

**VILLAGE OF TARRYTOWN
BOARD OF TRUSTEES
WORK SESSION 6:00 P.M.
WEDNESDAY, NOVEMBER 16, 2016
Tarrytown Village Hall
One Depot Plaza, Tarrytown, New York**

Board of Trustees Concerns

Open Session

1. Towing Policy
2. Meeting Rooms at Main Street Firehouse
3. Dredging
4. Request re Fitness Center/Pool
5. Assessment Roll
6. Credit Related to Taking of Property
7. Parking – Miller Avenue
8. Naming of Train Station Parking Lots
9. Execution of Agreement with Department of State

VILLAGE OF TARRYTOWN TOWING POLICY

Towing contractors that provide towing services for the Village of Tarrytown shall furnish all services included in this policy on a twenty-four (24) hour per day, seven (7) days per week basis. Any person requesting service pursuant to this policy shall be provided service in full compliance herewith.

1. Towing contractors shall receive a license to tow for the Village of Tarrytown, per the conditions for qualification noted in Item 14 below.
2. A towing license shall be valid for a period of one year, from January 1 through December 31.
3. Towing contractors interested in obtaining a license to tow from the Village of Tarrytown shall submit proof to the Village that the towing contractor complies with the conditions for qualifications. Said proof shall be submitted by November 15 to obtain a license to tow for the following year. Towing contractor(s) that have previously received a license to tow from the Village of Tarrytown must prove compliance with the conditions for qualifications by November 15 in order to obtain a license for the following year. The license issued to an existing contractor shall be considered a new license for the year and not a renewal of a license.
4. There shall be established a primary towing service list and a secondary towing service list. The primary list shall contain the names of towing contractors that qualify, pursuant to this Policy Statement, and are located in the jurisdictional limits of the Village of Tarrytown. The secondary list shall contain the names of towing contractors that qualify, pursuant to this Policy, and are located within one-half mile of the jurisdictional limits of the Village of Tarrytown. In each case, the creation of the said lists shall fully comply with the provisions of this Policy Statement. Should the contractor(s) on the primary list be unable to tow for the Village on a particular call or from the Police Department or not be able to meet the time requirements in 14.i., the Police Department shall contact a contractor from the secondary list.
5. The Village will only consider applicants for a towing license beyond the November 15 deadline should there be no applicants that qualify for a towing license by November 15; or in the event that the licenses issued pursuant to this policy are terminated by either the licensee or the Village.
6. The Village shall provide an annual license to towing contractors that meet the conditions of qualification. The one-year period for which the license is granted shall be noted directly on the license.

7. Should there be more than one party licensed to tow for the Village of Tarrytown, the Village shall alternate contacting the licensees for towing purposes on a week to week basis (e.g., if two separate parties are licensed to tow, their towing service shall be required by the Village every other week.)
8. The Village shall qualify only a total of three (3) contractors for the Primary and Secondary lists to tow during a license period. Should there be three (3) contractors who qualify for the primary list, no secondary list shall be established. Should more than three (3) contractors desire to tow for the Village, the Board of Trustees shall decide which three (3) contractors will be provided licenses. The Board may consider any information deemed relevant by the Board of Trustees when determining which three (3) contractors will receive a license.
9. The licensee shall, at all times, maintain as current and in full force and effect all of the conditions of qualification. Failure to comply shall disqualify the licensee from towing for the quarter in which said conditions are not current and in full force and effect.
10. An administrative fee shall be charged to persons when attempting to obtain a release for their vehicles from the Police Department. No release shall be issued by the Police Department until the fee is paid. The administrative fee shall be included in the Master Fee Schedule for the Village of Tarrytown as may be amended from time to time by the Board of Trustees. The Master Fee Schedule shall include an administrative fee for the release of vehicles involved in a criminal complaint and a second for the release of vehicles not involved in a criminal complaint as outlined below:

Vehicles Impounded Due to:

Criminal Complaint

Suspended registration or unregistered vehicle

No insurance

No driver's license or suspended driver's license and no licensed driver present

DWI or DWAI and no sober licensed driver present

Inadequate brakes or steering

Improper plates

Criminal arrests of motorist in certain cases

Non-Criminal Complaint

Obstructing traffic

Blocked driveways

Music Hall tow-away zone

Snow ordinance violations

Abandoned vehicles

Parking scofflaws

Vehicles leaking gas

11. A fee shall be established and included in the Master Fee Schedule for the Village of Tarrytown, which may be amended from time to time for a towing contractor to obtain a license.
12. The Village shall establish a rate schedule for towing licensees. Licensees shall only charge per the rate schedule, with the exception of rates not included in the schedule. All rates established by the licensee shall be reasonable. The Village shall have the right to request documentation of how said rate is established and the licensee shall provide such documentation within five (5) days of such request. The towing rates shall be included in the Master Fee Schedule for the Village of Tarrytown, which may be amended from time to time by the Board of Trustees.
13. Licensee shall be responsible for the service of any specialist or consultant required for the performance of the towing service which is subject of the license.

14. CONDITIONS FOR QUALIFICATION

- a. Licensee shall provide an affidavit indicating the names, addresses and dates of birth of all individuals, partners, or shareholders of the business. Such affidavit shall also include information as to any criminal history of the persons so named.
- b. Licensees shall provide copies of all such licenses, certificates and registrations required by New York State to operate a towing business. These documents shall include, but not be limited to, the following:
 1. Business certificates
 2. Motor vehicle documents; i.e., registrations for all tow vehicles; drivers licenses of all tow truck operators
 3. Tax certificates
- c. Licensee shall maintain and provide documentation thereof, of the following insurances:
 1. Workman's Compensation
 2. Insurance policy(s) naming the Village of Tarrytown as an additional insured in the following amounts:
 - \$1,000,000 Combined single limit bodily injury and property damage
 - \$1,000,000 Garage keepers liabilityInsurance certificates must confirm the above listed conditions and shall include a 30 day notice of cancellation to the Village of Tarrytown.

Insurance to be provided for both the towing vehicle and the vehicle being towed.

- d. Licensee shall maintain the following records at their primary place of business:
- Current drivers licenses of all tow truck drivers that may be driving pursuant to this policy
 - Current insurance identification cards of all tow trucks
 - Current insurance certificate evidencing insurance on the premises where vehicles are towed and/or stored
- e. The Village shall be held harmless against any damages, thefts, occurrences arising from towing, storage, or other services provided by the licensee.
- f. Licensee shall honor at least one major interbank charge card and not refuse towing of emergency service for lack of the motorist's immediate ability to pay.
- g. Licensee shall supply all service equipment necessary to maintain and conduct standard vehicle towing operations and flatbed service.
- h. Licensee shall be available for service twenty-four (24) hours per day and shall work under the direction of the Chief of Police or his/her designee.
- i. Licensee shall respond to the location where a tow is required within fifteen (15) minutes of the contact from the Police Department. The licensee shall not refuse to respond to any call.
- j. Licensee shall maintain equipment for the purpose of cleaning debris from the roadway and shall render such service as required in Section 1219 (c) of the Vehicle and Traffic Law of the State of New York.
- k. Licensee shall be available for attendance at conferences and meetings at the request of the Village or the Chief of Police.
- l. Licensee shall provide any written reports requested by the Village or the Chief of Police within five (5) working days of this request.
- m. Licensee shall provide a storage area for towed vehicles which shall be of sufficient size to accommodate at least twenty (20) average size vehicles. The storage area must be located within the Village of Tarrytown. However, should there be no applicants that qualify for a towing license per the time frames established in Paragraph 3 hereinabove, the Village shall extend the area where the storage yard must be located to within one-half mile of the jurisdictional limits of the Village of Tarrytown. The storage area shall be secure so as to provide reasonable security of the vehicles and the contents thereof. The storage area shall be lighted during the hours of darkness. The

Village shall have the right to inspect the security provisions during the term of the license to assure continued compliance.

