

**VILLAGE OF TARRYTOWN  
BOARD OF TRUSTEES  
WORK SESSION 6:00 P.M.  
WEDNESDAY, JULY 14, 2021**

Pursuant to the end of the State of Emergency pertaining to COVID-19, all meetings will now be in person.

Open Session

1. Board of Trustees Concerns
2. Handicapped Parking Spaces (3) South Washington Street Lot
3. Honoring Tarrytown Urgent Care and Phelps Memorial Hospital
4. Authorization to Purchase Used Fire Utility Truck
5. Water Rate Increases
6. Water Main Improvements
7. Tree Ordinance
8. Leaf Blower Ordinance
9. Donation to Day Camp
10. Amendment to Zoning Code – Definitions – Medical Offices
11. Jazz Forum Arts Grant Agreement
12. CFA Joint Grant with Scenic Hudson and Thruway Authority

Executive Session

- A. Part-Time Salary Rates at Recreation Front Desk
- B. Non-Union Salary Increases
- C. Additional Lifeguard Appointments
- D. Pool Director, Camp Director and Softball Coordinator
- E. Additional Day Camp Counselor
- F. Summer Seasonal Laborer in Parks



TARRYTOWN POLICE DEPARTMENT  
OFFICE MEMORANDUM

DATE: July 1, 2021  
TO: Chief Barbelet  
FROM: Lt. Budnar  
SUBJECT: VC Amendment / Request for Handicapped parking spaces- Municipal Lot #3 (S Washington Street)

Section 291-92 of the Village Code designates specific handicapped spaces for use by persons with handicapped parking permits. Currently Municipal Lot #3 does not contain handicapped parking spaces. At the request of Assistant Village Administrator Joshua Ringel the following amendment is being recommended (New language in bold italic print);

Section 291-92. Schedule XXVII: Handicapped Parking Spaces.

In accordance with the provisions of 291-62, the following described streets, driveways, parking lots and auto parks or parts of streets, driveways, parking lots and auto parks are hereby designated as handicapped parking spaces and are designated for use by persons with handicapped parking permits (new language in bold italic print):

Name of Street,etc.	Side	Number of Spaces; Location
<i>Municipal Lot #3</i>	<i>Northwest Corner</i>	<i>1; time limit 6 hours</i>
<i>Municipal Lot #3</i>	<i>Northeast Corner</i>	<i>2; time limit 6 hours</i>



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**Kathy Deufemia**

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**From:** Richard Slingerland  
**Sent:** Thursday, July 1, 2021 9:39 AM  
**To:** Kathy Deufemia; Jim Hart; Joshua Ringel  
**Cc:** Indy Delvalle  
**Subject:** FW: Public Notice Concerning Fiscal Year 2022 Rates North of the City of New York

Water Rate increases need to be on the next Work Session which is July 14<sup>th</sup>. We need to figure out the calculations by Friday, July 9<sup>th</sup>.

We also need to factor in applicable cost increases for wages (2% and 2% on salaries) and benefits (pension and medical)

New York City Water Rate increases		
Adopted 14-Jun-21		
outside of new york city		
current	1888.06	per million gallons
increased to	2054.63	per million gallons
amt of chg	166.57	per million gallons
pct of chg	8.82%	

Richard Slingerland  
Village Administrator  
Village of Tarrytown  
One Depot Plaza  
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914-631-1785  
fax: 914-909-1208  
e-mail: [rslingerland@tarrytowngov.com](mailto:rslingerland@tarrytowngov.com)

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**From:** Treasurer <treasurer@tarrytowngov.com>  
**Sent:** Thursday, July 1, 2021 8:57 AM  
**To:** Jim Hart <jhart@tarrytowngov.com>; Richard Slingerland <rslingerland@tarrytowngov.com>; Indy Delvalle <ldelvalle@tarrytowngov.com>  
**Subject:** FW: Public Notice Concerning Fiscal Year 2022 Rates North of the City of New York

Tamara Stewart  
Accounts Payable Clerk  
Tarrytown Treasurer's Office  
One Depot Plaza  
Tarrytown, New York 10591  
(914) 631-7873

5  
(914) 631-8770 (fax)

[TStewart@tarrytowngov.com](mailto:TStewart@tarrytowngov.com)

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**From:** NYC Water Board <[NYCWaterBoard@dep.nyc.gov](mailto:NYCWaterBoard@dep.nyc.gov)>

**Sent:** Wednesday, June 30, 2021 3:30 PM

**Subject:** Public Notice Concerning Fiscal Year 2022 Rates North of the City of New York

**[EXTERNAL]** This email is from outside the Village of Tarrytown - Please use caution when opening links and attachments!

## NEW YORK CITY WATER BOARD

**PUBLIC NOTICE** is hereby given pursuant to Section 1045-j (3) of the New York Public Authorities Law, that after a public hearing was held on June 3, 2021, the New York City Water Board, at a meeting held on June 14, 2021, adopted a resolution approving an increase in the rate charged for water provided to customers of the Water Supply System of the City of New York (the "City") that are located north of the City. The following rate changes, found in Part II, Section IV of the Board's Rate Schedule, are effective as of July 1, 2021:

The regulated rate for water supply provided to users outside the City within the allowance quantities set forth in Section 24-360 of the Administrative Code of the City of New York, increased from \$1,888.06 per million gallons ("MG") to \$2,054.63 per MG; and

The rate for water supply provided to users outside the City that is in excess of the allowance quantities set forth in Section 24-360 of the Administrative Code of the City of New York increased from \$5,211.24 per MG to \$5,355.07 per MG.

