

VILLAGE OF TARRYTOWN  
BOARD OF TRUSTEES  
REGULAR MEETING 6:00 P.M.  
Tuesday, February 20th, 2024  
Tarrytown Village Hall  
One Depot Plaza, Tarrytown, New York

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Members of the Public may attend in person or remotely. For those members of the public interested in viewing and/or participating in the meeting remotely, visit <https://www.tarrytowngov.com/home/events/46316> for instructions on how to join & participate via zoom.

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REGULAR MEETING: 6:00 P.M.

Pledge of Allegiance

1. Board Miscellaneous and Liaison Reports
2. Changes and/or Additions to the Agenda
3. Administrator's Report
4. Public Hearing on an update to the Tarrytown Village Code Chapter 269 Authorizing Partial Real Property Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Service Workers

Resolution to Adopt Local Law 1-2024

WHEREAS in 2007 the Board of Trustees of the Village of Tarrytown adopted Local Law 13-2007 allowing for real property tax exemption for volunteer members of the Fire Department and the Ambulance Corps pursuant to Real Property Tax Law § 466-d; and

WHEREAS, pursuant to Chapter 670 of the Laws of 2022 effective December 9, 2022, the state Real Property Tax Law was amended by adding a new §466-a authorizing local governments to enact by resolution a ten (10%) percent partial real property tax exemption of the assessed value of the primary residence owned by a qualified enrolled member of an incorporated volunteer fire company, fire department or incorporated volunteer ambulance service, including expanded criteria to qualify for the tax exemption; and

WHEREAS, the Board of Trustees of the Village of Tarrytown has determined that the voluntary firefighters and members of the Volunteer Ambulance Corps who provide invaluable service to the Village of Tarrytown are entitled to the expanded ten-percent real property exemption pursuant to Real Property Tax Law § 466-a; and

WHEREAS, notice of public hearing was published in the Journal News on January 22, 2024 and on February 9, 2024; and

WHEREAS, public hearings were held on the proposed action on February 6, 2024 and on February 20, 2024; and

WHEREAS, the Board of Trustees of the Village of Tarrytown is the only agency which has approval authority over the Proposed Action and is therefore the Lead Agency for the Proposed Action, and determines that pursuant to Article 617.5 this is a Type II action and therefore no further action is required under SEQRA.

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown hereby adopts Local Law 1-2024 which expands the ten-percent real property exemption pursuant to Real Property Tax Law § 466-a granting such exemption to an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service that meets the requirements of Real Property Tax Law § 466-a(2) provided the enrolled member has served for a minimum of two years; and

BE IT FURTHER RESOLVED, The Village of Tarrytown hereby adopts the exemption under Real Property Tax Law § 466-a(3) for any enrolled member that meets the requirements of Real Property Tax Law § 466-a(3), allowing any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who accrues more than twenty years of active service, and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service, to be granted the ten percent (10%) exemption authorized by this Resolution for the remainder of his or her life as long as his or her primary residence is located within the Village; and

BE IT FURTHER RESOLVED, that the property tax exemption authorized by this Resolution and granted to an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service shall, upon application, be continued to such deceased enrolled member's un-remarried spouse if such member is killed in the line of duty, as long as they meet the requirements of Real Property Tax Law § 466-a(4); and

BE IT FURTHER RESOLVED, that the property tax exemption authorized by this Resolution and granted to an enrolled member of an incorporated volunteer fire

company, fire department, or incorporated voluntary ambulance service shall, upon application, be continued to such deceased enrolled member's un-remarried spouse, provided that they meet the requirements of Real Property Tax Law § 466-a(5) and the deceased volunteer had been an enrolled member for at least twenty (20) years; and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the Village Administrator and the Village Treasurer to implement any necessary procedures to ensure certification of service for volunteer members wishing to benefit from the property tax exemption.

5. Public Hearing on an update to the Tarrytown Village Code Chapter 269 , Article III entitled "Senior Citizens Exemption" to amend 269-7 entitled "Criteria for grant of exemption," Sub-section B

#### Resolution to Adopt Local Law 2-2024

WHEREAS, pursuant to § 467 of the Real Property Tax Law, the Village of Tarrytown allows any real property located in the Village of Tarrytown to be exempt from taxation by the Village to the extent of 50% of the assessed valuation thereof as long as the owners of said real property are 65 years of age or over or, where the owners are husband and wife, either the husband or the wife must be 65 years of age or over and meet certain income criteria; and

WHEREAS pursuant to amendments to State Law in 2023 relating to Real Property Tax Law §467 which simplified the application and administration of the exemptions by bringing the calculation of income in conformity with the Federal Adjusted Gross Income to include IRA distributions in the definition of income the Board of Trustees seeks to bring Chapter 269 of village code into conformity with these amendments; and

WHEREAS, notice of public hearing was published in the Journal News on January 22, 2024 and on February 9, 2024; and

WHEREAS, public hearings were held on the proposed action on February 6, 2024 and on February 20, 2024; and

WHEREAS, the Board of Trustees of the Village of Tarrytown is the only agency which has approval authority over the Proposed Action and is therefore the Lead Agency for the Proposed Action, and determines that pursuant to Article 617.5 this is a Type II action and therefore no further action is required under SEQRA.