- n. Licensee shall tow all vehicles as directed by the Police Department at the expense of the owner and shall not hold the Village responsible for fees arising from the towing of vehicles whose owners cannot readily be identified or for fees that cannot be charged according to law.
- o. Licensee shall provide a rate schedule to the motorist prior to the tow, if the motorist is present at the scene of the tow. If the motorist is not present at the scene, licensee shall attach a rate schedule to the statement submitted to the motorist.
- p. Licensee shall tow all vehicles to the secure storage area unless directed otherwise by the Police Department or as reasonable directed by the owner/operator of the vehicle. The Police Department may direct the licensee to tow a vehicle, deemed to be retained in police custody as evidence, to the police impound area and the licensee shall not be entitled to storage fees in such instance.
- q. Licensee shall release or dispose of vehicle(s) impounded at the direction of the Police Department, or personal property within these vehicles, in strict compliance with procedures set forth in Code of the Village of Tarrytown, Chapter 287-4(D) Removal of Vehicles, Release of Vehicle, or by procedures established by the Tarrytown Police Department. Failure to comply with Chapter 287 or the procedures established by the Tarrytown Police Department may subject licensee to the sanctions of law. Licensee shall be required to promptly notify the Village of Tarrytown of any lien placed against an impounded vehicle and shall be responsible to comply in all respects with the applicable provisions of the Lien Law.
- r. Licensee shall allow for the retrieval of vehicles by authorized persons from the storage area ~~every day of the week~~ Monday through Saturday between the hours of 8:00 a.m. and 10:00 p.m., ~~or at other times by special arrangement.~~ Vehicles will be released on Sundays and after hours only if the impound is in regards to an event held within the Village of Tarrytown (i.e. street fairs, parades, Music Hall shows).

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Towing Rates	Non-commercial vehicles within the Village of Tarrytown-	\$125.00	8/16/2010
	Per mile outside a 2-mile radius of the Village line-	\$5.00	8/16/2010
	Flat bed service-	\$175.00	8/16/2010
	Road Service	\$75.00	8/16/2010
	Winching rates-	\$105.00	8/16/2010
	Rollover-	\$200.00	8/16/2010
	Storage Fee per day-	\$50.00	8/16/2010
	Pick up prior to vehicle being hooked to tow-	\$75.00	8/16/2010
	After hours retrieval of towed vehicle-	\$10.00	8/16/2010
	Yard charge-	\$65.00	
Towing-Impounds	Non-Crime Resident-	\$15.00	
	Non-Crime Non Resident	\$20.00	
	Crime-Resident	\$40.00	
	Crime-Non Resident	\$45.00	

TOWING RATES FOR COMMERCIAL VEHICLES

Category	NYS Thruway Authority	Greenburgh	Scarsdale
10,001 lbs. to 17,999 lbs	\$200/hour		\$150/hour
18,000 lbs. and greater	\$350/hour		
18,999 lbs. or less		\$150/hour	
19,000 lbs. or greater		\$350/hour	
18,000 lbs. to 33,000 lbs.			\$200/hour
33,000 lbs. to 80,000 lbs.			\$350/hour
50 Ton or more hydraulic wrecker	\$425/hour		
40 Ton or more Heavy Rotator	\$750/hour		

PROPOSED MASTER FEE AMENDMENTS - TOWING				
Category in Master Fee Schedule	Sub-Category in Master Fee Schedule	Current Fee	Proposed Fee	Original Date of Fee
Towing Rates	Non-commercial vehicles within the Village of Tarrytown	\$125.00	No Change	8/16/2010
	Per mile outside a 2-mile radius of the Village line	\$5.00	No Change	8/16/2010
	Flat bed service	\$175.00	No Change	8/16/2010
	Road Service	\$75.00	No Change	8/16/2010
	Winching rates	\$105.00	No Change	8/16/2010
	Rollover	\$200.00	No Change	8/16/2010
	Storage Fee per day	\$45.00	\$50.00	8/16/2010
	Pick up prior to vehicle being hooked to tow	\$15.00	\$75.00	8/16/2010
	After hours retrieval of towed vehicle	\$10.00	No Change	8/16/2010
	Yard charge		\$65.00	
Towing-Impounds	Non-Crime Resident		\$15.00	
	Non-Crime Non-Resident		\$20.00	
	Crime Resident		\$40.00	
	Crime Non-Resident		\$45.00	
New language - currently reads "Within the Village of Tarrytown and doesn't distinguish costs based upon the weight of the vehicle being towed"				
New Fee - Yard Charge pertains to most vehicles that are impounded as a result of a crime. The charge covers the expenses associated with the processing of the vehicle, securing the vehicle, the opening of the yard and the retrieval of property from the vehicle.				
Currently the Master Fee Schedule has a separate fee for residents and non-residents and crime and non-crime. This change makes it easier to understand the actual fee.				

**VILLAGE OF TARRYTOWN
VILLAGE ADMINISTRATOR'S OFFICE
MEMORANDUM**

TO: Mayor Fixell and the Board of Trustees
FROM: Michael Blau, Village Administrator
RE: Meeting Rooms at Main Street Firehouse
DATE: October 31, 2016

In the approved Capital Budget for FY 16-17 is a project for the Fire Department to replace the paneling in the Main Street firehouse meeting rooms. \$20,000 was approved in the Capital Budget for this project. The Fire Chief has obtained three price quotes for the following work to be performed:

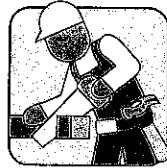
- Sheetrock over existing wood paneling
- Apply compound and tape, sand and prepare for painting
- Apply base primer paint and finish with flat white paint
- Apply base primer and paint metal door frames and ceiling beam with semi-gloss white paint

The three price quotes are as follows:

Robert G. Kearns	\$8,950
Shell Construction Inc.	\$10,340
Racwel Construction Inc.	\$10,800

CARPENTRY
FRAMING
DECKS
VINYL SIDING

ROBERT G KEARNS



ROOFING
WINDOWS
SHEETROCK
CERAMIC TILE

LICENSED
WC-09637-H98

109 Tappan Landing Rd
Tarrytown, NY 10591
(914) 760-1823
(914) 631-3129

INSURED

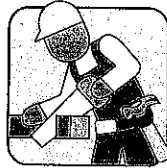
Residential & Commercial Construction

Memorandum
October 14, 2016

Please see attached Proposals (2) Proposal #1 for Hope Hose and Proposal #2 for Conqueror Hook and Ladder Meeting Rooms.

