

**VILLAGE OF TARRYTOWN  
BOARD OF TRUSTEES  
SPECIAL WORK SESSION 6:00 P.M.  
*AMENDED 6/8/2021*  
WEDNESDAY, JUNE 9, 2021**

Location: Zoom Video Conference – For Information on How to Join Visit <a href="https://www.tarrytowngov.com/home/events/35396">https://www.tarrytowngov.com/home/events/35396</a> Any questions prior to the meeting may be emailed to <a href="mailto:administrator@tarrytowngov.com">administrator@tarrytowngov.com</a> .
--

Open Session

1. Award H-Bridge Contract
2. Award Insurance Renewals
3. Set Public Hearing – CDBG Applications
4. Determination on Parklets
5. Additional Lifeguards – 2021 Pool Season
6. DaVita Kidney Care – 200 White Plains Road – Compatible Use Permit
7. Set Public Hearing – Amendment Village Code 291-58 – Municipal Parking Fields

Executive Session

- A. Discussion – TVAC – Contract Negotiations







# VILLAGE OF TARRYTOWN

One Depot Plaza, Tarrytown, New York 10591-3605

www.tarrytowngov.com

*Mayor*

THOMAS D. BUTLER JR.

*Deputy Mayor*

REBECCA McGOVERN

*Trustees*

KAREN G. BROWN

ROBERT HOYT

DAVID T. KIM

PAUL RINALDI

DOUGLAS ZOLLO

*VILLAGE ADMINISTRATOR*

914-631-1785

*VILLAGE TREASURER*

914-631-7873

*VILLAGE CLERK*

914-631-1652

*VILLAGE ENGINEER*

914-631-3668

*DEPT. OF PUBLIC WORKS*

914-631-0356

*FAX NO.* 914-909-1208

February 19, 2021

Attn: Stephen J. MacAvery, RLA, CPESC  
Local Projects Unit, Design and Environmental Advisor  
Regional ADA Coordinator and ADA Specialist  
New York State Department of Transportation, Hudson Valley  
4 Burnett Boulevard, Poughkeepsie, NY 12603

Re: Extension of grant project request -- 8761.63 & 8761.64 H Bridge Grants

Dear Mr. MacAvery:

This letter is to request an extension of the grant project timetable for the grants project numbered 8761.63 & 8761.64 H Bridge Grants. Based on the date of the State-Local Agreement for the projects, plus the previously granted extensions, the scheduled award time frame for 8761.63 and for 8761.64 was October/November, 2020, which has not been met.

At this time our engineers with EDG have made the adjustments required by the DOT Local Projects Unit and are preparing the documents to go to bid soon. We have reached out to Metro North and will work to obtain an MTA permit for any work over their railroad ROW.

Other key factors that contributed to the delay have been the impacts of COVID-19 on local and regional operations, as well as obtaining a sufficient Highway Boundary (HB) documentation, which we just recently resolved during a teleconference call between the NYS DOT Regional office, the Village and our engineer. Also, we have discussed the APPIA software and will make provisions to purchase and utilize this software. Since everything has to go up to the State and has been submitted, we are still awaiting final approval. In the meantime, here is our proposed amended schedule:

- State approval – 30 days; done by April 1, 2021
- Advertise for 60 days; end June 1, 2021
- Review and make award 15 days - June 15 award
- 6 month construction schedule - December 15, 2021 completion of work.

Based on the current status of both projects – 8761.63 & 8761.64 – we request an extension of this to an estimated new contract award date to June 15, 2021. Please advise if you would allow this extension, and if you have any changes or adjustments to the schedule.

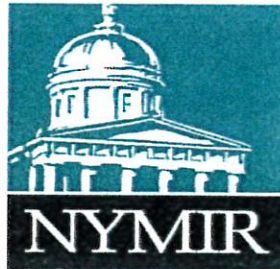
Respectfully submitted,



Richard Slingerland  
Village Administrator

cc: Mayor Tom Butler and Board of Trustees  
Village Engineer Donato Pennella  
Dania Anziani, Transportation Analyst, NYS DOT

## QUOTATION and COVERAGE FEATURES



### QUOTATION and COVERAGE FEATURES

#### **Capitalization**

NYMIR is a not-for-profit reciprocal. In the past, a capital contribution of 10% of the first year's premium upon joining the program was required and payable over 5 years. NYMIR's financial success has enabled us to eliminate that fee as of 2020. Our members continue to enjoy a variety of benefits of self-ownership, including a proportionate share of equity in the company. Since these funds have grown over time, NYMIR has been able to reimburse over 10 million dollars through the course of a capital return program to its members and pay accrued interest on their capital. Please check with NYMIR or your broker to see if you have capital or interest owed to your municipality.

