

VILLAGE OF TARRYTOWN  
BOARD OF TRUSTEES  
REGULAR MEETING 7:00 P.M.  
Monday, March 18th, 2024  
Tarrytown Village Hall  
One Depot Plaza, Tarrytown, New York

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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.tarrytongov.com/home/events/46321> for instructions on how to join & participate via zoom.

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REGULAR MEETING: 7:00 P.M.

Pledge of Allegiance

1. Board Miscellaneous and Liaison Reports
2. Changes and/or Additions to the Agenda
3. Administrator's Report
4. Public Hearing on the Village of Tarrytown's Tentative Budget for Fiscal Year 2024-2025

The Public Hearing is to be opened this evening and continued through to the next meeting of the Board of Trustees on April 1st, 2024, with the adoption of the Budget scheduled to take place on April 15th, 2024. The Village Administrator will make the annual Budget Presentation tonight. There will be an Open Budget Workshop on Wednesday, March 20, 2024, at 6 p.m. at Warner Library, in Conference Room C. After the Administrator's Budget Presentation, the Budget Hearing will be opened up for public comment.

5. 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
6. Resolution referring Catalyze Tarrytown White Plains Road Microgrid, LLC's petition to amend the Zoning Code to regulate and allow Battery Energy Storage System

WHEREAS, Catalyze Tarrytown White Plains Microgrid, LLC (“Catalyze”) seeks to develop a public battery energy storage system (“BESS”) in the rear parking lot of the property known as 120 White Plains Road in the Village of Tarrytown’s OB (Office Business) District;

WHEREAS, on December 15, 2023, the Village of Tarrytown Building Inspector issued a determination that the proposed BESS Facility is not a permitted use in the OB District;

WHEREAS, the Village of Tarrytown does not presently have an ordinance governing BESS facilities;

WHEREAS, on March 7, 2024, Catalyze submitted a petition to the Village of Tarrytown Board of Trustees to amend the Zoning Code to permit BESS facilities in certain portions of the OB district; and

NOW THEREFORE, BE IT RESOLVED, the Village of Tarrytown Board of Trustees refers the proposed text amendment to the Planning Board for its report and recommendation; and

BE IT FURTHER RESOLVED, the Village of Tarrytown Board of Trustees consents to the Village of Tarrytown Planning Board being lead agency under the State Environmental Quality Review Act (SEQRA).

7. AUTHORIZATION TO APPROPRIATE FUNDS FOR THE VILLAGE OF TARRYTOWN TO PURCHASE OF A FIRE TRUCK FOR CONSOLIDATED ENGINE

WHEREAS, due to an accident over a year ago, the fire truck owned by the Village of Tarrytown and operated by the Tarrytown Fire Department, Consolidated Engine, was totaled; and

WHEREAS, using funds received from the Village’s insurance company, the Village authorized the purchase of a new fire truck from Firematic Supply Co., Inc., of Yaphank, NY, through a contract with the Sourcewell Shared Purchasing Initiative; and

WHEREAS, while the Village received funds from our insurance company to cover most of the loss, increases in vehicle costs and changes during manufacturing resulted in additional charges.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby authorize the following budget amendment to fund this purchase:

**Budget Amendment:**

Increase Appropriations from Fund Balance for Fire Truck Purchase:

H.2680	Insurance Payment/insurance recovery	\$762,334.00
H.3410.250	GF Operating – Fire Dept. New Equipment	\$ 27,631.26
Fund Balance	appropriation	\$133,107.74
	Total	\$923,073.00

Authorization for Expenditures:

A.3410.250	Fire Department – New Equipment	\$ 10,560.74
A.3410.407	Fire Department – Apparatus/Equip. Maint. Painting and Equipment Upkeep	\$ 27,631.26
H.2139.450	Capital – Pierce Fire Truck	\$884,881.00
	Total:	\$923,073.00

AND, BE IT FURTHER RESOLVED, that the Village Administrator and Village Treasurer are authorized to take the necessary and appropriate actions to implement these budget amendments and hereby authorize the appropriation to cover the expense, so that the Village may process payment in tonight's accounts payables.

#### 8. Authorization for Main Street Dining Closure

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby authorizes outdoor dining on Main Street on Sunday, May 12<sup>th</sup>, 2024; and

BE IT FURTHER RESOLVED that the street closure will begin at 10:00 am and end at 3:00 pm, with tables allowed to be put out until latest 4:00 p.m. and

BE IT FURTHER RESOLVED That the Village Administrator is authorized and directed to work with the involved Village Departments to make this street closure happen.