CARPENTRY
FRAMING
DECKS
VINYL SIDING

ROBERT G KEARNS



ROOFING
WINDOWS
SHEETROCK
CERAMIC TILE

LICENSED
WC-09637-H98

109 Tappan Landing Rd
Tarrytown, NY 10591
(914) 760-1823
(914) 631-3129

INSURED

Residential & Commercial Construction

PROPOSAL October 14, 2016

Village Of Tarrytown
Hope Hose
Main Street
Tarrytown, NY 10591

Job Description:

Supply and installation of 1/2 inch sheetrock in the Hope Hose "Meeting room". Sheetrock will be installed over existing wood paneling on walls. Tape and three coats of compound applied, sand and paint ready. Prime paint all sheetrock and apply 2 coats finish White Flat paint (Benjamin Moore). The steel I-Beam will be painted. Metal door frames will be painted White Semi Gloss.

The hardwired Emergency Exit sign/lighted to be removed by others prior to installation of sheetrock.

All objects, plaques etc affixed to walls to be removed prior to start of job, Chairs, cabinets, etc to either be removed or placed in center of room so to allow for work to be performed and should be covered with plastic or tarps to prevent from plaster/sanding dust.

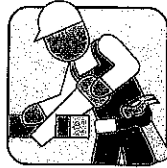
Total Labor and Materials: \$4,475.00
(Four Thousand Four Hundred Seventy Five Dollars)

Authorized Signature/Acceptance/Dated

You have the right to cancel this contract within 72 hrs after signing date

CARPENTRY
FRAMING
DECKS
VINYL SIDING

ROBERT G KEARNS



ROOFING
WINDOWS
SHEETROCK
CERAMIC TILE

LICENSED
WC-09637-H98

109 Tappan Landing Rd
Tarrytown, NY 10591
(914) 760-1823
(914) 631-3129

INSURED

Residential & Commercial Construction

PROPOSAL October 14, 2016

Village Of Tarrytown
Conqueror Hook & Ladder
Main Street
Tarrytown, NY 10591

Job Description:

Supply and installation of 1/2 inch sheetrock in the Conqueror Hook & Ladder "Meeting room". Sheetrock will be installed over existing wood paneling on walls. Tape and three coats of compound applied, sand and paint ready. Prime paint all sheetrock and apply 2 coats finish White Flat paint (Benjamin Moore). The steel I-Beam will be painted. Metal door frames will be painted White Semi Gloss.

The hardwired Emergency Exit sign/lighted to be removed by others prior to installation of sheetrock.

All objects, plaques etc affixed to walls to be removed prior to start of job, Chairs, cabinets, etc to either be removed or placed in center of room so to allow for work to be performed and should be covered with plastic or tarps to prevent from plaster/sanding dust.

Total Labor and Materials: \$4,475.00
(Four Thousand Four Hundred Seventy Five Dollars)

Authorized Signature/Acceptance/Dated

You have the right to cancel this contract within 72 hrs after signing date

Shell Construction Inc
Kevin Spellman
PO Box 335
Yorktown, NY
(914) 469-3141
WC License WCo8466H97W

October 22, 2016

Tarrytown Fire Department
Main Street
Tarrytown, NY 10591

Estimate:

Sheetrock the 2 Meeting Rooms with ½" sheetrock over the existing wood paneling (walls only) Apply compound/tape and sanding to make paint ready. Prime paint sheetrock and door frames and apply flat white paint to walls and semi gloss finish to metal door frames and ceiling beam.

Note: Any hardwired electrical fixture(s) mounted on exterior of the wood paneling to be disconnected by others. All furniture etc to be removed to allow at least 5ft work area in perimeter, or items placed in center of rooms and covered.

Meeting room 1-\$5,170.00

Meeting room 2-\$5,170.00

RACWEL CONSTRUCTION INC.

122 E. SUNNYSIDE LANE
IRVINGTON, NEW YORK 10533
Frank Racanelli, Owner

Office Phone: (914) 693-4448
Office Fax: (914) 591-1374

Racwelconstruction@gmail.com
Cell Phone: (914) 760-1397

October 26, 2016

Village of Tarrytown
Tarrytown Fire Department
Main Street
Tarrytown, New York 10591

Job location: Fire Department - Main Street Tarrytown
Work to be performed - Two meeting rooms to be sheetrocked and painted.

ESTIMATE

Sheetrock over wood paneling (walls only), tape joists, apply compound as required, sand and make ready for paint.
Apply base primer paint and finish with flat white paint.
Metal frames to be painted with semi gloss paint.
Furniture etc to be removed from each room and stacked in center to allow for work to be completed.

Room #1	\$5,400
Room # 2	\$5,400

PAYMENT SCHEDULE:

20% Due on Signing Contract
50% Due on Start of Job
30% Due on Completion

BY: _____



RACWEL CONSTRUCTION, INC.

10/28/16

Mr. Carol Booth,

RECEIVED

OCT 31 2016

TARRYTOWN VILLAGE CLERK

Would you and the
Village Board Consider
opening up memberships
to the new gym & pool
to veterans who have
a Tarrytown address??

Thank you for your consideration.

Regards,

Jack Cullen

412 Benedict Ave.

Tarrytown, NY 10591

(HALSTON HOUSE)

FIREJACK@OPTONLINE.NET

**VILLAGE OF TARRYTOWN
VILLAGE ADMINISTRATOR'S OFFICE
MEMORANDUM**

TO: Mayor Fixell and the Board of Trustees
FROM: Michael Blau, Village Administrator
RE: Village as Assessing Unit
DATE: November 7, 2016

The Town of Greenburgh has now completed all of the work associated with the reassessment of their assessment roll, including challenges to the new assessments and property owners applying and qualifying for a phase in of certain increases in the roll. The new assessment roll creates issues for the Village due to part to new assessments on the Town's roll that have a full market value that is less than the full market value on the Village's roll. Petitioners for assessment review will use the Town's new assessment number against the Village and demand a decrease in the assessed value on the Village roll.

There are two possible actions that the Village can take to address this inevitable challenge from property owners. The first is for the Village to use the assessment roll of the Town. The second is for the Village to cease to be an assessing unit. I have attached a document provided to me from the NYS Office of Real Property Tax Services regarding assessing options.

I have discussed the options with the State and it is their recommendation that Villages essentially get out of the assessment business. The representative from the State noted that the option of the Village using the Town's assessment roll is a middle ground type of option whereby the Village retains some control over the assessment process, but he noted that there are issues that the Village needs to be aware of in regards to this option. Those issues are noted below:

- Different taxable status dates. The Village's taxable status date is January 1. Taxable status date means that construction work that is in process or completed as of January 1 can be placed on the assessment roll for the Village for the June 1 tax bills. The Town's taxable status date is May 1. Thus, during the period from May 1 to January 1, none of the construction work that occurred would be reflected on the assessment roll used by the Village for the June 1 tax bills.
- The actual assessment roll used by the Village from the Town is 1 ½ years behind. The assessment roll created by the Town for July 1, 2015 would be the assessment roll used by the Village as of January 1, 2017.
- The Village Assessor would still have an obligation to review the annual roll to determine whether the Assessor agreed with the assessment numbers established by the Town.