#### **Financial Rating**

NYMIR's financial strength rating by AM Best is A- Excellent.

#### **Board of Governors**

The NYMIR Board of Governors is comprised of 13 dedicated and experienced local officials elected by Subscribers. This Board sets policies and works closely with NYMIR to develop coverages and risk management services and annually establish premium rates.

*\*Please note: This proposal does not expand coverage beyond what is provided in the policy. For complete policy information, please contact NYMIR.*

*\*\*Please note: Capital return is always subject to change by the NYMIR Board of Governors.*

## Premium Summary

Policy Term: 06/01/2021 - 06/01/2022

Line of Business	Insurance Company	Expiring Premium	Renewal Premium
Package	NYMIR	\$260,210.20	\$280,177.70
Property	NYMIR	Included	Included
General Liability	NYMIR	Included	Included
Equipment Breakdown	NYMIR	Included	Included
Crime	NYMIR	Included	Included
Cyber	NYMIR	Included	Included
Inland Marine	NYMIR	\$44,996.20	\$45,498.20
Business Auto	NYMIR	\$113,952.30	\$104,002.00
Public Official Liability	NYMIR	\$51,962.90	\$47,194.40
Law Enforcement Liability	NYMIR	\$74,274.20	\$78,950.30
Excess Liability	NYMIR	\$51,045.50	\$54,844.90
<b>Sub-Total Premium:</b>		<b>\$596,441.70</b>	<b>\$610,667.50</b>

NY Fire Fee		\$556.46	\$371.43
Motor Vehicle Enforcement Fee		\$580.00	\$570.00
Capitalization Return		-\$16,633.90	-\$16,927.00
<b>Total Premium:</b>		<b>\$580,944.26</b>	<b>\$594,681.93</b>

### Disclaimer

The insurance proposal is prepared based on data furnished by you for our review. It is not to be construed as an exact or complete analysis of the policies or is legal evidence of insurance. It is only a brief outline of your insurance coverage and is for information purposes only. In the event of a difference, the provisions of the policy will prevail. Please read your policy carefully for a thorough understanding of all terms, conditions and exclusions.

## Kathy Deufemia

---

**From:** Joshua Ringel  
**Sent:** Tuesday, June 1, 2021 9:14 AM  
**To:** Kathy Deufemia; Richard Slingerland  
**Subject:** FW: Additional Lifeguards for 2021 Pool Season Staff

For work session

---

**From:** Michael Wisniewski  
**Sent:** Tuesday, June 1, 2021 8:57 AM  
**To:** Richard Slingerland <rslingerland@tarrytowngov.com>; Antoinette Morales <amorales@tarrytowngov.com>; Joshua Ringel <Jringel@tarrytowngov.com>; Krissy Gilligan <kgilligan@tarrytowngov.com>  
**Cc:** Joe Arduino <JArduino@tarrytowngov.com>  
**Subject:** Additional Lifeguards for 2021 Pool Season Staff

### Additional Lifeguards Staff 2021 Pool Season

Ava Guzman \$13.75 Lifeguard  
Lucas Lipinski \$13.75 Lifeguard  
Brody Castellano \$13.50 Lifeguard  
Conor Kenny \$13.50 Lifeguard

### **Michael Wisniewski**

Recreation Leader & Pool Director

Village of Tarrytown

One Depot Plaza

Tarrytown, NY 10591

(O) (914) 631-8347

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

<https://www.tarrytowngov.com/recreation-department>





6

## Village of Tarrytown Planning Board

### Memo

To: Mayor and Board of Trustees

From: Village Planning Board

CC: Kathy Zalantis, Dan Pennella, Lizabeth Meszaros

Date: 5/29/21

Re: **Recommendation for Compatible Use Permit (CUP) from DaVita Kidney Care for the Property located at 200 White Plains Road**

---

#### ***Proposed Action***

On May 17, 2021, the Board of Trustees referred the request for a Compatible Use Permit (CUP) from DaVita Kidney Care for the property located at 200 White Plains Road to the Planning Board for review and recommendation.

The Planning Board has reviewed the application's submission and related materials for site plan approval to lease approximately 3,360 S.F. of space within an existing building at 200 White Plains Road to operate its proposed kidney dialysis office facility in this space. Applicant will only do interior renovations within the building space. On May 24, 2021, the Planning Board opened a public hearing on this application to conduct site plan review of the Project. There was no public comment made at the public hearing.