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby adopt Local Law 2-2024 to amend Chapter 269 of the Tarrytown Code, entitled "Taxation," Article III entitled "Senior Citizens Exemption" to amend 269-7 entitled "Criteria for grant of exemption," Sub-section B.

6. 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

7. Complete Streets Study

WHEREAS, the Village of Tarrytown, with funding assistance from the State of New York, with support from the NYS DOT and the NYS Thruway Authority, and working with the Town of Greenburgh and the Village of Elmsford, has reviewed and analyzed the feasibility of creating a new bicycle friendly series of lanes or pathways along the roadway of White Plains Road, also known as Route 119, which traverses the three municipalities; and

WHEREAS, the Town of Greenburgh has been researching possible grant funding streams to pursue jointly in order to fund the design work necessary to continue making progress towards the goal of creating these dedicated bicycle lanes or pathways; and

WHEREAS, the Town has identified the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant in the amount of \$1.6 million that can be pursued jointly by the Town of Greenburgh and the Villages of Elmsford and Tarrytown; and

WHEREAS, the Town has further identified the Westchester County Complete Streets funding stream for the assistance towards this project that would constitute the local match of \$400,000; and

WHEREAS, this work to perform a boundary and topographical survey, a Local Federal Aid Design Report (engineering report) and Construction Drawings is estimated to cost approximately \$2 million and would cover this proposed phase of the project that prioritizes the stretch of roadway and dedicated bicycle lanes from Broadway/Route 9 in Tarrytown, which is also approximately one tenth of a mile from the Old Croton Aqueduct, a frequently used pedestrian and bicycle way; and approximately a quarter of a mile from the Shared Use Path (SUP) that runs along the new Governor Mario M. Cuomo Bridge across the Hudson River, across White Plains Road/Route 119 to the Empire State Trail, aka the North County Trailway, which runs from New York City through Westchester and into Putnam County and to other points north.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby authorize the Village of Tarrytown to join with the Town of Greenburgh and the Village of Elmsford to apply jointly for the RAISE Grant program, with a commitment for a local match of up to \$133,000.00, and also urges the Town of Greenburgh to apply to the Westchester County Complete Streets Program for

additional funds to cover the local match for this design project, since White Plains Road/Route 119 is a State road; and

BE IT FURTHER RESOLVED, that the Board of Trustees authorizes the Village Clerk to issue a certified copy of this resolution to be included with the grant application by the Town of Greenburgh, and further authorizes the Village Administrator to execute any documents that may be necessary to be signed on behalf of the Village of Tarrytown for inclusion with this joint grant application with Greenburgh and the Village of Elmsford.

8. Resolution to Authorize the Purchase of a Parking Enforcement Vehicle

WHEREAS, the Village of Tarrytown maintains a fleet of vehicles to serve the needs of the Tarrytown Police Department to perform public safety operations including parking enforcement; and

WHEREAS, as part of its vehicle management plan the Village has always purchased two new vehicles each year to rotate through the fleet and allow us to replace old vehicles with new front-line vehicles; and

WHEREAS, in order to comply with the requirements of NYS General Municipal Law about public bidding requirements, the Village published a legal notice for a new Nissan Leaf S model year 2023 or 2024 on Monday January 29, 2024, and after the date of publication the Village contacted four (4) Nissan dealerships, to see if they would have interest in the bid, and a copy of the bid document was sent out to them; and

WHEREAS, on Monday, February 12, 2024, at 11 a.m., the Village received and opened one (1) bid from Nissan of Norwich, CT, for a total approximate bid price for this vehicle, delivered, in the amount of twenty nine thousand two hundred and three dollars and zero cents (\$29,203.00).

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown hereby authorizes the Village to order, payable from fiscal year of 2023-2024, one (1) new, gray 2023 Nissan Leaf from Nissan of Norwich for an amount not to exceed \$29,203.00.

BE IT FURTHER RESOLVED that the Village Administrator is authorized to execute the order for this vehicle and coordinate with the Police Chief and Village Treasurer to fund the purchase through General Fund Balance or the Capital Fund during the Fiscal Year 6/1/2023 to 5/31/2024.

9. Resolution to Renew the License Agreement for the Greenburgh Drug and Alcohol Task Force

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize and direct the Village Administrator to execute a one-year license agreement renewal with the Greenburgh Drug and Alcohol Task Force for the rental of a portion of the former Police Headquarters building, effective March 1, 2024, subject to conditions included in the agreement.

10. Agreement with Westchester County-Enhanced 911 Services

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize and direct the Village Administrator to execute a renewal Inter-Municipal Agreement between Westchester County and the Village of Tarrytown for the continuation of the Enhanced 911 Service agreement for a new five (5) year term; and

BE IT FURTHER RESOLVED that pursuant to the agreement, the term shall commence on October 1, 2022, and expire on September 30, 2027, unless further extended by mutual agreement of the parties.

11. Approval of the Minutes of the Board of Trustees Meeting of February 6, 2024

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 Tuesday, February 6, 2024 as submitted by the Village Clerk.