**Kathy Deufemia**

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**From:** Richard Slingerland  
**Sent:** Wednesday, July 7, 2021 8:20 AM  
**To:** Kathy Deufemia  
**Cc:** Joshua Ringel  
**Subject:** Fwd: Rosehill-Altamont Water main replacement  
**Attachments:** Altamont-Rosehill WM replacement.pdf

Sent from my iPhone

Begin forwarded message:

**From:** Dan Pennella <DPennella@tarrytowngov.com>  
**Date:** July 7, 2021 at 8:06:08 AM EDT  
**To:** Richard Slingerland <rslingerland@tarrytowngov.com>, Joshua Ringel <Jringel@tarrytowngov.com>  
**Subject: Rosehill-Altamont Water main replacement**

Rich,

As discussed in our work session this is PCI's proposal for placement on the BOT's work session agenda and consideration for approval. As you know there have been 8 water main breaks within the last several years on Altamont. The pipe replacement will also provide a viable alternate feed between the two pressure gradients. For comparison purposes I intend on getting a proposal from Woodard and Curran. PCI's proposal represents a cost of 5% over the construction value which is less than the typical 8-10% design fee.

Dan





# PCI

Octagon 10 Office Center  
1719 Route 10, Suite 225  
Parsippany, New Jersey 07054

**Professional Consulting, Inc.**

Phone: 973.683.0044  
Fax: 973.683.0077

June 2, 2021

Dan Pennella, P.E.  
Village Engineer  
Village of Tarrytown  
One Depot Plaza  
Tarrytown, NY 10591

# 146,500 DESIGN - (5% CONSTRUCTION)  
# 59,000 EXPLORATORY  
CONST COST # 2.9 MILLION

RE: Proposal for Professional Engineering Design & Construction Management Services  
Water Main Replacement on Altamont Ave, Rosehill Ave, Grove St, and Hillside Pl  
Village of Tarrytown, NY  
PCI No. P1010

Dear Mr. Pennella:

Professional Consulting, Inc. is pleased to provide this proposal for the engineering design services required for the Altamont Avenue and Rosehill Avenue Water Main Replacement and Miscellaneous Modifications.

In the last 12-month period, the Village has repaired numerous water main breaks on Altamont Avenue and selected streets. Based on the Village hydraulic model analysis, the water mains on Altamont Avenue and Rosehill Avenue provide a critical redundancy in the High Service Area. The proposed improvements are part of the overall distribution system improvement that conveys water between the treatment plant (Shaft-10 PS) and the High Service water storage tank. In addition to the critical distribution system looping, the water mains in the selected area also need to be replaced due to low fire flows, poor structural strength, and unhealthy pipe conditions. The selected improvements will also include replacement of all lead services present in the project area and disconnect the pipe connection to the abandoned 200,000-gallon buried reservoir on Rosehill Avenue. The pipe connection to the old reservoir is a potential source of water leaks and unaccounted water supply.

As you are aware, our office has prepared the water distribution hydraulic model that helps the Village in analyzing system efficiencies and recommended improvements. PCI has successfully designed and completed seven (7) water distribution rehabilitation projects and numerous water treatment projects for the Village of Tarrytown. As part recent system rehabilitation and evaluation work, critical water distribution improvements are identified in the High Service zone. This proposal is a critical part of the HS distribution system improvement. The proposed work primarily includes replacement of water mains, valves, and hydrants on Rosehill Avenue, Altamont Avenue, Grove Street, Hillside Place, and miscellaneous improvements.

Based on our knowledge of the water distribution system and our review of the hydraulic model, we have developed the following scope of work:

6.

1. Develop system boundary and isolation plans for the water main replacement work.
2. Construct new system interconnections with existing high service district.
3. Replace approximately 4,800 feet of existing water mains, valves, hydrants, and lead service lines; refer to Sketch 1 and Table 1 below.
4. Develop details and construct connections for abandoning of the buried reservoir.

**Table 1  
Proposed Water Main Replacement**

<b>Location</b>	<b>Size of Existing Water Main (inches)</b>	<b>Approximate Length (feet)</b>
Altamont & Rosehill Avenue	8-inch	2,300
Rosehill Avenue	6-inch	1,450
Grove Street (dead-end Section)	4-inch	350
Hillside Place	4-inch	700
	<b>Total</b>	<b>4,800</b>

**I. Design Services:**

1. Review available data deemed relevant to this project.
2. Prepare new pressure district plan and field verify system boundary.
3. Prepare RFPs for the survey and subsurface soil boring and testing.
4. Prepare hydraulic model to verify the design and propose pipe sizes for the new water mains.
5. Attend design review attend meeting with the Village Water Department.
6. Prepare probable cost estimate.
7. Prepare plans and specifications for bid solicitation.
8. Assist the Village during the bidding process, review construction bids, and prepare the Recommendation of Award (ROA).
9. Prepare permit application(s) and documents for regulatory compliance.

**Construction Management Services:**

Based on the project scope and anticipated duration of the work, and our 30-years of design and construction management experience on similar water main improvement projects completed in the Westchester County area, we have prepared the following construction

administration scope of work, including technical and administrative support during the active construction period and on an as-needed basis:

**II. Office Services:**

1. Prepare Contract Documents for execution by the Contractor.
2. Review Contractor's Insurance and bonds for conformance with the specifications and provide it to the Village for review and comment.
3. Prepare and issue Notice to Proceed.
4. Set up and conduct a pre-construction meeting with all involved parties.
5. Prepare and distribute minutes of meetings, correspondence, etc.
6. Review of project shop drawings.
7. Assist the Village in preparing required submittals to the involved regulatory agencies.
8. Upgrade the hydraulic model and prepare as-built drawings.
9. Assist in negotiating change orders (this includes costing, negotiations, and processing of change orders).

**III. Field Services:**

1. Assist the Village by providing construction supervision work during the active construction period.
2. Attend weekly project meetings to discuss construction issues, work progress, and as-built work.
3. Provide onsite support for various specialties (i.e. Geotechnical, Environmental, Structural, Regulatory Compliance, etc.).
4. Verify the construction work per approved shop drawings and the Contract Documents.
5. Verify field measurements for additional items (ie: fittings, rock excavation, contingencies, etc.).
6. Provide field verification support to the Village for processing of RFIs and Change Orders.
7. Prepare construction as-builts and verification plans based on the information obtained during the inspection work conducted by PCI and the information provided by the Village at times when the Village Water Department completes construction observation.

