

VILLAGE OF TARRYTOWN
BOARD OF TRUSTEES
REGULAR MEETING 7:00 P.M.
Monday, April 3, 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.tarrytownny.gov/home/events/43226> for instructions on how to join & participate via zoom.

REGULAR MEETING: 7:00 P.M.

1. Board Miscellaneous and Liaison Reports
2. Changes and/or Additions to the Agenda
3. Administrator's Report - Update on NY Thruway Authority Bridge Project; Report on Con Edison Road Closure of Neperan Road on Friday, April 7, 2023.
4. Public Hearing on the Village of Tarrytown's Tentative Budget for Fiscal Year 2023-2024

The Public Hearing on the Tentative Budget FY 23-24 is continued and open for public comment, with the adoption of the Budget scheduled to take place on April 17, 2023.
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. Authorization for contract with McCarthy Fingar LLP for Cable Television Franchise Renewal Negotiation

WHEREAS the Village of Tarrytown has in previous years participated in a consortium of Rivertown municipalities on a shared effort to negotiate the cable franchise agreement with Altice (formerly Optimum); and

WHEREAS participation in the consortium allows the Village to share costs and increase leverage in negotiating contract items including PEG payments, PEG grants and cable service for public buildings; and

WHEREAS the agreement between the Village of Tarrytown and Verizon must now be renewed;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize the Village Administrator to execute an agreement with McCarthy Fingar LLP to continue to negotiate the Verizon cable franchise agreement on behalf of the Village as part of the consortium of municipalities.

7. Bid Award for Motorcycle for Police Department

WHEREAS, the Village of Tarrytown Police Department is seeking to purchase a motorcycle for the Department, and with no available options on state or shared purchasing contract is required to issue a public bid for the vehicle; and

WHEREAS, the Village published a legal advertisement regarding the Motorcycle Bid on March 9, 2023; and

WHEREAS, two sealed bids were opened on Thursday, March 23, 2023 at Tarrytown Village Hall, One Depot Plaza, Tarrytown, at 11:00 a.m. E.S.T. for the contract to furnish and deliver one (1) Harley Davidson FHTP Electra Glide Police Motorcycle model year 2023, or approved equal; and

WHEREAS, the bid specification is to deliver One (1) 2023 Harley-Davidson Electra Glide FLHTP police motorcycle with listed accessories which include adaptations necessary for police operations as listed in the public bid; and

WHEREAS, the two sealed bids are listed below; and

Company Name	Cost
Empire Harley Davidson of New Rochelle	\$34,019.27
O’Toole’s Harley Davidson	\$34,026.57

WHEREAS, it is the recommendation of the staff that the bid be awarded to the lowest responsible bidder, Empire Harley Davidson of New Rochelle per their bid of \$34,019.27.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby award the bid for one (1) Harley Davidson FHTP Electra Glide Police Motorcycle model year 2023, or approved equal to Empire Harley Davidson of New Rochelle, New York, per their bid of \$34,019.27.

BE IT FURTHER RESOLVED that the Village Administrator is hereby authorized and directed to execute a contract with Empire Harley Davidson of New Rochelle per their bid of \$34,019.27.

8. Cancelling the April 10th Special Meeting and Scheduling a Special Meeting of the Board of Trustees for Thursday, April 6, 2023, to authorize the appointment of officers to the Tarrytown Fire Department.

BE IT RESOLVED that the date set for the Special Meeting of April 10, 2023 at 12:30 pm which was approved by resolution at the Regular Board of Trustees Meeting of March 20, 2023 is hereby rescinded; and

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby schedule a Special Meeting of the Board of Trustees to be held on Thursday, April 6, 2023, at 9:00 a.m., in Tarrytown Village Hall, in the second floor meeting room, in order to vote on the appointment of the new chiefs and officers of the Tarrytown Fire Department.

9. Approval of Amendment to Police Department Rules and Regulations

WHEREAS, the Police Department is in the process of accreditation through the New York State Department of Criminal Justice Services; and

WHEREAS the process requires ensuring that the published rules and regulations continue to adhere to current practices in the department and to the accreditation standards; and

WHEREAS in the review of Chapter XVII Disciplinary Procedures, minor discrepancies between current practice and the published rule were identified that need to be corrected and updated.

