

VILLAGE OF TARRYTOWN
BOARD OF TRUSTEES
REGULAR MEETING 7:00 P.M.
Monday, March 4th, 2024
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.tarrytongov.com/home/events/46261> for instructions on how to join & participate via zoom.

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. Presentation: Wilder Balter Partners on Franklin Courts Development
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. Schedule Budget Hearing for Fiscal Year 2024-2025

WHEREAS, the Village Administrator plans to submit the tentative budget for fiscal year 2024 – 2025 to the Village Clerk for release to the public by the close of business at 4:30 p.m. on Friday, March 15, 2024; and

WHEREAS, in accordance with State law, timetables must be followed in order to fully consider the tentative budget, including its adoption by before May 1 each year; and

WHEREAS, it is the desire of the Board of Trustees of the Village of Tarrytown to proceed in this process;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby schedules the Budget Hearing at the regular meeting of the Board of Trustees on Monday, March 18th, 2024 at 7:00 p.m. in the Municipal Building, One Depot Plaza, Tarrytown, New York for the presentation of the Tentative Budget for Fiscal Year 6/1/2024 – 5/31/2025, which is planned to be in compliance with and not require an override of the New York State 2% local government tax cap; and

BE IT FURTHER RESOLVED that notice is hereby given that the Board of Trustees will be hosting a Budget Workshop with open discussion and questions and answers on the Tentative Budget on Wednesday, March 20, 2024, at the Warner Library at 121 North Broadway, Tarrytown, in Conference Room C, from 6 p.m. until 7:30 p.m.; and

BE IT FURTHER RESOLVED that notice is hereby given pursuant to New York State Village Law Section 5-508 (3) that the annual compensation to be paid to the Board of Trustees is as follows:

Mayor \$9,600

Trustees \$4,800

Note: The stipend for Mayor and Trustees has not increased in over twenty (20) years, so this reflects an update of those stipends.

BE IT FURTHER RESOLVED that the Village Clerk is hereby authorized and directed to advertise and publish the necessary and appropriate public notices as required by law.

7. Resolution to authorize a First Amendment to Development Agreement

WHEREAS, the Village of Tarrytown, 62 Main Housing Development Fund Company, Inc. and 62 Main Limited Partnership entered into a Development Agreement, dated as of March 31, 2021 (the “Agreement”), with respect to the redevelopment of certain real property located in the Village of Tarrytown and identified on the Tax Map as Section 1.70, Block 33, Lots 23..R and 23..V) (the “Property”), contemplating the creation of a commercial condominium with two separate units and common elements (the “Condominium”), with Unit 1 to consist of the portion of the Garage that contains 69 parking spaces for exclusive Village/public use and certain ramps and walkways, and Unit 2 to consist of the Building and the Residential Spaces, and the conveyance of Unit 1 to the Village upon completion of the Project; and

WHEREAS, as the Project has not yet been completed, it is necessary to extend the time for the conveyance of Unit 1 to the Village; and

NOW THEREFORE, BE IT RESOLVED, that the Village Administrator is hereby authorized to execute the First Amendment to Development Agreement modifying the time under the Development Agreement to convey Unit 1 until October 15, 2024 in a form satisfactory to the Village Administrator and Village Attorney.

8. Resolution to Authorize Non-Binding Letter of Intent

WHEREAS, the Village of Tarrytown has been requested to enter into a non-binding letter of intent with WBP Development, LLC (“WBP”) dated February 15, 2024 with Schedule “A” (the “LOI”); and

WHEREAS, the Tarrytown Municipal Housing Authority (“TMHA”) is the owner of an existing development known as “Franklin Courts” located at 50 White Street, and identified on the Tax Map as Section 1.70, Block 29, Lot 32 (the “Site”) that is improved with 70 multi-family units; and

WHEREAS, TMHA has partnered with WBP for a proposed redevelopment of the Site through the Rental Assistance Demonstration program to replace the existing 70 units with approximately 80 new residential rental units, associated parking, and resident amenities (the “Proposed Project”); and