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8. Upgrade the hydraulic model base map and the Water Distribution Plan based on the completed work and provide an updated copy to the Village.
9. Supervise the disinfection, bacteriological testing, and pressure testing and assist the Village in submitting construction compliance certificates to the Health Department to secure interim approvals.
10. Assist the Village in final inspection and prepare a punch list noting incomplete or defective work.

**IV. Responsibilities of the Owner:**

1. Provide all available information related to this project. The cost of geotechnical testing, soil boring, and site survey shall be paid directly by the Village.
2. Assist in collecting coupon and laboratory samples and water testing during construction.
3. Provide Construction supervision and prepare inspection notes on days when PCI engineer is not present on site.
4. Provide a knowledgeable member of the Village Water Department to accompany PCI personnel during site inspections and when required by the engineer.
5. Mark all identifiable features of the water mains for field verifications.
6. Assist PCI personnel in identifying all service connections, verify the type, age, and sizes of mains, identify known ACP and lead connections, and all pertinent information.
7. Coordinate any required public notification and pay compliance and permit fees.

**V. Fees:**

Our fee for providing the Design Services presented in tasks I-1 through I-9 shall be a lump sum of \$49,500. Our fee for providing the Office Services presented in tasks II-1 through II-8 shall be a lump sum of \$42,500.

Based on our experience, we recommend that a minimum of 100 days of part-time construction supervision during active construction period will be required to ensure compliance with the design and permit conditions. Our Field Services as noted in tasks III-1 through III-10, shall be billed based on time spent and our standard schedule of rates (copy attached). Based on the scope of work, we recommend that the Village should budget \$54,500 for the Field Services.

Any additional field supervision, attendance at public hearings or meetings, change orders and any additional regulatory compliance and services not explicitly identified in the scope of work will be billed based on our rate schedule; copy attached.

Based on the scope of work, we recommend that the Village keep a budget of approximately ~~\$35,000~~ for the topographic survey and ~~\$20,000~~ for the subsurface soil boring and testing work.

The probable construction cost for the project is approximately in the range of \$2.75 to \$2.90 million.

The attached General Conditions shall be considered as part of this proposal.

We look forward to the opportunity of working with the Village on this project in its continuing efforts to improve the Tarrytown Water Distribution System. Should you have any questions, please do not hesitate to contact us.

Your authorized signature below will constitute a satisfactory agreement between us for the performance of our services.

Very truly yours,  
PROFESSIONAL CONSULTING, llc.



Arshad Jalil, P.E., BCEE  
Principal

ACCEPTED BY: \_\_\_\_\_

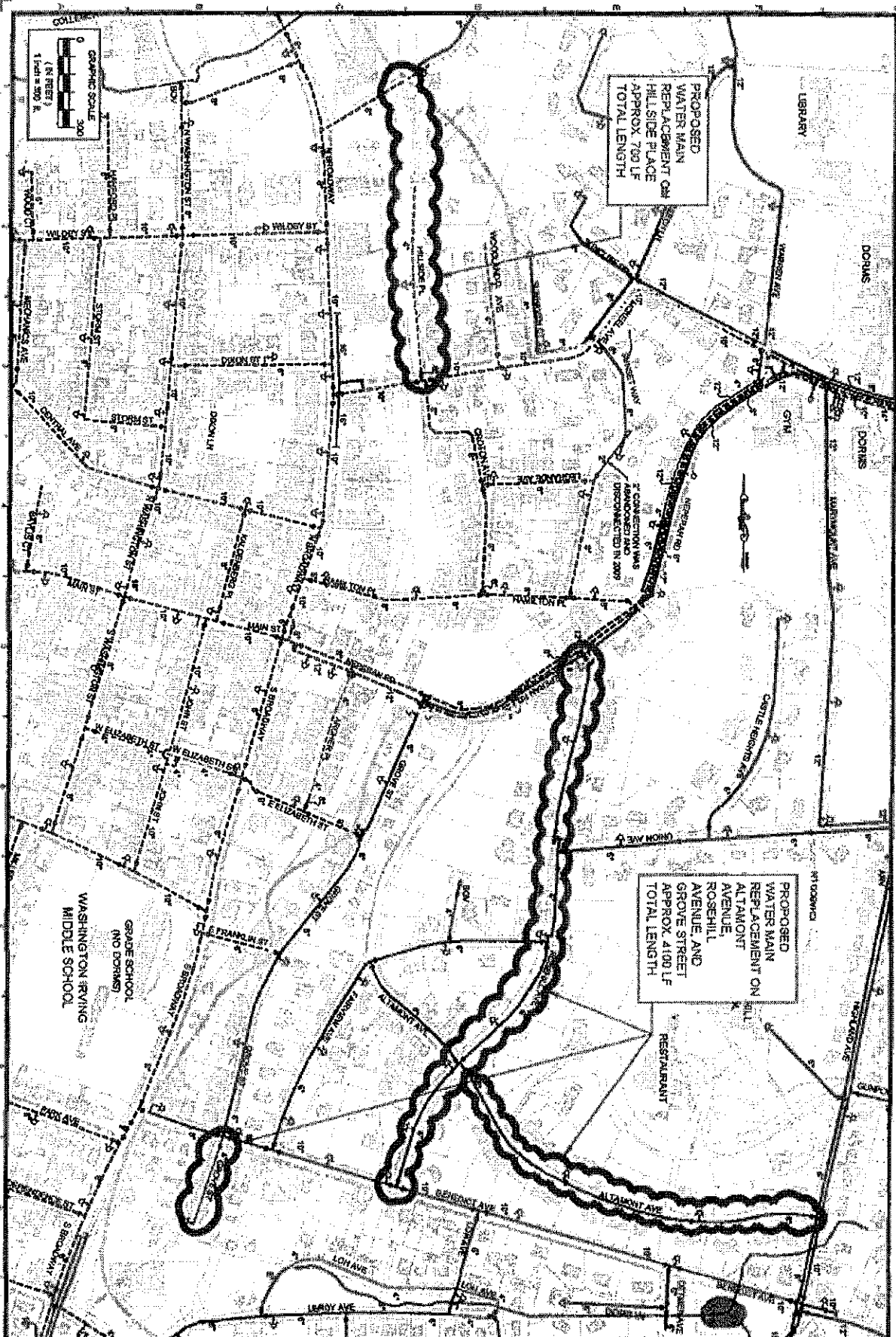
TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