Please note that the Villages of Irvington and Ardsley ceased to be assessing units a number of years ago. The Villages of Hastings and Dobbs Ferry adopted local laws to cease to be an assessing unit last month. I only had the opportunity to discuss the concept with the Town Assessor approximately one week ago and was waiting for some updated assessment numbers to share with you. However, in order to cease to be an assessing unit for the Village's FY 17-18 fiscal year, the Board must adopt the necessary legislation in November because there is a 30 day permissive referendum associated with such an action by the Board.

I have discussed how to proceed with the Village Attorney and we concur that should the Board have any interest in this concept, the Board amend the meeting agenda for tonight and adopt a resolution scheduling a public hearing on amending the Village Code. The matter can then be discussed at the next Work Session and should the Board decide that Tarrytown should remain an assessing unit, you can table this legislation. However, without this action to schedule the public hearing, the Board cannot cease to be an assessing unit until 2018. I have shared with the Village Attorney the model legislation proposed by the state to cease to be an assessing unit.

C: Steve Silverberg, Village Attorney
James Hart, Village Treasurer
Carol Booth, Village Clerk



STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE
OFFICE OF REAL PROPERTY TAX SERVICES

W.A. HARRIMAN CAMPUS
ALBANY, NY 12227

January 2011

Village Assessment Options

Law

Section 1402 of the Real Property Tax Law (RPTL) provides villages with several assessing options:

- an assessing unit village prepares an assessment roll in the same manner and form as does a town. Assessed values are determined by the village assessor and these values are subject to administrative and judicial review (RPTL, §1402(1)).
- a village may use the assessment roll(s) of the town(s) or county in which it is located as the basis of village assessments, adjust the values as necessary, and provide for administrative and judicial review (RPTL, §1402(2)).
- a village may cease to be an assessing unit and opt to levy its tax on a portion of the town or county roll prepared for it.¹ Under this option, there is no separate administrative or judicial review of assessments for village purposes; the village becomes analogous to school districts which use county, city, town, or village prepared assessment rolls without any responsibility for their preparation, maintenance, or defense (RPTL, §1402(3)).²
- a village, which has boundaries coterminous with those of the town in which it is located, and which prepares a single assessment roll for village and town purposes in accordance with section 17-1722-a of the Village Law, is not otherwise subject to section 1402 of the RPTL (RPTL, §1402(5)).

A list of villages that have adopted resolutions to base their assessment rolls on the town or county roll or have terminated their assessing status is available on the Department's website.

¹ However, a village located in two or more towns having different taxable status dates is not eligible to cease to be an assessing unit.

² Note that most villages which are newly incorporated on or after January 1, 1995 are non-assessing villages, unless they adopt local laws to become assessing units (RPTL, §1402(4)).

History

Prior to the adoption of the non-assessing unit option in chapter 735 of the Laws of 1983, all villages were included within the then statutory definition of "assessing unit" (RPTL, §102(1)) and were required to perform all the requisite steps in the assessment process (*i.e.*, determine taxable status of village real property, determine tentative assessed values, provide for administrative review of assessments, file a final assessment roll, correct administrative errors on assessment rolls, defend judicially challenged assessments, file an assessor's annual report).

Villages have long had the option of using the town or county assessment roll "as the basis for the village assessment so far as practicable" (RPTL, §1402(2)), but even where this option is exercised, the village remains an assessing unit with the concomitant assessment responsibilities. For example, separate valuation and exemption determinations are necessitated by differing town and village taxable status dates and the village must have an inventory of assessment data. Also, the assessments are subject to administrative and judicial review (including small claims assessment review) and those assessments must be defended by the village whether they were originally computed by the village or by the town or county. A model section 1402(2) resolution is included as Appendix A to this memorandum. A copy is to be filed with ORPTS.

Whether a village has opted to use the town or county assessment roll as a basis for village assessments or has prepared its own roll, villages have been specifically excluded from many State programs regarding improved assessment procedures (*e.g.*, villages are not subject to the provisions of the so-called Assessment Improvement Law of 1970 (L.1970, c.957, *see*, RPTL, §§334, 1562) and are not eligible for State assistance for the maintenance of improved real property tax administration (RPTL, §§1573, 1574)). In part, these exclusions may be explained by the conscious choice of villages, by the State's recognition of the duplicative nature of village assessments, and by the State's limited resources. (That is, State aid for the maintenance of improved assessment administration might otherwise be paid twice for the same parcel.) The exclusion of villages from State programs may also be explained, in part, by the relatively small population of many villages. (For example, some villages would find it difficult, if not impossible, to staff an independent board of assessment review as is *required* in towns and cities (*see*, RPTL, §523) but only *optional* in villages (RPTL, §1408(1)).

Required Village Action to Terminate Assessing Unit Status

To exercise the option to terminate its assessing unit status, a village must pass a local law,³ subject to a permissive referendum. Within 10 days of the adoption of such a local law, the village board of trustees must forward a copy thereof to ORPTS.⁴ If a village enacts such a local law, and it

³ A copy of a model local law is included as Appendix B to this memorandum. Note that should a special charter village wish to elect the option in section 1402(3), its local law must also amend any assessment provisions in the charter to make the charter consistent with the village's option to terminate its assessment function.

⁴ The purpose of filing this copy of the local law with ORPTS is to enable ORPTS staff to advise village officials concerning proper filing of the local law, thereby helping to avoid problems which may

goes into effect, either because no valid petition for a referendum is filed or, if a referendum is held, the local law receives voter approval, the village will thereafter levy its taxes on a copy of the appropriate portion of the town (or towns, if the village is located in more than one town) assessment roll(s) or county assessment roll (if the village is located in a county having the power to assess real property (*i.e.*, Nassau or Tompkins)). The local law will be effective for all village taxes thereafter levied, unless the local law is subsequently rescinded. However, if a village's local law initially takes effect between village taxable status date and the corresponding village tax levy, the village will not cease to be an assessing unit until the following year.

To be effective, the local law must be filed with the Secretary of State.⁵ Within five days of the effective date of the local law, the village board of trustees is to file a copy with the ORPTS,⁶ the county or town clerk, and the county or town assessor.

County/Town Responsibility

Once a local law is effective, the town or county assessor must thereafter prepare and deliver to the village a copy of the appropriate part of the town or county assessment roll. This roll is to conform in all respects to the corresponding part of the town or county roll, and the town or county's taxable status date will also govern for village purposes. As noted below, the town or county assessor must make necessary changes for village purposes for exemptions granted at village option where these options differ from the town or county (*e.g.*, different senior citizens exemption income limit).

The town or county assessor is responsible for apportioning special franchise assessments and railroad ceiling properties on the town or county assessment roll used for village tax purposes. Also the town or county assessor apportions village tax liens. The law provides that the town or county may charge the village for the cost of preparing and furnishing a duplicate copy of the village portion of the town or county assessment roll.

Where a village terminates its assessing unit status, the county real property tax director has the responsibility of investigating and reporting on administratively correctable errors on village tax rolls. The village board will continue to refund village taxes based on errors found.

State Equalization Rates

State equalization rates are established for all villages. The State equalization rate established by ORPTS for the town or county assessment roll is the equalization rate for the non-assessing unit

delay the local option.

⁵ Because a local law adopted pursuant to section 1402(3) is subject to permissive referendum, village attorneys should be careful to complete Part 4 of Page 2 of the Department of State's form for local laws.