WHEREAS, to facilitate the Proposed Project, WBP has proposed that the existing dead-end street running through the Site known as Franklin Court be discontinued and conveyed to WBP, together with two adjacent vacant parcels of land also owned by the Village of Tarrytown that are .07 acre (Tax Map Section 1.70, Block 29, Lot 30) and .29 acre (Tax Map Section 1.70, Block 29, Lot 31) ; and

WHEREAS, the LOI imposes no obligations and confers no rights upon WBP or TMHA, but allows them to submit any appropriate application for discretionary land use approvals in connection with the Proposed Project on the Site, which will be subject to SEQRA; and

NOW THEREFORE, BE IT RESOLVED, that the Village Administrator is hereby authorized to sign the LOI on behalf of the Village of Tarrytown.

9. Resolution to Amend the appropriation for the Roofing Contract for the new roof on the Main Street Firehouse

WHEREAS the roof of the Main Street Fire House is in need of replacement; and

WHEREAS an estimated \$150,000 cost for the project was included in the most recent capital plan for completion in FY 2023-2024; and

WHEREAS the actual project quote was higher than the \$150,000 estimate due to complexities that exist on the firehouse roof, notably the gables and the roof

equipment, but due to savings on other Fire Department capital projects there was adequate funding in the Capital Fund for this roof project totaling approximately \$231,000; and

WHEREAS, the extent of the asbestos in the existing roofing has turned out to be much higher than estimated; and

WHEREAS, the cost for the asbestos remediation has increased by approximately \$60,172.94.

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of The Village of Tarrytown hereby authorizes the Village Administrator to increase the appropriation and amend the contract with ELQ Industries under Sourcewell Contract #091620-GGI with Gordian serving as Construction Management for the project to include the additional monies totaling up to approximately two hundred ninety-one-thousand-sixty-nine-dollars and seventy eight cents (\$291,069.78) needed for the asbestos remediation; and

BE IT FURTHER RESOLVED that the Village Administrator is authorized to take the necessary and appropriate actions, including signing the necessary documents for this project, and the Village Board authorizes the additional appropriation of funds for the project from either operating funds, general fund fund balance, or capital fund fund balance.

10. Resolution to authorize an amendment for additional equipment to the Purchase Order for the Pierce Fire Truck from Firematic Suply.

WHEREAS, the Board of Trustees previously authorized the purchase of a replacement fire truck for the Tarrytown Fire Department, to be deployed to the Consolidated Engine Company through the issuance of a purchase order to Firematic Supply for a Pierce Pumper on an Enforcer Chassis, with additional amendments to the order to bring the total authorized to eight hundred eighty four thousand, eight hundred eighty one dollars (\$884,881.00), for the truck, custom tool mounting, performance bond, 5 year bumper-to-bumper warranty and a Sourcewell discount of \$7,200, with an additional purchase order issued in December, 2021 for \$10,560.74 for changes for the vehicle and for tools and equipment for the apparatus; and

WHEREAS, these changes amount to a total increase in cost of thirty eight thousand one hundred and ninety two dollars (\$38,192.00), although the amending Purchase Order issued for ten thousand five hundred and sixty dollars and seventy four cents (\$10,560.74) also in December, 2021, results in a net change now to the final purchase price of the vehicle in the additional amount of twenty seven thousand six hundred thirty one dollars and twenty six cents (\$27,631.26).

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby authorize the additional change order to the original purchase order to

Firematic Supply for a Pierce Pumper on an Enforcer Chassis for \$884,881, plus additional amendments for \$10,564, and final amendments to the vehicle during construction for lighting, siren and striping/markings in the total amount of \$27,631.26, to be paid out of operating funds from the Village's current year general fund, and authorizes the Village Administrator and the Village Treasurer to take the necessary and appropriate actions to issue the order for these final changes to the vehicle as part of the finalization of the truck and making it ready for delivery to the Village of Tarrytown.