#### ***Project Background***

Applicant is currently under contract to lease approximately 3,360 SF of space within the existing building at 200 White Plains Road for the proposed dialysis office facility. The space would be located in the southeast corner of the first floor of the building. The proposed site is within an existing office park in the Mixed Use (MU) zone on the south side of White Plains Road. The Office Park consists of two existing office buildings, 200 and 220 White Plains Road. The existing office space is largely vacant. The building at 200 White Plains Road is 70 percent vacant while 220 White Plains Road is 90 percent vacant.

The proposed dialysis facility will include peritoneal dialysis ("PD Stations") and other related uses (e.g., counseling rooms, administrative offices, etc.). Peritoneal dialysis is a form of dialysis that enables patients to conduct treatments at home, following appropriate training at in-office PD

6

Stations. The PD Stations will be used for initial patient training on home dialysis and subsequent twice monthly in-office appointments. This type of treatment is similar but distinct from the more typical dialysis center use, which is known as center hemodialysis ("ICHD"). Stations").

ICHD Stations are out-patient dialysis service where the patients come for a treatment three times per week. The proposed facility will be open from 8am-5pm Monday through Friday. Applicant proposes to have 8 - 10 employees and 8 patients at full capacity. Due to the length of patient consultations, Applicant expects 10 patients a day. During training (when patients are initially learning the in-home dialysis process), patients come every day for 1-2 weeks. PD patients then come to the facility twice monthly to meet with a nurse and doctor to ensure that they are following proper procedures and protocols.

Applicant operates an existing dialysis center at 155 White Plains Road, on the north side of White Plains Road in the OB zoning district. The 155 White Plains Road facility includes ICHD Stations where patients receive dialysis treatments three times a week. The proposed facility on the Project Site will not replace this existing facility but is designed to satisfy the growing need in the region. There will be no overnight stays nor will there be any emergency, surgical or diagnostic procedures at this office facility.

The proposed facility occupies a small portion of the existing office building which is vacant office space. The main entrance to the facility on the ground floor is at grade. It can also accommodate another means of ingress and egress directly into the office space at ground level for emergency purposes. A large parking lot is adjacent to the existing building with two new handicapped accessible spaces constructed near the building's entrance. The building has appropriate sidewalks for safe pedestrian access around the building. Additionally, there are another seven handicapped spaces at the rear of the building. Applicant is only proposing interior renovations. All exterior lighting is existing. There is no additional outside lighting proposed. Some minor landscaping is proposed on the side of the building facing the parking lot to hide the condensing units and ATS. All refuse including medical waste will be safely stored in a separate room and collected twice weekly by a licensed medical waste removal firm.

The Applicant has provided an Environmental Clearance form which shows no environmental impacts since alterations are interior with no impact to the exterior. At its meeting on 5/24/21, the Planning Board determined that the proposed action was a Type II action under NYS DEC 617.5 (c)(7) "*construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls.*" Therefore, no further SEQRA review is necessary.

### ***Recommendation***

The Planning Board takes particular note that the Zoning Board of Appeals in its determination that the Applicant's proposed use of the property is permitted as a "general office" under the

zoning in the Mixed use (MU) district indicated that their determination was based upon the specific details of the Applicant's proposed use and the nature of the office operations. *Furthermore, the ZBA stated that this determination was specific to this application and does not set a precedent for other properties or uses as each application's facts must be reviewed and established independently by the ZBA.*

The Planning Board has reviewed the compliance of the proposed use with the standards set forth for a Comparable Use Permit in §305-120, 121 and 122. The existing Office Park consists of two office buildings which have significant vacancy rates. The Applicant's proposed operation will occupy a small space within an existing building. The existing parking area and access roads have been designed for full occupancy of the office buildings. The roads and parking are more than adequate to accommodate the anticipated usage of Applicant's proposed operation. Applicant is only proposing interior renovations with no exterior lighting or other changes. There will be no ground disturbance and no impact on drainage. There will be no overnight stays nor will there be any emergency, surgical or diagnostic procedures at this office facility. All refuse including medical waste will be safely stored in a separate room and collected twice weekly by a licensed medical waste removal firm. The proposed facility is on the ground floor easily accessible to patients and handicapped parking. The building has appropriate sidewalks for safe pedestrian access around the building. The proposed use in this location is consistent with the Village's Comprehensive Plan (2018) to encourage professional services along the Route 119 corridor.

The Planning Board is of the opinion that the proposed use meets these standards and recommends that the Board of Trustees approve a Compatible Use Permit for the DaVita Kidney Care Facility at the 200 White Plains Road property in the Mixed Use (MU) district. The Planning Board has also determined that the Project meets the proposed Site Plan design and standards in Chapter 305, Article XVI (Site Development Plan Review) and is ready to approve the Site Plan Resolution for this project once the CUP has been approved by the Board of Trustees.