⁶ If possible, file a copy of the Department of State's receipted acceptance of the local law with the copy filed with ORPTS.

village.⁷ Village equalization rates remain essential for State aid determinations and tax and debt limit calculations. Also, they are used to establish special franchise assessments, railroad ceilings, and State owned land assessments.

Split Villages

More than 70 of the State's villages are located in two or more towns. Where such a village elects the non-assessing unit option, equalization is necessary for village tax apportionment.⁸ In essence, the village utilizes the county or town assessment rolls in much the same manner that school districts do in determining their tax apportionments and tax levy. The town equalization rates are applied to the village assessed value portions of each town roll to obtain the full value of each portion of the village. The full values are then used to apportion the tax levy among the portions of the village. As with school districts, different tax rates result.

Assessments

With the termination of its assessing unit status, a village is no longer responsible for making or defending assessments. The village no longer has an assessor or board of assessment review and is not responsible to defend small claims court or tax certiorari proceedings brought against a county or town assessment. The village does, however, receive notice of such proceedings (RPTL, §§708(3), 730(8)).

A non-assessing unit village retains its municipal exemption options (*see, 8 Op. Counsel SBEA No. 16*). For village taxes, the county or town assessor will reduce the total assessed value to taxable assessed value in accordance with established village exemption policies.

Taxes

Although a non-assessing unit village has no assessment authority, it continues to levy a village tax and it continues to collect taxes and enforce the collection of delinquent taxes. However, the optional provision for collection of delinquent village taxes by the county, as authorized by RPTL, section 1441, remains in effect.

Villages which cease to be assessing units and which are located wholly within a town (outside of Nassau County) which is an "approved assessing unit"⁹ or which are located in more than one town, where one-fifth or more of the parcels in the village are located in one or more approved assessing units

⁷ A special rate may be determined where the town rate is shown to be inequitable as to the non-assessing unit village (RPTL, §1226(3)).

⁸ Similarly, a split village which relies on the assessment rolls of the two or more towns in which it is located as the basis for the village assessment roll (per RPTL, §1402(2)), must change some or all of the town assessed values so that the village assessment roll satisfies the statutory standard of uniform assessment (RPTL, §305).

⁹ A town which is an "approved assessing unit" is one which has been certified by ORPTS pursuant to section 1902 of the RPTL as having completed a revaluation or update of assessments.

which have in effect a local law adopted pursuant to RPTL, section 1903(1), are eligible to establish separate (different) tax rates for the "homestead" (e.g., 1-, 2- and 3-family residential property) and non-homestead classes of real property. Villages located wholly within a town, which choose to take advantage of this option must enact a second local law adopting the provisions of RPTL, section 1903, and file copies of that local law with the town assessor and county director. Split villages which choose to take advantage of this option must first file a notice of intent with each assessor on or before the applicable taxable status date and file a copy with the county director. They must then pass a resolution, following a public hearing, adopting the provisions of RPTL, section 1903-a, and file copies of such resolution with the body, officer or employee that computes the village's tax rates and the county director.

Villages in Nassau County which cease to be assessing units are automatically required to establish separate (different) tax rates for each of the four classes of real property for which the County establishes separate tax rates. The information needed to allocate the village tax levy among the four classes is provided to the village by the County. However, the village may adopt a local law combining Classes 2, 3, and 4 into one class for tax levy purposes.

Assessor's Annual Report

A non-assessing village is not required to submit an assessor's annual report (RPTL, §575). The town or county assessor will include relevant village information as part of the town or county report (20 NYCRR 8193-4.2(b)(4)).

Fiscal Year Option

Since most villages have a fiscal year commencing on June 1 (Village Law, §5-500(4)), in general, if a village were to timely elect the option provided in this law for purposes of its 2011-12 tax levy, those taxes would be levied against a part of the town assessment roll based on a March 1, 2010 taxable status date. New construction and demolitions occurring after March 1, 2010 would therefore not appear on the 2011-12 village tax roll. To change this result, which may be deemed a problem by some villages, section 5-510 of the Village Law permits a village which has opted to cease to be an assessing unit to change its fiscal year to conform to that of the appropriate town(s) or county, thereby resulting in a village roll more contemporaneous with that of the town or county. The dates for collection of the village tax would then change in a corresponding manner.

Further Questions

Questions concerning non-assessing unit villages may be directed to a Regional Office.

Appendix A

Model Resolution per Real Property Tax Law, §1402(2)

Be it resolved by the Board of Trustees of the Village of _____ that, in accordance with the provisions of subdivision 2 of section 1402 of the Real Property Tax Law, the Village assessment roll shall be based on the roll(s) of the Town(s)* of _____ so far as practicable. This resolution shall remain in effect unless and until it is rescinded by a subsequent resolution or it is superseded by a local law, adopted in accordance with subdivision 3 of section 1402 of the Real Property Tax Law, to abolish the Village's assessing unit status. A copy of this resolution will be filed with the Office of Real Property Tax Services.

* Nassau County villages should revise text to indicate that village assessments will be based upon County assessed values.

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 21st day of November, 2016, at 8 PM, in the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear, discuss and to act upon an amendment to Chapter 269 entitled "Taxation". A summary of the legislation is available at Village Hall. The complete text of this legislation follows:

A LOCAL LAW to amend the Code of the Village of Tarrytown, Chapter 269 entitled "Taxation", to add a new Article VIII to terminate the Village's status as an assessing unit.

SECTION 1. LEGISLATIVE INTENT.

The intent of the Board of Trustees of the Village of Tarrytown is to implement section 1402(3) of the Real Property Tax Law providing for the voluntary termination of the Village's status as an assessing unit, as provided in the Village Law and the Real Property Tax Law. It is also the intent of this local law to abolish the position of Assessor and to terminate any and all responsibility as provided by law for the review of the assessments of real property located within the Village of Tarrytown.

Material to be deleted appears in parenthesis [], material to be added is in **bold typeface**.

SECTION 2. ESTABLISHMENT OF NEW ARTICLE VIII "Termination of Village of Tarrytown as an Assessing Unit"

§ 269-40. On or after the effective date of this local law, the Village of Tarrytown shall cease to be an assessing unit.

§ 269-41. The position of Assessor in the Village of Tarrytown is hereby abolished.

§ 269-42. The Board of Assessment Review in the Village of Tarrytown is hereby abolished.

§ 269-43. On or about the effective date of this local law, taxes in the Village of Tarrytown shall be levied on a copy of the applicable part of the assessment roll of the Town of Greenburgh with the taxable status date of such Town controlling for Village purposes.

§ 269-44. Within five days of the effective date of this local law, the Board of Trustees of the Village of Tarrytown shall file a copy of such local law with the Clerk and Assessor of the Town of Greenburgh and with the Office of Real Property Tax Services.

§ 269-45. This local law shall take effect immediately upon filing with the Secretary of State, provided, however, that such local law is subject to a permissive referendum and the Village Clerk shall forthwith proceed to notice such fact and conduct such referendum if required by petition.

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, as provided by law.

All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; a request must be made to the Village Clerk at least five days in advance of the meeting.