#### 9. Annual Street Fair June 1<sup>st</sup>, 2024

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby grant permission to the Sleepy Hollow/Tarrytown Chamber of Commerce to hold their Annual Street Fair on Saturday, June 1st, 2024, with a rain date of Sunday, June 2, 2024, beginning at 10:00 am and ending at 4:00 pm on Main Street; and

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby grant permission for the sale and consumption of beer and wine in a controlled, outdoor portion of Main Street between Kaldenberg Place/John St. and Baylis Court; and

BE IT FURTHER RESOLVED that each establishment must obtain a New York State Liquor Authority (SLA) offsite premise permit, provide insurance naming the

Village of Tarrytown as additional insured and adhere to the following limitations for this event:

- a) The establishments must have a valid Village of Tarrytown Sidewalk Café Permit in order to be approved for the sale of alcohol for consumption.
- b) Permitted hours for the sale of beer and wine outdoors are 10:00 am. to 4:00 p.m.
- c) The establishments that sell and serve alcohol will be required to issue a bracelet to each person who possesses and has shown legal identification and proof as being of legal age to purchase alcohol.
- d) Only for Saturday, June 1<sup>st</sup>, 2024 and the rain date of Sunday, June 2, 2024, if necessary.

10. Agreement for July 4<sup>th</sup>, 2024 Fireworks Event

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize and direct the Village Administrator to execute two agreements, one in the amount of \$15,500 for the contract between Santore's World Famous Fireworks LLC and the Village of Tarrytown and a separate agreement in the amount of \$12,750 between Night Sky Productions LLC and the Village of Tarrytown to coordinate and execute the annual firework display for the July 4<sup>th</sup>, 2024 Fireworks Event, for which the costs are shared jointly with the Village of Sleepy Hollow. (Note – the barge costs for transport and discharge of the fireworks display are separate.)

11. Agreement with Research Foundation for Mental Hygiene, Inc. for CARES UP Grant

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize the Village Administrator to execute an agreement between the Research Foundation for Mental Hygiene, Inc and the Village of Tarrytown to carry out wellness and resilience training for the Tarrytown Police Department as part of the forty thousand dollar (\$40,000) CARES UP grant awarded by the New York State Office of Mental Health.

12. Extension of Parking Agreement for 62 Main Street Project

WHEREAS, in conjunction with the redevelopment of the property at 62 Main Street the Village of Tarrytown, 62 Main Housing Development Fund Company, Inc. and 62 Main Limited Partnership entered into a License agreement, dated March 31, 2021 with respect to the use of the South Washington Street Parking Lot (Section 1.70, Block 33, Lot 11), the "Licensor Property" for a construction staging area and parking lot for employees and representatives of the Licensee working on the project; and

WHEREAS, as the redevelopment of the 62 Main Street property is still in progress and has not yet been completed, it is necessary to extend the Agreement for use of the Licensor Property until August 31, 2024;

NOW THEREFORE, BE IT RESOLVED, that the Village Administrator is hereby authorized to execute an extension of the Agreement for use of the Licensor Property until August 31, 2024 in a form satisfactory to the Village Administrator and Village Attorney.

13. Pool Membership Discounts for Volunteer Firefighters and Ambulance Members

WHEREAS volunteer firefighters and TVAC's volunteer ambulance members in the Village of Tarrytown provide invaluable services to the health and safety of the community;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees does hereby authorize volunteer firefighters in the Tarrytown Fire Department and their families, and TVAC's volunteer ambulance corps members and their families, who are residents of the Village of Tarrytown to receive a 20% discount on annual memberships to the Tarrytown Recreation Center Pool, upon providing proof of residency and active volunteer membership.

14. Fitness Center Memberships for Volunteer Firefighters and Ambulance Members

WHEREAS volunteer firefighters of the Tarrytown Fire Department and TVAC's volunteer ambulance members in the Village of Tarrytown provide invaluable service to the health and safety of the community;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees does hereby authorize volunteer firefighters as individuals in the Tarrytown Fire Department and TVAC's volunteer ambulance members as individuals to receive free annual memberships to the Tarrytown Recreation Center Fitness Center upon providing proof of active volunteer membership.

15. Reappointment of Camp Director

BE IT RESOLVED that the Board of Trustees does hereby reappoint Tania Sanchez as Camp Director of the Tarrytown Day Camp at a rate of \$40/hr. effective March 4, 2024 pursuant to the applicable rules and regulations of Civil Service.

16. 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 February 20<sup>th</sup>, 2024 Board of Fire Wardens Meeting:

Membership: Christian Oliva has been approved for Active Membership at Consolidated Engine.

17. Approval of Minutes of the March 4<sup>th</sup>, 2024 Board of Trustees Meeting

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, March 4<sup>th</sup>. 2024 as submitted by the Village Clerk

18. Approval of the Action Item Minutes of the March 13<sup>th</sup>, 2024 Work Session

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves the minutes of the Board of Trustees Work Session held on Wednesday, March 13<sup>th</sup>. 2024 as submitted by the Village Administrator and the Village Clerk.

19. Approval of Audited Vouchers

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No.18 of Audited Vouchers in the total amount of \$1,544,970.43 as presented by the Village Treasurer, to be paid in the following amounts:

General	\$	506,080.94
Water	\$	40,320.66
Sewer Fund	\$	1209.62
Capital	\$	944,379.18
Library	\$	30,751.06
Trust & Agency	\$	22,228.97
CM (Special Fund)	\$	0
Total	\$	1,544,970.43

20. 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. ]

21. Adjournment