Enclosure

C: Lou Martirano, Superintendent DPW

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ARSHAD JALIL, P.E.  
 NY PROFESSIONAL ENGINEER LICENSE NO. 07124

**PCI** PROFESSIONAL CONSULTING, LLC  
 OCTAGON II OFFICE CENTER  
 1711 ROUTE 11 EAST, SUITE 202  
 PARSIPpany, NEW JERSEY 07054  
 PH: 973 866 0044  
 FAX: 973 866 0271

DATE DESCRIPTION		FUTURE WATER MAIN REPLACEMENT PLAN	
		ALTAMONT AVENUE, ROSEHILL AVENUE, GROVE STREET, AND HILL SIDE PLACE	
HIGH SERVICES ELECTRIC			
		158	05/21/21
		AS SHOWN	SK1



# RATE SCHEDULE

**Professional Consulting, Inc.**

<u>Title</u>	<u>Rate Per Hour</u>
Principal .....	\$165
Associate .....	\$150
Project Manager .....	\$145
Construction Manager .....	\$135
Principal Engineer .....	\$110
Senior Operator .....	\$145
Senior Project Engineer .....	\$115
Senior Architectural Designer .....	\$108
Project Engineer .....	\$110
Architectural Designer .....	\$98
Field Engineer .....	\$98
Operator .....	\$115
Resident Representative .....	\$94
GIS Specialist .....	\$89
Engineer/ CAD Tech II .....	\$105
Senior CAD Designer .....	\$72
Engineer/ CAD Tech I .....	\$66
Draftsman .....	\$60
Administrative Assistant .....	\$55

*Rates Effective through December 31, 2021*

**Out-of-Pocket Expenses**

Printing (8 1/2"x 11" to 11"x 17") .....	\$0.15/per page
Blueprints .....	\$5.50/per page
Reproducible Print .....	\$16.00/per drawing
Binding .....	\$10.00 each
Mileage .....	\$0.55/mile
Other Travel, Lodging, Sustenance .....	Direct Cost

1. The cost of surveys, borings, test pits, flow metering, laboratory analysis, use of outside sub-consultants, etc., not specified in the scope of services, shall borne at direct cost by the Owner and paid directly by the Owner to the sub-consultant(s). Any coordination of sub-consultants by Professional Consulting Inc. (PCI) will be billed at our standard rates.
2. Bills will be tendered monthly and are due within 30 days. All past due accounts will be subject to a 1-1/2% per month interest charge. Nonpayment may result in suspension of work and/or a delay in deliverables.
3. Out-of-pocket expenses will be billed at direct cost. Out-of-pocket are defined as those direct expenses incurred relative to this project including, but not limited to, computer time, travel, subsistence, postage, printing and reproduction.
4. If any services are required which are not specifically included in the above proposal, they shall be billed at our standard rates.
5. **Warranty and Liability**
  - A. PCI warrants that its services are performed within the limits prescribed by its Clients with the usual competence, diligence and thoroughness of the profession in accordance with the standards for professional services at the time those services are rendered. No other warranty or representation, implied or expressed, is included or intended in its proposals, contracts or reports.
  - B. PCI's liability shall be limited to its fee under this proposal; increased liability limits may be negotiated at the Client's written request, prior to the commencement of services, and agreement to pay an additional fee.
  - C. PCI's liability shall be limited to injury or loss caused by the negligence of PCI. PCI has neither created nor contributed to the creation or existence of any hazardous, radioactive, toxic, irritant, pollutant or otherwise dangerous substance or condition at the site, and its compensation hereunder is in no way commensurate with the potential risk of injury or loss that may be caused by exposures to such substances or conditions.
6. The use of this document for soliciting of other bids is strictly prohibited without the written consent of PCI. If the Owner wishes to use this document for the soliciting of bids or for any other purpose, payment for preparation of this proposal shall be negotiated between the Owner and the Engineer.
7. This proposal may contain provisions for periodic representation by PCI to monitor the Contractor's activities during construction. The Owner shall, at times when PCI is not on site, be responsible for monitoring the Contractor's activities.





*Memorandum*

TO: Kathy Zalantis

FROM: Camie Tobias

DATE: April 20, 2021

RE: Village Tree Removal Laws and Procedures

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The Village Tree Commission (“Tree Commission”) requested guidance on (1) whether the current provisions in Village Code § 281, titled “Trees” are inconsistent with the Village Tree Permit application and procedures that were adopted on November 17, 2017, and (2) whether Village Code § 281 references inapplicable procedures or includes superseded or superfluous.

The Board of Trustees adopted Village Code § 281 in 1988 and amended the Code in 2006, 2008 and 2019. The Village Legislature’s intent for this Village Code section was to establish the minimum standards for tree protection.<sup>1</sup> In reviewing the “Village of Tarrytown – Tree Permit: Information & Application” and the current tree removal laws in Village Code § 281, I found numerous inconsistencies between the Permit application and Village Code, which are discussed below.