**BY ORDER OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF TARRYTOWN**

DATED: November 7, 2016

Contact: Michael Blau, Village Administrator
Tarrytown Village Hall
One Depot Plaza
Tarrytown, New York 10591
[914] 631-1785

Mike Blau

From: George Markopoulos <georgemark514@gmail.com>
Sent: Monday, November 07, 2016 12:09 PM
To: Mike Blau
Subject: Re: Parking on Miller Ave after 6 is a major problem. People who do not live on the street are parking there. I live on 16 Miller Ave. I get home after midnite and I have to park on Park Ave. My wife gets home at 6pm and also has a problem parking. Someth

That would make sense. If residents have a party, they could get permits for their guests from the police dept

Sent from my iPhone

> On Nov 7, 2016, at 8:00 AM, Mike Blau <MBlau@tarrytowngov.com> wrote:

>

> So you would be seeking the extension of the resident parking permit system 24 hours per day?

>

> -----Original Message-----

> From: George Markopoulos [<mailto:georgemark514@gmail.com>]

> Sent: Friday, November 04, 2016 8:30 PM

> To: Mike Blau

> Subject: Parking on Miller Ave after 6 is a major problem. People who do not live on the street are parking there. I live on 16 Miller Ave. I get home after midnite and I have to park on Park Ave. My wife gets home at 6pm and also has a problem parking. Somethi...

>

>

>

> Sent from my iPhone

RESIDENT PARKING PERMIT AREAS

§ 291-52. Areas reserved for parking permit holders.

The following off-street parking areas shall be reserved exclusively for holders of parking permits issued under §§ 291-45 through 291-51 of this article. It shall be unlawful for any person to park any vehicle in such areas unless such person is the holder of a valid parking permit for such vehicle.

A. Resident parking permits: Depot Plaza Parking Lot, McKeel Avenue Parking Lot, South Broadway Parking Lot, South Washington Street Parking Lot, South Washington Street Parking Lot West, Green Street North Parking Lot, Green Street South Parking Lot, West Main Street Parking Lot, Losee Park Parking Lot, and West Elizabeth Street Parking Lot.

B. Nonresident parking permits. Designated permit zones west of the railroad tracks.

C. Benedict Park/Hamilton Place Parking District.[1] The following is a street-by-street list of restrictions for the Benedict Park/Hamilton Place Parking District effective Monday through Friday between the hours of 6:00 a.m. and 5:00 p.m.:

(1) Hamilton Place.

(a) North side: permit parking only from the easternmost metered space east to Neperan Road (three metered spaces).

(b) South side: permit parking only from the easternmost metered space east to a point 222 feet west of Neperan Road (four metered spaces), (11 unrestricted spaces).

(2) Miller Avenue (Franklin Street to Glen Street).

(a) East side: permit parking only, entire length.

(b) West side: permit parking only, entire length.

(3) Miller Avenue (Glen Street to Independence Street).

(a) East side:

[1] Unrestricted parking from the driveway of No. 40 Miller Avenue south for a distance of 194 feet (end of WI fence), (nine unrestricted spaces).

[2] Permit parking only from above point to Independence Street.

(b) West side: permit parking only, entire length.

(4) Riverview Avenue (Franklin Street to Glen Street).

(a) East side: permit parking only, entire length.

(b) West side: no parking permitted.

(5) Riverview Avenue (Glen Street to Bridge Street).

(a) East side: permit parking only, entire length.

(b) West side:

[1] Unrestricted parking for 80 feet south (four unrestricted spaces).

[2] Permit parking only from No. 63 Riverview Avenue south to Bridge Street.

(6) Riverview Avenue (Bridge Street to Church Street).

(a) East side:

[1] Permit parking only to a point 60 feet north of Church Street.

[2] Unrestricted parking for 60 feet (three unrestricted spaces).

(b) West side: permit parking only from the corner south to a point 140 feet north of Church Street (seven unrestricted spaces).

(7) Glen Street.

(a) North side: permit parking entire length.

(b) South side: unrestricted parking entire length (five unrestricted spaces).

(8) Bridge Street.

(a) North side: permit parking entire length.

(b) South side: permit parking entire length.

(9) MacArthur Lane (dead-end to Bridge Street).

(a) East side: permit parking entire length.

(b) West side: permit parking only from the driveway of No. 95 south (four unrestricted spaces).

(10) MacArthur Lane (Bridge Street to Church Street).

(a) East side: permit parking entire length.

(b) West side: permit parking entire length.

(11) Church street.

(a) North side: permit parking entire length.

(b) South side:

[1] Unrestricted parking from Route 9 west for 80 feet (four unrestricted spaces).

[2] Permit parking west to the driveway of No. 40.

[3] Unrestricted parking for 160 feet west to the pedestrian bridge (seven unrestricted spaces).

[4] Permit parking west from the bridge to the dead-end.

(12) Independence Street.

(a) North side: permit parking only west from Route 9 to a point 80 feet east of Miller Avenue (four unrestricted spaces).

(b) South side: permit parking entire length.

(13) Park Avenue.

(a) North side: permit parking entire length.

(b) South side: permit parking entire length.

D. Northwest Boundary Parking District. The following is a street-by-street list of restrictions for this district effective Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m.:

(1) Cottage Place.

(a) East side: permit parking only from Main Street to Central Avenue.

(2) Hanford Place.

(a) East side: permit parking only; except for a distance of 30 feet in a northerly direction from a point 130 feet north of Wildey Street, which shall be unrestricted.

(b) West side: permit parking only; except for a distance of 60 feet in a northerly direction from a point 325 feet north of Wildey Street, which shall be unrestricted.

(3) Mechanics Avenue.

(a) East side: permit parking only from Central Avenue to Wildey Street.

(4) Storm Street.

(a) South side: permit parking only; except for a distance of 75 feet in an easterly direction from Utility Pole W-7, which shall be unrestricted.

(b) West side: permit parking only; except, for a distance of 60 feet in a southerly direction from Wildey Street, which shall be unrestricted.

(5) Wildey Street.

(a) North side: permit parking only; except for a distance of 60 feet in an easterly direction and 100 feet in a westerly direction from Hanford Place, which shall be unrestricted.

(b) South side: permit parking only; except for a distance of 65 feet in a westerly direction from North Washington Street, which shall be unrestricted.

(6) Windle Park.

(a) East side: permit parking only; except for a distance of 160 feet in a southerly direction from Main Street, which shall be unrestricted.

(7) Wood Court.

(a) West side: permit parking only; except for a distance of 50 feet in a southerly direction from a point 170 feet south of Wildey Street, which shall be unrestricted.

TARRYTOWN POLICE DEPARTMENT
OFFICE MEMORANDUM

Date: November 7, 2016
To: Chief Brown & Michael Blau
From: Lt. Barbelet
Re: Naming of Train Station Parking Lots

Below you will find suggested legislation for "renaming" the parking lots that are directly associated with the train station and commuter parking. Currently these lots are not named in the code and referenced to by different means across different departments. By officially naming these with a distinct letter in the Code it will allow for consistency in the map program we are building and also strengthen enforcement issues.

All new material is in **bold**.

§ 291-91 Schedule XXVI: Off-Street Metered Parking Lots.

The areas described below shall constitute off-street metered parking lots. A full description of such lots is available in the office of the Village Clerk, where it may be examined during regular office hours.

