

VILLAGE OF TARRYTOWN
BOARD OF TRUSTEES
REGULAR MEETING 7:00 P.M.
Monday, March 21, 2022
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/37496> 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
4. Public Hearing on the Village of Tarrytown's Tentative Budget for Fiscal Year 2022-2023

The hearing is to be opened this evening and continued through to the next meeting of the Board of Trustees on April 4, 2022, with the adoption of the Budget scheduled to take place on April 18, 2022. The Village Administrator will make the annual Budget Presentation tonight and then the Budget Hearing should be opened up for public comment.

5. Opportunity for the Public to address the Board only on items listed on the agenda, other than public hearing items. Speakers shall have three (3) minutes each to address the Board of Trustees
6. Schedule a Public Hearing to consider a local law to amend Chapter 97 of the Tarrytown Code, entitled Building Construction to add a new provision adopting the New York State Unified Solar Permit Application.

WHEREAS the increase in state and federal support for non-petroleum-based, renewable energy sources, including the desirability of solar energy generating facilities potentially provides for a significant increase in the number of property owners seeking to install small-scale photovoltaic system installations under 25 kW in size; and

WHEREAS the Village Board desires to streamline the application process for small-scale photovoltaic system installations under 25 kW in size by adopting the New York State Unified Solar Permit application form and implementing the new procedures.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown will hold a Public Hearing at the regular meeting of the Board of Trustees on Monday, April 4, 2022 at 7:00 p.m. in the Municipal Building, One Depot Plaza, Tarrytown, New York to consider a local law to amend Chapter 97 of the Tarrytown Code, entitled Building Construction to add a new provision adopting the New York State Unified Solar Permit Application.

7. Resolution Adopting a Home Rule Request asking the State to Extend the Hotel Tax

WHEREAS, the Village of Tarrytown joined with other municipalities in Westchester and in New York to request the New York State Legislature for property tax relief, which included an enacted provision for a hotel tax in various municipalities, including the Village of Tarrytown, and

WHEREAS, upon considering our request, the Legislature adopted and the legislation was passed to enact a hotel tax in the Village of Tarrytown, and

WHEREAS, upon enactment, the State of New York included in its provisions that it would have a sunset or expiration date, for this legislation and that expiration date will occur in September, 2022, which requires the State of New York to adopt and authorize legislation to extend this law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby enacts a Home Rule Request to renew and extend the local tax on hotel receipts, joining with other municipalities where such legislation was authorized by the State of New York, to provide property tax relief to property owners in the Village of Tarrytown, and supports the enactment of Assembly Bill A. 9469 as proposed by Assemblyman Abinanti, and Senate Bill No. S.8413 as proposed by Senate Majority Leader Stewart-Cousins and directs the Village Clerk, the Village Administrator and other appropriate Village officials to take the necessary and appropriate actions, including executing, processing and transmitting this Home Rule Legislation Request to the New York State Legislature, to support the enactment of this legislation.

8. Resolution of Support for the NY-NJ Watershed Protection Act

RESOLUTION REGARDING NY-NJ Watershed Protection Act: H.R. 4677

WHEREAS, New York Congressman Tonko has proposed the NY-NJ Watershed Protection Act (hereinafter The Act), a unique federal investment program to authorize fifty million dollars (\$50 million) of federal funds to protect and restore all watersheds, including the Hudson River Watershed, that flow into New York-New Jersey Harbor and

WHEREAS, The Act has unanimous support among the Hudson Valley’s Congressional delegation; and,

WHEREAS, The Act would provide benefits to diverse stakeholders such as the protection of fisheries and wildlife, conservation of natural resources and public and private lands, critical urban greenspaces, ocean and coastal resources, and various opportunities to improve the quality of life for community members throughout the region; and

WHEREAS, the Village of Tarrytown is part of the most densely populated and economically important regions in the country, the proposed NY-NJ Watershed Act will provide enormous economic and environmental benefits locally, regionally and nationally; and

WHEREAS, watersheds provide drinking water, tourism and outdoor recreation, economic opportunities, as well as sustain fisheries, critical wildlife and provide vital infrastructure from flooding and rising sea levels; and

WHEREAS, The Act would provide matching funds to achieve the goals of New York State Department of Environmental Conservation's Hudson River Estuary Program, a state program that has greatly benefitted Hudson Valley communities; and,