First, several restrictions enumerated on the Tree Permit Application are not listed as prohibited in the Village Code. Specifically, on the tree permit application, it states that “[a]n approved Tree Permit is required for all work on trees, including removal of trees protected by Village Code, or substantial pruning.” However, pursuant to the existing code, a permit is only required for cutting down, topping, pruning, killing, or otherwise destroying any tree exceeding four inches in diameter and four feet six inches in height.<sup>2</sup> Also, the tree permit application states that no tree topping is permitted in the Village Tarrytown but the Village Code provides that “[t]opping of any tree exceeding four inches in diameter at a height of four feet six inches measured from the ground” shall require a tree permit.” Further, the code states that the “Tree Commission may issue a permit “if there is sufficient evidence that failure to top the tree would pose significant danger in terms of safety or property damage.”<sup>3</sup>

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<sup>1</sup> Village Code § 281-1.  
<sup>2</sup> Village Code § 281-4(A).  
<sup>3</sup> Village Code § 281-10 (B).

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Moreover, there are discrepancies regarding which Village Department of Public Work ("DPW") has the authority to review tree removal permit applications. The permit application states that "there is no permit until the application is approved" by the DPW, but the Village Code also provides the Planning Board, Zoning Board of Appeals, and the Tree Commission with authority to grant permits for the removal of trees under specific circumstances.<sup>4</sup> For instance, when an application to the Planning Board for site plan or subdivision approval requires tree removal, the Planning Board has "sole jurisdiction regarding the proposed removal of trees."<sup>5</sup> Alternately, the Village Code states that "any property owner applying for a zoning variance, approval of which would require the removal of any trees on said property, shall make application to the Tree Commission for referral to the Zoning Board of Appeals" regarding the proposed tree removal plan.<sup>6</sup>

Likewise, the permit application itself is unclear regarding the requirement for a "Green Contractor." On page one of the permit application, it states that "[w]ork must be carried out by a Green Contractor" registered with the Village DPW. However, on page four of the application, it states that the owner can perform the work without a Green Contractor, if they assume the full responsibility for the outcomes. Also, the contrary to the permit application requiring Green Contractors registered with the DPW, Village Code § 205-2 (C) provides that "[a]ll green industry contractors shall complete registration forms provided by the Village Clerk." Similarly, the application for a green industry contractor license is available on the Village Clerk's webpage and not available on the DPW's webpage.

In addition to the discrepancies discussed above, I also reviewed Village Code § 281 pursuant to the Tree Commission's points that the code references inapplicable procedures, contains superseded sections or appears superfluous. Overall, I agree with the Tree Commission's points and found the code section redundant and unnecessarily expansive. Finally, the code provisions frequently assert the words "sole jurisdiction," "final decision," and the "right to refuse permits for tree destruction" to multiple agencies, departments and committees. Based upon those code provisions, multiple agencies, departments and committees could assert authority citing to Village Code § 281, which could create confusion and contradicting decisions.

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<sup>4</sup> Village Law §281-4 (A-E).

<sup>5</sup> *Id.*

<sup>6</sup> Village Law § 281-4 (B).

## Richard Slingerland

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**From:** Richard Slingerland  
**Sent:** Thursday, July 8, 2021 6:44 PM  
**To:** Kathy Deufemia; Joshua Ringel  
**Subject:** FW: Proposal on GPLBs to Rich for BoT consideration

This is what Dean wanted the Board to discuss on Leaf Blowers.

Richard Slingerland  
Village Administrator  
Village of Tarrytown  
One Depot Plaza  
Tarrytown, New York 10591  
914-631-1785  
fax: 914-909-1208  
e-mail: [rslingerland@tarrytowngov.com](mailto:rslingerland@tarrytowngov.com)

**From:** Dean for TEAC <[tarrytownenviro@gmail.com](mailto:tarrytownenviro@gmail.com)>  
**Sent:** Thursday, July 8, 2021 6:28 PM  
**To:** Richard Slingerland <[rslingerland@tarrytowngov.com](mailto:rslingerland@tarrytowngov.com)>  
**Cc:** Rachel Tieger <[rtieger50@gmail.com](mailto:rtieger50@gmail.com)>  
**Subject:** FW: Proposal on GPLBs to Rich for BoT consideration

[EXTERNAL] This email is from outside the Village of Tarrytown - Please use caution when opening links and attachments!

Rich,

Below is the email re our recommendations, the four near the bottom at least.

-- Dean for TEAC

**From:** Dean for TEAC <[tarrytownenviro@gmail.com](mailto:tarrytownenviro@gmail.com)>  
**Sent:** Wednesday, April 14, 2021 4:25 PM  
**To:** [rslingerland@tarrytowngov.com](mailto:rslingerland@tarrytowngov.com)  
**Cc:** [jringel@tarrytowngov.com](mailto:jringel@tarrytowngov.com); Rachel Tieger <[rtieger50@gmail.com](mailto:rtieger50@gmail.com)>  
**Subject:** Proposal on GPLBs to Rich for BoT consideration

Rich,

You had requested a proposal from TEAC of how Tarrytown's leaf-blower regulations might be tightened in response to the groundswell that's occurring at the Town and State levels. I see that is on the worksession agenda for tonight, April 14<sup>th</sup>.

As background, here's how we stack up compared to other localities:

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<https://docs.google.com/spreadsheets/d/1yNreNLXtwC1mikpelGEOH2Ff6ADx1NwR49mcuCYPDJU/edit?usp=sharing>

On the Westchester tab, if you hover a Municipality name, you can access the actual ordinance language.