Name of Lot

McKeel Avenue Parking Lot

31 South Broadway Parking Lot

South Depot Plaza; south area under lease from the New York Central Railroad/**Lot B**

South Washington Street Parking Lot West

South Washington Street Parking Lot

West Elizabeth Street Parking Lot

Resident Lot

Green Street North (north of tennis courts)

West Main Street Lot

Pierson Park Lot

Green Street South (north of Losee Park)

Losee Park South and Green Street along Losee Park

Fence Line

Lot A

Lot C

Lot D

Lot E

Lot F








Lot G



Train Station

Parking Map

Click on Highlighted areas for parking information.

-  Train Station
-  Pay Station
-  Electric Car Parking
-  Handicapped Parking
-  Village Hall
-  Police Station
-  Bike Parking

Parking Lots

-  Public
-  Public/Recreational
-  Recreational
-  On Street Metered
-  Village Hall

[Click for Recreation Parking Permit Information](#)

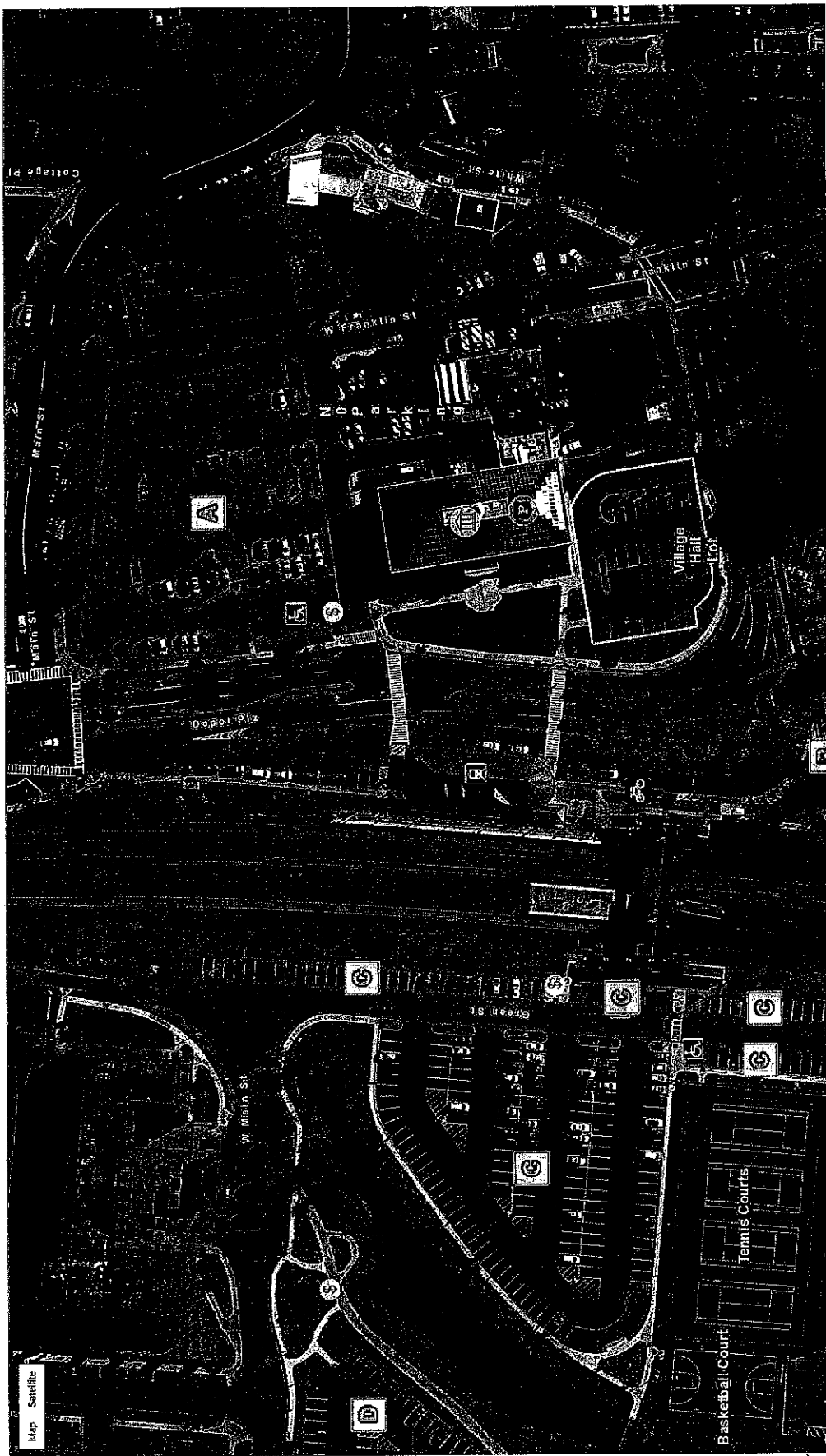
[Click for Pay Station Rates](#)

Disclaimer: Data shown on this site are provided for planning and informational purposes only. The Tarrytown, NY and Carmichael Associates, Inc. are not responsible for misuse or misinterpretation of the site.

Map Satellite

On Street (Zoomed Out)

Hudson River



Train Station Parking Map

Click on Highlighted areas for
parking information.

- Train Station
- Pay Station
- Electric Car Parking
- Handicapped Parking
- Village Hall
- Police Station
- Bike Parking

Parking Lots

- Public
- Public/Recreational
- Recreational
- On Street Metered
- Village Hall

[Click for Recreation Parking Permit
Information](#)

[Click for Pay Station Rates](#)

Disclaimer: Data shown on this site are provided
for planning and informational purposes only. The
Tarrytown, NY and Carmansville, Association, Inc.
are not responsible for mistakes or misinterpretation
of the site.