WHEREAS, The Act would fund shoreline management and restoration within the watersheds,

WHEREAS, the Board of Trustees is an elected body tasked with protection and safeguarding irreplaceable water-connected resources and nature-based flood hazard mitigation measures that are essential to protect human life and infrastructure, and therefore encourages Congress to support and adopt this Act, H.R. 4677; and

WHEREAS, this Act would direct the Secretary of the Interior to enhance collaboration and coordinate restoration activities at all levels of government to protect fish and wildlife habitats, endangered species, improve water quality, increase public access to the estuary, mitigate flood risks, and develop public outreach and educational activities; and

WHEREAS, many residents of the region of the NY-NJ Watershed live in communities lacking environmental justice, where access to and enjoyment of fish, wildlife, clean water, and other natural resources have been impaired or compromised, federal funding is necessary to mitigate these long overdue environmental and social issues; and

WHEREAS, the Village of Tarrytown and all other communities along the Hudson River would jointly benefit from the Act as it would establish beneficial programs and award grants to help fund valuable restoration projects in our local community; and

WHEREAS, the Hudson River is a cornerstone in which its residents depend on and the region relies on for its resources to provide prosperity throughout the state, therefore, the Village of Tarrytown must uphold its duty to protect the community's access to drinking water and natural resources; and

WHEREAS, the Village of Tarrytown has an opportunity to be a social and environmental leader of the state, by supporting the NY-NJ Watershed Protection Act, we may lead by example and facilitate much needed change; and

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown, supports the passing of the NY-NJ Watershed Protection Act, and hereby authorizes the Village Clerk and/or the Village Administrator to submit a certified copy of this resolution of support for H.R. 4677 to Congressman Mondaire Jones representing Tarrytown in the 17th Congressional District, as well as Senator Charles Schumer and Senator Kirsten Gillibrand.

9. Recreation Department Fee Increases – Camp, Pool, Fitness Center, Picnics

WHEREAS the Board of Trustees of the Village of Tarrytown has increased wages for Recreation Department staff members over two successive budget cycles to remain cost-competitive with the County and other area pools and camps; and

WHEREAS the Board of Trustees did not increase Recreation-related fees over the last two years during the COVID-19 pandemic; and

WHEREAS the costs for running Recreation Department programs exceed revenues;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the increase in the Summer Day Camp and Tot Camp Fees – per 2-week session as follows:

Summer Camp Fees	2021 Fee	2022 Fee
Summer Day Camp	Paid By: Apr 30 Resident: \$160	\$176
Fee - Per 1-Week Session	Paid By: Apr 30 Non-Resident: \$180	\$198
	Paid By: Apr 30 Scholarship: \$118	\$130
	Paid By: May 31 Resident: \$170	\$187
	Paid By: May 31 Non-Resident: \$191	\$210
Summer Day Camp	Paid By: May 31 Scholarship: \$129	\$142
	Paid By: June 30 Resident: \$180	\$198
	Paid By: June 30 Non-Resident: \$201	\$221
	Paid By: June 30 Scholarship: \$139	\$153
Summer Tot Camp	Paid By: Apr 30 Resident: \$139	\$153
Fee - Per 1-Week Session	Paid By: Apr 30 Non-Resident: \$165	\$182
	Paid By: Apr 30 Scholarship: \$98	\$108
	Paid By: May 31 Resident: \$149	\$164
	Paid By: May 31 Non-Resident: \$175	\$193
	Paid By: May 31 Scholarship: \$108	\$119
	Paid By: June 30 Resident: \$160	\$176
	Paid By: June 30 Non-Resident: \$185	\$204
	Paid By: June 30 Scholarship: \$118	\$130
Summer Day Camp	Paid By: Apr 30 Resident: \$319	\$351
Fee - Per 2-Week Session	Paid By: Apr 30 Non-Resident: \$361	\$397
	Paid By: Apr 30 Scholarship: \$237	\$261
	Paid By: May 31 Resident: \$340	\$374
	Paid By: May 31 Non-Resident: \$381	\$419
Summer Day Camp	Paid By: May 31 Scholarship: \$258	\$284
	Paid By: June 30 Resident: \$361	\$397
	Paid By: June 30 Non-Resident: \$402	\$442
	Paid By: June 30 Scholarship: \$278	\$306