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve amendments to the Police Department rules and regulations as recommended by the Chief of Police.

10. Appointment of Court Clerk

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Ana Cristina Teague of Croton on Hudson, NY to the position of Court Clerk at an annual salary of \$85,000 with a starting date of May 1, 2023, subject to the provisions of Civil Service and other applicable local and State law, including a minimum probation of twelve weeks, and a maximum probation of fifty two weeks (noting that the probation on her permanent appointment may not begin until after the current Court Clerk vacates her position).

11. Appointment of a Court Officer

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby authorizes the appointment of Michael McManus as a PT Court Officer in the Tarrytown Court, effective March 29, 2023 at an hourly wage of \$25.00 per hour, subject to the rules and regulations of Civil Service, with a probationary period of not less than 12 weeks and not more than 52 weeks.

12. Appointment of 2nd Alternate to the Zoning Board of Appeals

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Tasha Young to fill the unexpired portion of the three (3) year term of Barbara Kudla as 2nd Alternate, pursuant to Chapter 11 of the Tarrytown Village Code, for the remainder of a term that will expire in December of 2023, since Barbara Kudla was appointed as full member of the Zoning Board of Appeals.

13. Fire Department Membership Changes

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the following Fire Department membership changes recommended at the March 21, 2023 Board of Fire Wardens meeting.

Active Membership: Bill Avery has been dropped from Active Membership of Riverside Hose Co.

Marine 5: Campbell Allan has met all of the qualifications to become a member of Marine 5.

Driver: William Sherer has been approved as a driver for Ladder 37.

14. Resolution Authorizing Tax Certiorari – Bruno’s Realty Management, 65 S. Broadway

BE IT HEREBY RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve payment of the settlement of the following tax certiorari case as outlined in the Village Tax Certiorari Attorney’s recommendation, related to Bruno’s Realty Management, located at 65 S. Broadway, Tarrytown, settling tax years 2016, 2017, 2018, 2019, 2020, 2021 and 2022, as follows:

Owner and Address	Property ID Number	Total Amount of Refund
Bruno’s Realty Mgmt. 65 S. Broadway	S. 1.70, Bl. 37, Lot 1	\$11,352.62

AND BE IT FURTHER RESOLVED that the Village Administrator, Village Treasurer and the Village’s Tax Attorney and other involved staff are authorized to take the necessary and appropriate actions to execute, file, process and make payment of, including through encumbered funds from this fiscal year, the aforementioned tax certiorari settlement.

15. Resolution Authorizing Tax Certiorari – Coco Realty, 39-51 N. Broadway

BE IT HEREBY RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve payment of the settlement of the following tax certiorari case as outlined in the Village Tax Certiorari Attorney’s recommendation, related to Coco Realty, located at 39-51 N. Broadway, Tarrytown, settling tax years 2020, 2021 and 2022, as follows:

Owner and Address	Property ID Number	Total Amount of Refund
Coco Realty 39-51 N. Broadway	S. 1.40, Bl. 14, Lots 2,3,26	\$34,450.29

AND BE IT FURTHER RESOLVED that the Village Administrator, Village Treasurer and the Village’s Tax Attorney and other involved staff are authorized to take the necessary and appropriate actions to execute, file, process and make payment of, including through encumbered funds from this fiscal year, the aforementioned tax certiorari settlement.

16. Resolution Authorizing Tax Certiorari – Colonna, 31 Baylis Court

BE IT HEREBY RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve payment of the settlement of the following tax certiorari case as outlined in the Village Tax Certiorari Attorney’s recommendation, related to Colonna, Gerardo and Mark, located at 31 Baylis Court, Tarrytown, settling tax years 2016, 2017, 2018, 2019, 2020, 2021 and 2022, as follows:

Owner and Address	Property ID Number	Total Amount of Refund
Colonna, Gerardo and Mark 31 Baylis Court	S. 1.40, Bl. 16, Lot 37	\$7,485.00

AND BE IT FURTHER RESOLVED that the Village Administrator, Village Treasurer and the Village’s Tax Attorney and other involved staff are authorized to take the necessary and appropriate actions to execute, file, process and make payment of, including through encumbered funds from this fiscal year, the aforementioned tax certiorari settlement.