Regulations stricter than Tarrytown include:

1. Summer GPLB prohibition starts 2-6 weeks earlier in all communities with restrictions; the majority start Jun 1<sup>st</sup>; Ardsley, Bedford, Dobbs, Hastings, Mamaroneck, Pelham, Rye, Scarsdale and White Plains start early-mid May; Proposed [NY State law](#) would ban May 1<sup>st</sup>-Sep 30<sup>th</sup>; Proposed Greenburgh law would ban ALL LBs May 15<sup>th</sup>-Oct 15<sup>th</sup> and Dec 15<sup>th</sup>-Mar 1<sup>st</sup>.
2. Summer ban continues to mid-Oct: Hastings and Pelham.
3. Additional Winter ban on gas-powered lawn equipment in Dobbs, Irvington, Mt. Vernon, Pelham and White Plains.
4. GPLBs banned year-round in Larchmont starting 2022; electric allowed certain periods.
5. Seasonal ban includes ALL leaf-blowers in Ardsley, Hastings, New Rochelle, Rye, Tuckahoe
6. Ban on GPLBs on less than ½ acre: Ossining – starts 2023
7. Multiple GPLB limits: One in Bedford Village; Two on ½ acre or less: Irvington
8. Permit required: Ardsley, Mt. Vernon

TEAC would consider ideal a complete ban on GPLBs and other two-cycle-engine equipment (except chain saws), considering their well-researched detrimental effects on the health of both users and the public. Short of that, we'd recommend taking the best of the restrictions present in nearby communities:

1. Extend the Summer GPLB ban to May 1<sup>st</sup> - Oct 15<sup>th</sup>.
2. Add a Winter ban on all power lawn equipment from Dec 15<sup>th</sup>-Mar 1<sup>st</sup>.
3. Limit to one GPLB at a time on property less than ½ acre, and two on all other properties.
4. Remove the exemption for homeowners.

The Village should consider proposing a complete ban on GPLBs and other two-cycle power equipment starting 2023, to give the industry time to convert to electric.

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**LOCAL LAW NO. \_\_\_\_ OF 2020**

**TOWN BOARD  
TOWN OF NEW CASTLE  
PROPOSED LOCAL LAW AMENDING  
CHAPTER 90 OF THE  
CODE OF THE TOWN OF NEW CASTLE**

A LOCAL LAW to amend Chapter 90 of the Town Code concerning Motorized Leaf Blowers.

BE IT ENACTED by the Town Board of the Town of New Castle as follows:

**Section 1. Purpose**

The Town of New Castle finds that noise pollution, health hazards, and the blowing of dust particles and other airborne pollutants into the air and onto other nearby properties resulting from the use of motorized leaf blowers and other engine-driven power equipment are public concerns that affect the public health, welfare, and environment of the Town of New Castle and its citizens. In an effort to control dust pollution, eliminate health hazards, promote the usage of safe leaf blower equipment and minimize noise pollution resulting from the use of motorized leaf blowers the Town of New Castle finds that limiting the use of fuel-powered motorized leaf blowers will substantially meet the objectives of the Town.

**Section 2.** Chapter 90, Section 3 of the Code of the Town of New Castle entitled "Definitions" is hereby amended to include the following definitions:

**ELECTRIC-POWERED MOTORIZED LEAF BLOWER**

Any stand-on, mounted, walk-behind, portable, handheld, or backpack style device that is powered by electricity including battery-power which is used to produce a stream of air for the purpose of blowing, moving or distributing leaves, grass clippings, dust, dirt, trimmings from trees or shrubs, or any other litter or debris.

**FUEL-POWERED MOTORIZED LEAF BLOWER**

Any stand-on, mounted, walk-behind, portable, handheld, or backpack style device that is powered by a gasoline, diesel or similar fuel engine which is used to produce a stream of air for the purpose of blowing, moving or distributing leaves, grass

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clippings, dust, dirt, trimmings from trees or shrubs, or any other litter or debris.

**MOTORIZED LEAF BLOWER**

Commonly referred to as a leaf, garden or landscaping blower, and includes any stand-on, mounted, walk-behind, portable, handheld, or backpack style device that is powered by electricity or a gasoline, diesel or similar fuel engine which is used to produce a stream of air for the purpose of blowing, moving or distributing leaves, grass clippings, dust, dirt, trimmings from trees or shrubs, or any other litter or debris.

**PERSON**

Any individual, corporation, company, association, society, firm, partnership or joint-stock company

**Section 3.** Subsection B of Chapter 90, Section 4 of the Code of the Town of New Castle entitled "Method of Sound-Level Measurement; Unregulated Activities; Maximum Levels," is hereby amended as follows:

§ 90-4 Method of sound-level measurement; unregulated activities; maximum levels.

...

B. Other activities. Noise produced by other activities on properties within any residential or nonresidential zoning district shall not exceed 60 dB(A) during the hours of 8:00 a.m. to 6:00 p.m. or 45 dB(A) during the hours of 6:00 p.m. to 8:00 a.m. on any other property used for residential purposes within any residential zoning district unless otherwise permitted in § 90-7, Exceptions. However, the restrictions contained in this Subsection B shall not be applicable to specific activities or noise sources that are subject to and governed by § 90-5A, Sound reproduction devices; § 90-5B, Burglar alarms; § 90-5C, Animals; and § 90-6, Permitted and regulated noises.

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**Section 4.** Chapter 90, Section 6 of the Code of the Town of New Castle entitled "Permitted and regulated noises" is hereby amended to create Subsection C as follows:

**§ 90-6 Permitted and regulated noises.**

...

**C. Domestic tools and equipment; vehicle repair.**

- (1) In addition to the restrictions of § 90-6B, no person shall or no owner or occupant of any premises shall operate or permit to be operated or use or cause to be operated any hand tool or power tool or equipment, including but not limited to saws, hammers, sanders, drills, grinders, lawn or garden tools, mowers, tractors, chain saws, wood chippers of any kind, or cause or permit vehicle repair or engine tune-up activities so as to create noise in excess of the following limits. This prohibition includes equipment used by lawn care or landscape services.
- (2) Noise levels from domestic tools and equipment and from vehicle repair shall not be restricted by this subsection during the hours of 8:00 a.m. to 8:00 p.m., Monday through Friday, except holidays, and 9:00 a.m. to 8:00 p.m., Saturday, and 9:00 a.m. to 5:00 p.m., Sunday and holidays. At all other times, such noise levels shall not exceed 45 dB(A) on any property used for residential purposes within any residential zoning district. Notwithstanding this provision, use of motorized leaf blowers is prohibited outside the hours set forth herein and shall be further regulated pursuant to § 90-6E.
- (3) Uses of snowblowers, chain saws and other domestic tools and equipment are exempted from these limits when they are being used to clear driveways, streets or walkways during and within 24 hours after snowfalls, rainstorms, ice storms, windstorms or similar emergencies.