Summer Tot Camp	Paid By: Apr 30 Resident: \$278	\$306
Fee - Per 2-Week Session	Paid By: Apr 30 Non-Resident: \$330	\$363
	Paid By: Apr 30 Scholarship: \$196	\$216
	Paid By: May 31 Resident: \$299	\$329
	Paid By: May 31 Non-Resident: \$350	\$385
	Paid By: May 31 Scholarship: \$216	\$238
	Paid By: June 30 Resident: \$319	\$351
	Paid By: June 30 Non-Resident: \$371	\$408
	Paid By: June 30 Scholarship: \$237	\$261
Summer Day Camp	Paid By: Apr 30 Resident: \$958	\$1,054
Fee - 6-Week Session	Paid By: Apr 30 Non-Resident: \$1,082	\$1,190
	Paid By: Apr 30 Scholarship: \$711	\$782
	Paid By: May 31 Resident: \$1,020	\$1,122
	Paid By: May 31 Non-Resident: \$1,143	\$1,257
Summer Day Camp	Paid By: May 31 Scholarship: \$773	\$850
	Paid By: June 30 Resident: \$1,082	\$1,190
	Paid By: June 30 Non-Resident: \$1,205	\$1,326
	Paid By: June 30 Scholarship: \$834	\$917
Summer Tot Camp	Paid By: Apr 30 Resident: \$834	\$917
Fee - 6-Week Session	Paid By: Apr 30 Non-Resident: \$989	\$1,088
	Paid By: Apr 30 Scholarship: \$587	\$646
	Paid By: May 31 Resident: \$896	\$986
	Paid By: May 31 Non-Resident: \$1,051	\$1,156
	Paid By: May 31 Scholarship: \$649	\$714
	Paid By: June 30 Resident: \$958	\$1,054
	Paid By: June 30 Non-Resident: \$1,112	\$1,223
	Paid By: June 30 Scholarship: \$711	\$782

BE IT FURTHER

RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the increase in Pool Membership fees as follows:

Swimming Pool Membership Fees – Residents Only	
2021 Fee	2022 Fee
Family Rate (2 Adults and no limit on number of children up to 21 years of age) - \$430.00	\$475
Individual (21 years of age or over) - \$215.00	\$235
Senior Citizen (60 and older) - \$105.00	\$115
Nanny Au pair - \$215.00	\$235

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the increase in Fitness Membership fees effective March 31, 2022 as follows:

Fitness Center Annual Membership	
Fee prior to April 2022	April 2022
Adult (18+) - 1 Year \$310.00	\$340
Family Plan - 1 Year \$620.00	\$680
Senior Citizen (60+) 1 Year \$150.00	\$200
Full Time College Student 1 Year \$150.00	\$165

BE IT HEREBY FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the increase in the rental fee for the Pierson Park Pavilion (picnics) effective March 31, 2022 as follows:

Pierson Park Pavilion Rentals:

- Residents \$300
- Non-Residents \$600
- Reservation Deposit: \$50 (non-refundable, goes towards the \$300 fee)
- Security Deposit: \$100 (refundable after event)

BE IT FURTHER RESOLVED, that these fees shall be updated and published by the appropriate departments and Village staff, as part of the Village’s Master Fee Schedule.

10. Resolution authorizing the Tarrytown Green Landscape Champion program

WHEREAS, The Tarrytown Environmental Advisory Committee (TEAC) has been promoting a new initiative for local businesses, Green Landscape Champion; and

WHEREAS, this program promotes sustainable landscaping practices by local businesses in an effort to broaden pollinator corridors throughout the community, encouraging businesses to

- A. Plant native plants;
- B. Refrain from the use of pesticides; and
- C. Leave or mow leaves into lawns and planting beds to retain nutrients and act as mulch

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown hereby authorizes the Tarrytown Green Landscape Champion program, and authorizes the necessary and appropriate officials and staff of the Village to implement this program, including the issuance of certificates and lawn signs to participants.

11. Approval of 2021 Firefighter Service Records List for LOSAP

WHEREAS the Village of Tarrytown Fire Department participates in the Length of Service Award Program (LOSAP) whereby volunteer firefighters earn credit points for their service toward a post-retirement pension; and

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

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the 2021 Firefighter Service Records List as outlined in the LOSAP Coordinator’s memorandum dated February 23, 2022, which shall be annexed to these minutes as part of the official record.