Train Station

Parking Map

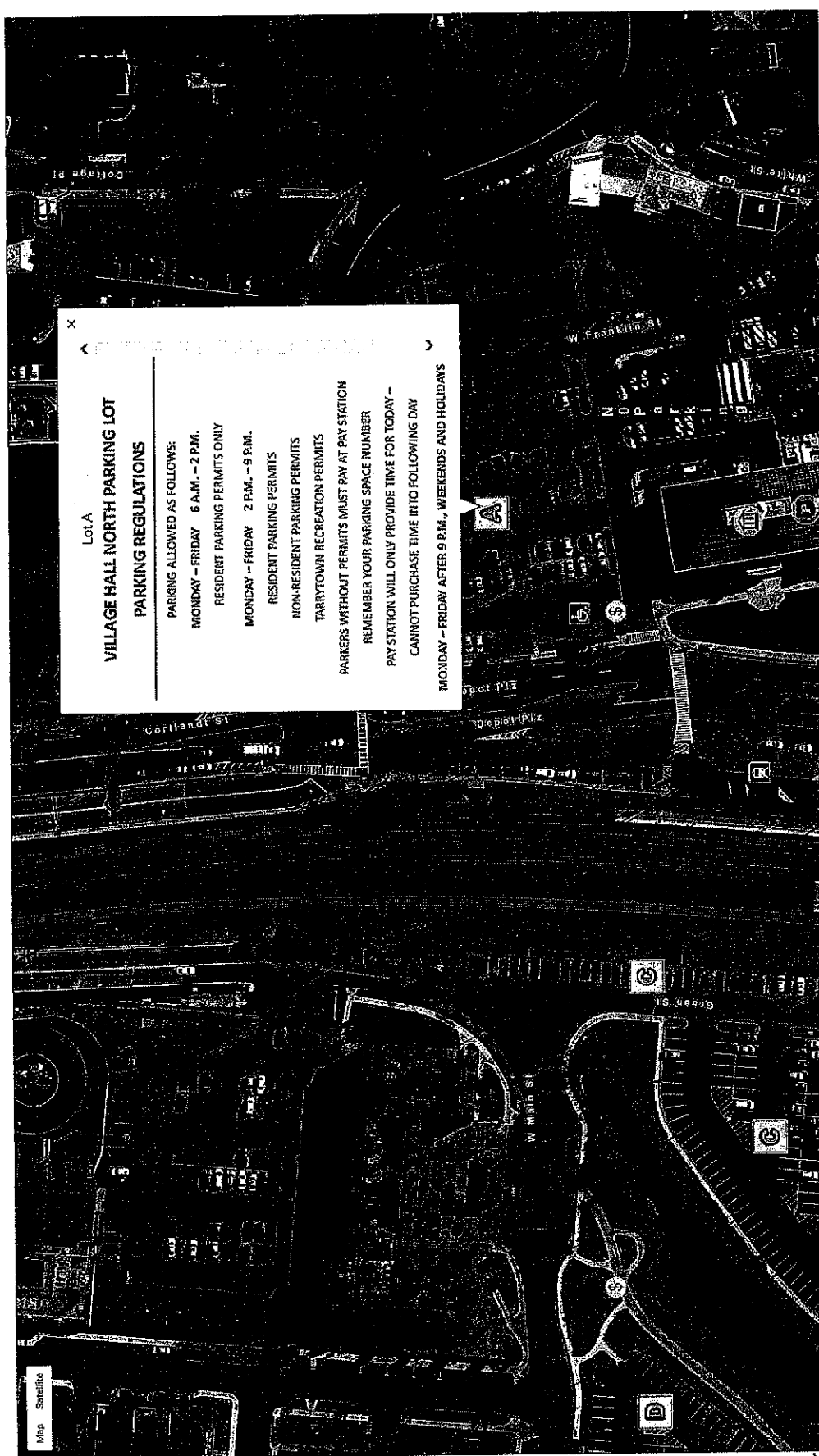
Click on Highlighted areas for parking information.

- Train Station
- Pay Station
- Electric Car Parking
- Handicapped Parking
- Village Hall
- Police Station
- Bike Parking
- Parking Lots
- Public
- Public/Recreational
- Recreational
- On Street Metered
- Village Hall

Click for Recreation Parking Permit Information

Click for Pay Station Rates

Disclaimer: Data shown on this site are provided for planning and informational purposes only. The Village of Tarrytown, NY and Centimark Associates, Inc. are not responsible for misuse or misinterpretation of this site.



Lot A

VILLAGE HALL NORTH PARKING LOT PARKING REGULATIONS

PARKING ALLOWED AS FOLLOWS:

MONDAY - FRIDAY 6 A.M. - 2 P.M.

RESIDENT PARKING PERMITS ONLY

MONDAY - FRIDAY 2 P.M. - 9 P.M.

RESIDENT PARKING PERMITS

NON-RESIDENT PARKING PERMITS

TARRYTOWN RECREATION PERMITS

PARKERS WITHOUT PERMITS MUST PAY AT PAY STATION

REMEMBER YOUR PARKING SPACE NUMBER

PAY STATION WILL ONLY PROVIDE TIME FOR TODAY -

CANNOT PURCHASE TIME INTO FOLLOWING DAY

MONDAY - FRIDAY AFTER 9 P.M., WEEKENDS AND HOLIDAYS

STATE OF NEW YORK MASTER CONTRACT FOR GRANTS FACE PAGE

CURRENT CONTRACT TERM: FROM: 9/1/2016 TO: 8/31/2019 CURRENT CONTRACT PERIOD: FROM: 9/1/2016 TO: 8/31/2019 AMENDED TERM: FROM: TO: AMENDED PERIOD: FROM: TO:		CONTRACT FUNDING AMOUNT: <i>(Multi-year – enter total projected amount of the contract; Fixed Term/Simplified Renewal – enter current period amount)</i> CURRENT: \$100,000.00 AMENDED: FUNDING SOURCES: <input checked="" type="checkbox"/> State <input type="checkbox"/> Federal <input type="checkbox"/> Other		
FOR MULTI-YEAR AGREEMENTS ONLY – CONTRACT PERIOD AND FUNDING AMOUNT: (Out years represent projected funding amounts)				
#	CURRENT PERIOD	CURRENT AMOUNT	AMENDED PERIOD	AMENDED AMOUNT
1				
2				
3				
4				
5				

ATTACHMENTS PART OF THIS AGREEMENT:

<input checked="" type="checkbox"/> Attachment A: <input checked="" type="checkbox"/> Attachment B: <input checked="" type="checkbox"/> Attachment C: Work Plan <input checked="" type="checkbox"/> Attachment D: Payment and Reporting Schedule <input type="checkbox"/> Other:	<input checked="" type="checkbox"/> A-1 Program Specific Terms and Conditions <input type="checkbox"/> A-2 Federally Funded Grants <input checked="" type="checkbox"/> B-1 Expenditure Based Budget <input type="checkbox"/> B-2 Performance Based Budget <input type="checkbox"/> B-3 Capital Budget <input type="checkbox"/> B-1(A) Expenditure Based Budget (Amendment) <input type="checkbox"/> B-2(A) Performance Based Budget (Amendment) <input type="checkbox"/> B-3(A) Capital Budget (Amendment)
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ATTACHMENT B-1 – EXPENDITURE BASED BUDGET

A. Salaries & Wages	\$0.00
B. Travel	\$0.00
C. Supplies/Materials	\$0.00
D. Equipment	\$0.00
E. Contractual Services	\$200,000.00
F. Other	\$0.00

TOTAL PROJECT COST	\$200,000.00
--------------------	--------------

Total State Funds	\$100,000.00
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Total Local Share	\$100,000.00
-------------------	--------------

A. SALARIES & WAGES (including fringe benefits)

<u>Title</u>	<u>Annual Salary</u>	<u>Amount Charged to Project</u>
SUBTOTAL		\$0.00

B. TRAVEL

SUBTOTAL		\$0.00
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C. SUPPLIES/MATERIALS

SUBTOTAL		\$0.00
----------	--	--------

D. EQUIPMENT

SUBTOTAL		\$0.00
----------	--	--------

E. CONTRACTUAL SERVICES

Planning consultant for Comprehensive Plan Update, Zoning Code Amendment and preparation of a Generic Environmental Impact Statement (GEIS).....\$125,000.00
Subcontractor: To be determined

Project Manager to manage consultants, Village staff and other governmental agencies working on Comprehensive Plan Update, Zoning Code Amendment and GEIS and coordinate with NYSDOS and Contractor on tasks listed in Project Components.....\$75,000.00
Subcontractor: To be determined

SUBTOTAL \$200,000.00

F. OTHER

SUBTOTAL		\$0.00
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