**Section 4.** Chapter 90, Section 6 of the Code of the Town of New Castle entitled "Permitted and regulated noises" is hereby amended to create Subsection E as follows:

**§ 90-6 Permitted and regulated noises.**

...

**E. Seasonal Limitations on Motorized Leaf Blowers**

- (1) The use of any fuel-powered motorized leaf blower shall be unlawful in the Town during the period from June 1 through and including September 30 of each year.
- (2) During the period of June 1 through and including September 30 of each year, the use of all electric-powered motorized leaf blowers shall be permitted during the

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hours set forth in § 90-6C(2).

- (3) During the period of October 1 through and including May 31 of each year, the use of all motorized leaf blowers shall be permitted during the hours set forth in § 90-6C(2).
- (4) The Commissioner of Public Works may authorize the use of fuel-powered motorized leaf blowers during the period June 1 through September 30 for a period of time not to exceed seven days after significant storm events or during other emergency circumstances as determined by the Commissioner of Public Works. The Commissioner of Public Works may extend the seven-day time period by issuing an official notification, if, in his or her sole discretion, such additional time is deemed necessary.
- (5) Subsection (E)(1) above shall not apply to the use of motorized leaf blowers on Chappaqua Central School District's recreational fields and tennis courts, Town of New Castle recreational fields and tennis courts, country clubs' tennis courts, homeowner associations' tennis courts, swim clubs' tennis courts, golf courses, and cemeteries. In addition, the use of motorized leaf blowers may be permitted on certain properties where the Town Administrator has determined there exists a public safety concern. Use of any fuel-powered motorized leaf blower shall be minimized to the maximum extent practicable.

#### **Section 6. Ratification, Readoption and Confirmation**

Except as specifically modified by the amendments contained herein, Chapter 90 of the Town Code of the Town of New Castle is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

#### **Section 7. Numbering for Codification**

It is the intention of the Town of New Castle and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Town of New Castle; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word "Local Law" shall be changed to "Chapter," "Section" or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

#### **Section 8. Severability**

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections,



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words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local Law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

**Section 9.** This Local Law shall take effect October 1, 2020.



# Village of Irvington

Enacted November 2, 2020  
Leaf Blower Regulations  
65Spring / Fall Cleanup Seasons

*MARCH 15 THROUGH JUNE 1 (SPRING CLEANUP)*  
*SEPTEMBER 15 THROUGH DECEMBER 15 (FALL CLEANUP)*

Gas-powered leaf blowers permitted subject to the following restrictions:

Permitted Times:

- Monday through Friday – 8:00am to 5:00pm
- Saturday, Sunday, federal holidays – 10:00 a.m. to 4:00 p.m.

No more than a total of two handheld or backpack leaf blowers at a time, unless property is greater than one-half acre. If greater than one-half acre, no quantity limit.

No walk-behind leaf blowers are permitted, unless property is greater than one-half acre.

All blowers must meet EPA exhaust standards and be operated and maintained in accordance with manufacturer’s instructions and specifications.

Handheld or backpack leaf blowers must operate at a noise level of 65 dBA or less.

## Other Times Besides Cleanup Seasons

*JUNE 2 THROUGH SEPTEMBER 14*  
*DECEMBER 16 THROUGH MARCH 14*

No gas-powered leaf blowers permitted, except:

On one- or two-family properties:

- The property owner may use one gas-powered leaf blower once a week for no more than 30 minutes and only during the following time periods: Monday through Friday, between 8:00 a.m. and 5:00 p.m.; Saturday, Sunday and federal holidays, between 10:00 a.m. and 4:00 p.m.

## Year Round

Gas-powered leaf blowers permitted:

- When responding to an emergency or removing snow.

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- Golf and tennis clubs and municipal employees performing their regular duties, but not within 100 feet of the nearest residence.

Electric or battery-operated leaf blowers permitted with no limitations.

LOCAL LAW \_\_ - 2021

A local law to amend Chapter 305 of the Tarrytown Code, entitled Zoning, Section 305-5 regarding definitions.

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 Section.** Section 305-5 entitled "Word usage, terms defined.", Subsection B shall be amended as follows.

GARAGE, PUBLIC

A building or part thereof, other than a private garage, used for the storage, care or repair of motor vehicles for remuneration, including any sale of motor vehicle accessories, or where any such vehicles are kept for hire.

GENERAL OFFICES

General offices shall be solely limited to offices for sales, accounting, administrative, marketing, consulting or financial services and to offices for licensed professional services such as attorneys' offices, engineers' offices, architects' offices and physician's offices where there are no overnight stays or overnight use by any patient, physician, staff or medical personnel, and excluding veterinary offices. For all general offices, there shall be no use between 5 p.m. to 8 a.m. by any patient, visitor, patron, client or customer unless otherwise approved by the Planning Board.

GRADING

Excavation or fill of material, including the resulting conditions thereof.

**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.





Westchester Community Foundation  
210 North Central Avenue, Suite 310  
Hartsdale, New York 10530  
Tel: (914) 948-5166 Fax: (914) 948-5197  
www.wcf-ny.org

July 8, 2021

Mr. Mark Morganelli  
Executive Director  
Jazz Forum Arts  
1 Dixon Lane  
Tarrytown, NY 10591

Dear Mr. Morganelli:

It is our pleasure to inform you that the Board of Advisors of the Westchester Community Foundation has approved a one-year grant of \$10,000 to Jazz Forum Arts for support of 16 free summer concerts in 2021, per your proposal dated March 18, 2021. The source of this grant is the Arnold E. and Olga C. Feldman Fund. Expected grant results are the following:

During July and August of 2021, Jazz Forum Arts will present:

- eight free jazz concerts featuring emerging and established musicians at Lyndhurst on Thursday evenings from July 8 to August 26 for at least 600 people per concert; and
- eight free jazz concerts at Pierson Park on Friday evenings from July 9 to August 27 for at least 400 people per concert.