17. Resolution Authorizing Tax Certiorari – D & N Realty, 94 White Plains Road, Tarrytown

BE IT HEREBY RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve payment of the settlement of the following tax certiorari case as outlined in the Village Tax Certiorari Attorney’s recommendation, related to D & N Realty, located at 94 White Plains Road, Tarrytown, settling tax years 2018, 2019, 2020, 2021 and 2022, as follows:

Owner and Address	Property ID Number	Total Amount of Refund
D & N Realty 94 White Plains Rd.	S. 1.140, Bl. 94, Lot 8	\$7,305.62

AND BE IT FURTHER RESOLVED that the Village Administrator, Village Treasurer and the Village’s Tax Attorney and other involved staff are authorized to take the necessary and appropriate actions to execute, file, process and make payment of, including through encumbered funds from this fiscal year, the aforementioned tax certiorari settlement.

18. Resolution Authorizing Tax Certiorari – JB Realty Enterprises

BE IT HEREBY RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve payment of the settlement of the following tax certiorari case as outlined in the Village Tax Certiorari Attorney’s recommendation, related to JB Realty Enterprises, located at 21 N. Broadway, Tarrytown, settling tax years 2020, 2021 and 2022, as follows:

Owner and Address	Property ID Number	Total Amount of Refund
JB Realty Enterprises 21 Main St.	S.1.40, Bl. 18, Lot 4	\$1,678.98

AND BE IT FURTHER RESOLVED that the Village Administrator, Village Treasurer and the Village’s Tax Attorney and other involved staff are authorized to take the necessary and appropriate actions to execute, file, process and make payment of, including through encumbered funds from this fiscal year, the aforementioned tax certiorari settlement.

19. Resolution Authorizing Tax Certiorari – Lennox, Terence, 19 Mechanics Avenue

BE IT HEREBY RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve payment of the settlement of the following tax certiorari case as outlined in the Village Tax Certiorari Attorney’s recommendation, related to Lennox, Terence, located at 19 Mechanics Avenue, Tarrytown, settling tax years 2016, 2017, 2018, 2019, 2020 and 2021, as follows:

Owner and Address	Property ID Number	Total Amount of Refund
Lennox, Terence	S. 1.40, Bl. 10, Lot 3	\$2,152.46

19 Mechanics Avenue

AND BE IT FURTHER RESOLVED that the Village Administrator, Village Treasurer and the Village’s Tax Attorney and other involved staff are authorized to take the necessary and appropriate actions to execute, file, process and make payment of, including through encumbered funds from this fiscal year, the aforementioned tax certiorari settlement.

20. Resolution Authorizing Tax Certiorari – Spirit Properties, LLC, 55 S. Broadway

BE IT HEREBY RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve payment of the settlement of the following tax certiorari case as outlined in the Village Tax Certiorari Attorney’s recommendation, related to Spirit Properties, LLC, located at 55 S. Broadway, Tarrytown, settling tax years 2017, 2018, 2019, 2020, 2021 and 2022, as follows:

Owner and Address	Property ID Number	Total Amount of Refund
Spirit Properties, LLC 55 S. Broadway	S.1.70, Bl.37, Lot 2	\$6,766.49

AND BE IT FURTHER RESOLVED that the Village Administrator, Village Treasurer and the Village’s Tax Attorney and other involved staff are authorized to take the necessary and appropriate actions to execute, file, process and make payment of, including through encumbered funds from this fiscal year, the aforementioned tax certiorari settlement.

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 \$556,773.59 as presented by the Village Treasurer, to be paid in the following amounts:

General	\$ 261,868.21
Water	\$ 12,337.23
Sewer Fund	\$ 302.20
Capital	\$ 214,461.32
Library	\$ 8,118.62
Trust & Agency	\$ 59,686.01
CM (Special Funds)	\$ <u>0.00</u>
Total	\$ 556,773.59

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