11. Resolution to Approve 2023 Firefighter Service Records for LOSAP

Award Program (LOSAP) whereby volunteer firefighters earn credit points for their service toward a post retirement pension; and

WHEREAS the Board of Trustees must review and approve of the credit points list annually;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the 2023 Fire Service Records List as outlined in the LOSAP Coordinator's documentation for the 2023 Service awards Program which shall be affixed to the official minutes of this meeting as part of the official record.

12. Approval of 2023 Ambulance Company Service Records List for LOSAP

WHEREAS the Village of Tarrytown Volunteer Ambulance Corps participates in the Length of Service Award Program (LOSAP) whereby ambulance corps volunteers earn credit points for their service toward a post-retirement pension; and

WHEREAS the Board of Trustees must review and approve of the credit points list annually;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the 2023 Ambulance Company Service Records List as outlined in the LOSAP Coordinator's documentation for the 2023 Service Awards Program which shall be affixed to the official minutes of this meeting as part of the official record.

13. Resolution authorizing the Tarrytown Vol. Ambulance Corps (TVAC) agreement renewal

WHEREAS, the Tarrytown Volunteer Ambulance Corps (TVAC) is the primary EMS 9-1-1 responding agency for ambulance services within the geographical limits of the Village of Tarrytown, with provisions for mutual aid or patient transport that may require travel outside of Tarrytown; and

WHEREAS, TVAC's operations depend largely upon donations, private payment or recovery from insurance companies; and

WHEREAS, in certain circumstances, competent adults have the right to refuse medical care and/or transportation in an ambulance and in such events, TVAC is unable to seek medical payment from insurance companies, which has caused a significant financial impact on its operations over the past several years; and

WHEREAS, the Village of Tarrytown has the authority to contract for the provision of emergency medical services within its boundaries, and in FY 2023-2024 signed an Agreement with TVAC to reimburse the cost of Refused Medical Attention (RMA) calls on a monthly basis upon receipt of an invoice from TVAC in an amount not to exceed \$120,000 per fiscal year; and

WHEREAS the Village of Tarrytown wishes to renew the agreement with minor revisions to address procedural matters that arose during the term of the agreement.

NOW, THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize the Village Administrator to execute and implement a renewal agreement with TVAC to reimburse the cost of Refused Medical Attention (RMA) calls within the Village of Tarrytown on a monthly basis upon receipt of an invoice from TVAC in an amount not to exceed \$120,000 per fiscal year (running from June 1st to May 31st), for a term that will expire on May 31, 2025.

14. Code Change for No Stopping No Standing along the medians of Depot Plaza

WHEREAS drivers and shuttle buses who have been going to the Tarrytown Train Station to pick up and drop off passengers have been creating obstructions to traffic, by parking in the lanes of traffic on the sides of the medians, especially on the southbound side of the road, and therefore the Board of Trustees, after conferring with Metro North, makes the following change to the Village Code, with the new language to be added in "**bold and underline**".

BE IT RESOLVED that the Board of Trustee of the Village of Tarrytown hereby amends the schedule for Chapter 291-78 – No Stopping, as follows:

(Note – an "s" is added to this reference to make it plural)

Name of Street	Side	Location
Depot Plaza Traffic Islands	Both	Entire Length

AND BE IT FURTHER RESOLVED that the Board of Trustee of the Village of Tarrytown hereby amends the schedule for Chapter 291-79 – No Standing, as follows:

Name of Street	Side	Location
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BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Burt Cobe as member of the Recreation Advisory Council for a term to expire in December of 2026.

20. Approval of the Minutes of the February 20th, 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, February 20th, 2024 as submitted by the Village Clerk.

21. Approval of Audited Vouchers

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No.17 of Audited Vouchers in the total amount of \$637,065.55 as presented by the Village Treasurer, to be paid in the following amounts:

General	\$	165,410.68
Water	\$	13,522.85
Sewer Fund	\$	202.19
Capital	\$	429,530.89
Library	\$	10,352.43
Trust & Agency	\$	18,046.51
CM (Special Fund)	\$	0.00
Total	\$	637,065.55

22. 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.

23. Adjournment