough and bold and underlined~~ to be deleted):**

297-7 Installation of Water Meters

Water meters shall be installed as herein provided:

A. Every meter shall be set in a horizontal position within ready access for inspection and shall be protected against frost and hot water.

B. The meter must be connected to the service line by a union to a shutoff valve on each side of the meter.

C. No connection in any house service line or fixture shall be made between the water main and the meter.

D. The meter shall, after installation, be sealed by the Water Department, which shall thereafter have complete control thereof. No sealed meter may be removed without a written permit from the Water Department.

E. The Water Department may remove a meter at any time for testing, substituting another meter temporarily or permanently.

F. The Water Department may replace, upgrade, or switch out a meter at any time.

F. G. In every installation of water service hereafter, the owner shall provide facilities for setting of the meter according to specifications provided by the Water Department.

Section 2. Amending § 297 "Water", Article 1. General Regulations, Section 297-17. Penalties for offenses, is revoked in its entirety and replaced with the following language.

Old language to be deleted:

§ 297-17. Penalties for offenses.

Penalties shall be as provided in Chapter **1**, General Provisions, Article **II**.

New Language:

§ 297-17. Penalties for offenses.

- A. A quarter-per-annum penalty fee of \$250.00 shall apply for not cooperating with the Village pursuant to Section 297-7, regarding the maintenance, repair or replacement of the Village water meter, until such time that the owner permits the Village to replace the meter.
- B. Other penalties for non-compliance with this chapter shall be as provided in Chapter 1, General Provisions, Article II.

Section 3: 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 4: 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.