12. Approval of 2021 Ambulance Company Service Records List for LOSAP

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

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

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the 2021 Ambulance Company Service Records List as outlined in the LOSAP Coordinator’s memorandum dated February 23, 2022, which shall be annexed to these minutes as part of the official record.

13. Rivertown’s Village Green (aka TaSH Farmers Market) Contract Renewal

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize and direct the Village Administrator to execute the operating plan and agreement with Rivertown’s Village Green Inc. (RVG) for the operation of a Farmer’s Market in Patriots Park, a Winter Market in Lot D, and a Holiday Market in Patriot’s Park for the 2022 and 2023 market seasons.

14. Authorization to Remove Parking Space on West End of Main Street at Meter #4177

WHEREAS the Transportation and Mobility Council recommend that the Board of Trustees remove the parking space located at meter #4177 at the west end of Main Street closest to the crosswalk adjacent to Sarah Michaels Park due to concerns with sightline obstruction when pedestrians are attempting to cross the street;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees authorizes an amendment to the Tarrytown Village Code, Chapter 291-77, Schedule XII – Parking Prohibited at all times, to add a no parking area where parking space #4177 is, as follows:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Main Street	North	On the yield lane turning north towards Cortlandt Street, from the crosswalk to a point approximately 20 feet east along Main Street.

AND BE IT FURTHER RESOLVED that the Board authorizes the Village Administrator to work with Village staff to remove the parking space, the meter or meter head for that space, and to install appropriate signage and pavement markings to indicate that parking is no longer permitted in that space.

15. Resolution Authorizing Tax Certioraris

- a) BE IT HEREBY RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve settlement of the following tax certiorari case as outlined in the Village Tax Certiorari Attorney’s recommendation, as follows:

Address	Property ID Number	Amount of Refund
Atiganos Realty 15 Neperan Road	Section 1.80 Block 41 Lot 16	\$6,348.70

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.

- b) BE IT HEREBY RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve settlement of the following tax certiorari case as outlined in the Village Tax Certiorari Attorney’s recommendation, as follows:

Address	Property ID Number	Amount of Refund
DP 18 LLC 828 South Broadway	Section 1.260 Block 135 Lot 1	\$59,919.09

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.

- c) BE IT HEREBY RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve settlement of the following tax certiorari case as outlined in the Village Tax Certiorari Attorney’s recommendation, as follows:

Address	Property ID Number	Amount of Refund
GEJ Tarrytown LLC 120 White Plains Road	Section 1.140 Block 94 Lot 5.2	\$196,958.55

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.

- d) BE IT HEREBY RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve settlement of the following tax certiorari case as outlined in the Village Tax Certiorari Attorney’s recommendation, as follows:

Address	Property ID Number	Amount of Refund
Jo-Ed Realty, LLC 20 South Broadway	Section 1.80 Block 46 Lot 11	\$8,194.95

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.

- e) BE IT HEREBY RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve settlement of the following tax certiorari case as outlined in the Village Tax Certiorari Attorney’s recommendation, as follows:

Address	Property ID Number	Amount of Refund
Jo-Ed Realty, LLC 24 South Broadway	Section 1.80 Block 46 Lot 12	\$11,815.12

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.

- f) BE IT HEREBY RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve settlement of the following tax certiorari case as outlined in the Village Tax Certiorari Attorney’s correspondences dated March 7, 2022, as follows:

Address	Property ID Number	Amount of Refund
Kennedy 9 Hudson Place	Section 1.140 Block 88 Lot 27	\$23,609.25

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. Appointment of Office Assistant/Financial Support

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Benjamin McCoy of Tarrytown, NY, on a provisional basis to the position of Office Assistant/Financial Support Step 2, at an annual salary of \$62,224.00 effective Tuesday, March 22, 2022, subject all applicable Civil Service Rules and Regulations (Note: The probationary period only starts when the employee takes, passes and is appointed from the Civil Service list for this position.)

17. Approval of the Minutes of the Board of Trustees Meeting of March 7th, 2022

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the minutes of the Board of Trustees Meeting held on March, 7th 2022 as submitted by the Village Clerk.

18. 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 \$653,636.00 as presented by the Village Treasurer, to be paid in the following amounts:

General	\$	505,447.87
Water	\$	113,815.53
Sewer Fund	\$	1,553.07
Capital	\$	0.00
Library	\$	29,275.83
Trust & Agency	\$	<u>3,543.70</u>
Total	\$	653,636.00

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