12. Approval of the Action Item Minutes of the Board of Trustees Work Session of February 14, 2024

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves the action item minutes of the Board of Trustees Work Session held on Wednesday, February 14, 2024 as submitted by the Village Administrator and the Village Clerk.

13. Approval of the Audited Vouchers

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No.16 of Audited Vouchers in the total amount of \$1,238,105.92 as presented by the Village Treasurer, to be paid in the following amounts:

General	\$	1,049,403.09
Water	\$	150,058.32
Sewer Fund	\$	1,209.62
Capital	\$	0.00
Library	\$	33,581.07
Trust & Agency	\$	3,853.82
CM (Special Fund)	\$	0.00
Total	\$	1,238,105.92

14. 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.

15. Adjournment

LOCAL LAW \_\_ - 2024 (version 2/9/2024)

A local law to amend Chapter 269 entitled "Taxation", Article VII entitled "Volunteer Firefighters and Ambulance Corps Exemption" to reference State law and to expand the exemption to un-remarried spouses.

Be it enacted by the Village Board 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 1.** Amending existing Section 269-37 to reference State Law and to expand the exemption to un-remarried spouses in accordance with State law:

**§ 269-37 Findings of fact.**

The Board of Trustees of the Village of Tarrytown has determined that the voluntary firemen and members of the Volunteer Ambulance Corps who provide invaluable service to the Village of Tarrytown are entitled to the expanded ten-percent real property exemption pursuant to Real Property Tax Law § ~~466-d~~. **466-a. It is further determined that un-remarried spouses should be allowed to continue the exemption pursuant to Real Property Tax Law § 466-a.**

**Section 2.** Amending existing Section 269-38 to reference State Law:

**§ 269-38 Legislative intent.**

The intent of this amendment is to adopt the expanded ten-percent real property exemption pursuant to Real Property Tax Law § ~~466-d~~. **466-a.**

**Section 3.** Deleting existing Section 269-39 and replacing it with the following provision:

~~**§ 269-39 Exemption adopted.**~~

~~**The Village of Tarrytown hereby adopts the expanded ten-percent real property exemption pursuant to Real Property Tax Law § 466-d; however, real property owned by an enrolled member and/or spouse of an incorporated volunteer fire company member and/or an incorporated ambulance service member shall be limited to a total of 10% property tax exemption under this article.**~~

**§ 269-39 Exemption adopted for Enrolled Members**

**1. The Village of Tarrytown hereby adopts the expanded ten-percent real property exemption pursuant to Real Property Tax Law § 466-a granting such exemption to an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service that meets the requirements of Real Property Tax Law 466-a(2) provided the**

**enrolled member has served for a minimum of two years.**

2. **The Village of Tarrytown hereby adopts the exemption under Real Property Tax Law § 466-a(3) for any enrolled member that meets the requirements of Real Property Tax Law § 466-a(3).**

**Section 4.** Adding Sections 269-39a and 269-39b to allow the continuation of the exemption under Real Property Law 466-a for un-remarried spouses:

**§ 269-39a Exemption Continued for Un-remarried spouses of volunteer firefighters or volunteer ambulance workers killed in the line of duty.**

**The exemption pursuant to Real Property Tax Law § 466-a claimed by any enrolled members of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service killed in the line of duty shall be continued by the un-remarried spouses of such volunteer firefighters or volunteer ambulance workers killed in the line of duty that meet the requirements of Real Property Tax Law § 466-a(4).**

**§ 269-39b Exemption Continued for Un-remarried spouses of deceased volunteer firefighters or volunteer ambulance workers who had been an enrolled member for 20 years or more.**

**The exemption pursuant to Real Property Tax Law 466-a that is in effect for a deceased enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service who had been an enrolled member for at least 20 years shall be continued for the un-remarried spouse of such volunteer who meets the requirements of Real Property Tax Law § 466-a(5).**

**Section 5. 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 6. 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.

(Version of law dated February 9, 2024 - 5:46 p.m.)

LOCAL LAW \_\_ - 2024

A local law to amend Chapter 269 of the Tarrytown Code, entitled "Taxation", Article III entitled "Senior Citizens Exemption" to amend 269-7 entitled "Criteria for grant of exemption", Sub-section B.

Be it enacted by the Village Board of the Village of Tarrytown as follows:

**Section 1. Amending Chapter 269-7 entitled Criteria for grant of exemption, with language as further noted below** (language in **Bold and Underlined** to be added, language in ~~**Strikethrough and bold and underlined**~~ to be deleted):

Section 2. Amending the current language in Section 269-7, B. as follows:

**§ 269-7 Criteria for grant of exemption.**

- B. As of the taxable status date, May 1, 2023, the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making the application for exemption does not exceed the sum of \$50,000. Where title to the property is vested in either the husband or wife, their combined income may not exceed such sum. Such income shall include social security and retirement benefits, interest dividends, rental income, salary or earnings, **IRA distributions** and income from self-employment but shall not include gifts or inheritances. In connection with any application for exemption, the applicant shall furnish the Board of Assessors such evidence of the income or combined income as the Board of Assessors may require.

**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.