This grant is to be used as stated above. Any funds not expended for that purpose must revert to The Westchester Community Foundation.

Our grant will be transmitted through the Village of Tarrytown as funds administrator for the Jazz Forum Arts. A copy of our letter to Village Administrator Richard Slingerland is enclosed for your information.

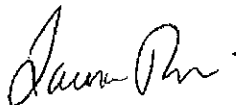
The grant will be given in one payment of \$10,000 and a check will be issued shortly after we receive the signed original of this letter and the letter to the Village of Tarrytown as funds administrator. Please keep a copy of this letter for your files. Please note that any proposed changes to the budget or project must be submitted in writing and approved by Foundation staff.

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Please credit the Westchester Community Foundation for our support in any publicity about this grant and send us a copy of the results. Please use the paragraph on the attached sheet as the final paragraph in your press release. We would like to add a link to your website and also ask you to include a link to ours. Also included is suggested language for your Twitter account or Facebook page.

We request that a Final Report be submitted to us by October 15, 2021. Please mark your calendar, as you will not receive any further notice. Forms can be downloaded from our website: [www.wcf-ny.org](http://www.wcf-ny.org). Please note that reports are an integral part of our monitoring and evaluation process; release of any future payment or review of any future grant request will be contingent on our receipt and satisfactory review of the information provided.

We wish you success in developing this project.

Sincerely,



Laura Rossi, Esq.  
Executive Director

Enc.

AFFIRMED AND ACCEPTED:

JAZZ FORUM ARTS

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_





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Westchester Community Foundation  
210 North Central Avenue, Suite 310  
Hartsdale, New York 10530  
Tel: (914) 948-5166 Fax: (914) 948-5197  
[www.wcf-ny.org](http://www.wcf-ny.org)

July 8, 2021

Village Administrator Richard Slingerland  
Village of Tarrytown  
One Depot Plaza  
Tarrytown, New York 10591

Dear Mr. Slingerland:

It is my pleasure to inform you that a grant of \$10,000 has been authorized, effective immediately, to Jazz Forum Arts in support of the free summer concert series in the village. A copy of my letter to Mark Morganelli is enclosed for your information.

It is my understanding that the Village of Tarrytown has agreed to administer the funds for Jazz Forum Arts.

You will note in my letter to Mr. Morganelli that a fiscal accounting of grant expenditures is to be submitted to us with the final report due October 15, 2021. It is understood that any funds not used for the purposes described in these letters will revert to the Westchester Community Foundation.

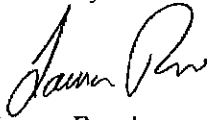
This grant is subject to financial audit upon our notification during or immediately following the grant period. A separate bank account is not required, but it is necessary that a separate accounting of this grant be maintained.

The grant will be given in one payment of \$10,000. A check will be issued shortly after we received the complete signed original of this letter, as well as the signed original of the grant award letter addressed to Mr. Morganelli.

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We appreciate your assistance in the administration of this grant.

Sincerely,



Laura Rossi  
Executive Director

AFFIRMED AND ACCEPTED:

VILLAGE OF TARRYTOWN

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Village of Tarrytown 2021 CFA Budget: Mario M. Cuomo Bridge RiverWalk Connection Environmental Review			
	STANTEC est.	25% Contingency	TOTAL
NEPA & SEQRA Environmental Review <sup>a</sup>	\$175,000	\$43,750	\$218,750
River Sediment Sampling	\$17,000	\$4,250	\$21,250
Soil Characterization sampling & analysis <sup>b</sup>	\$25,000	\$6,250	\$31,250
Potential fish study	\$15,000	\$3,750	\$18,750
Soil/Groundwater testing <sup>c</sup>	\$20,000	\$5,000	\$25,000
Visual Impact Analysis/Renderings	\$20,000	\$5,000	\$25,000
Noise Assessment <sup>d</sup>	\$12,000	\$3,000	\$15,000
Phase 1A and potential 1B Cultural Resource Investigation	\$25,000	\$6,250	\$31,250
Traffic & Parking Assessment	\$25,000	\$6,250	\$31,250
Meetings with agencies and coordination with project team	\$25,000	\$6,250	\$31,250
Additional engineering & geotechnical studies <sup>e</sup>	\$150,000	\$37,500	\$187,500
Additional geotechnical on RR crossings <sup>f</sup>	\$50,000	\$12,500	\$62,500
Near shore bathymetry	\$10,000	\$2,500	\$12,500
Additional surveys (MNRR) <sup>g</sup>	\$20,000	\$5,000	\$25,000
Updated opinion of probable cost <sup>h</sup>	\$36,000	\$9,000	\$45,000
Updated constructability review	\$20,000	\$5,000	\$25,000
RR protective liability insurance and force account	\$10,000	\$2,500	\$12,500
Village grant administration	\$50,000		\$50,000
<b>TOTAL</b>	<b>\$705,000</b>	<b>\$163,750</b>	<b>\$868,750</b>
NOTES			
<sup>a</sup> Scoping Process, preparing DEIS, FEIS, Findings Statement and Record of Decision (also includes NYSDOS Consistency Review)			
<sup>b</sup> For the land side disturbances to determine if the spoil material is hazardous or not and if any of it can be reused on-site or where to be disposed of			
<sup>c</sup> To depth of proposed soil excavation disturbance – for previous spills and areas of concern identified in the Environmental Assessment/Haz Wastewater Screening			
<sup>d</sup> To comply with NYSDEC protocol			
<sup>e</sup> To assess new geotechnical data to better determine foundations for the structures and potential impacts on river and railroad. Also determines alternate means of constructing the waterfront and railroad components of the project, alternate means of access and construction techniques			
<sup>f</sup> To conduct land side borings at railroad crossing bridges that were not completed previously			
<sup>g</sup> an additional allowance to confirm additional features along the water's edge and Metro North features which could impact design			
<sup>h</sup> Includes construction logistics and third party cost estimate			

