

**VILLAGE OF TARRYTOWN  
BOARD OF TRUSTEES  
WORK SESSION 6:15 P.M.  
WEDNESDAY, MARCH 14, 2018  
Tarrytown Village Hall  
One Depot Plaza, Tarrytown, New York**

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Open Session

1. Appeal - Tree Removal Permit Denial

Executive Session

- 1A. Discussion – Real Estate Concept

Board of Trustees Concerns

Open Session

2. Sisters of the Sacred Heart of Mary – Request re Roadway Improvements  
(Village Engineer Pennella to Attend)
3. Proposed Amendments to Village Code re ARB Review
4. Curb Cut Request – John Street
5. In-Line Leak Detection
6. Earth Day Picnic Pierson Park – Request to Sell Alcohol
7. Eagle Scout Project – Patriots Park
8. Farmers Market Contract
9. Proposal from Lakes Committee and Wilson Park Homeowners Association  
re Tree Work in Wilson Park

February 16, 2018

Diana and Matthew Hunter  
15 River Terrace  
Tarrytown, NY 10591

Village of Tarrytown Board of Trustees  
One Depot Plaza  
Tarrytown, NY 10591

Re: Amendment to Letter dated February 13, 2018 (the "Appeal Letter")

Dear Ladies and Gentlemen of the Board of Trustees:

This letter amends and supplements the Appeal Letter relating to the removal of a large oak tree growing into the deck and directly over the roof of 15 River Terrace (our "**Property**", and such tree, the "**Deck Tree**") as follows:

1. Paragraph 1-a (*Safety; Liability*) is hereby supplemented by the letter dated February 16, 2018 from a licensed arborist regarding the susceptibility of the Deck Tree to "wind thru" (attached as Exhibit A hereto).
2. Paragraph 2-b (*Property Value; Structural Weakness*) is hereby supplemented by photographic evidence of the Deck Tree making direct contact with the deck (attached as Exhibit B hereto).
3. Paragraph 5 (*Financial Hardship*) is hereby amended and restated as follows:

"5. Financial Hardship. According to Ms. Deirdre Carsto, trees such as the Deck Tree should be pruned every 2-3 years. According to three estimates we've obtained, it would cost approximately \$1,550<sup>1</sup> to prune the Deck Tree a single time (see estimates attached as Exhibit C hereto) due to its large size and location (i.e., a cherry picker cannot be used). Since we have two other large trees within a few feet of the Property (as well as two other large trees that require periodic maintenance), it would cost at least \$1,500 each year (on an annualized basis) if we were to maintain nothing else on our Property but five large trees. When you add to that an additional \$1,300 per year for carpenter ant control (see Orkin Pest Control receipt for one quarterly treatment attached as Exhibit D hereto), the Deck Tree presents a financial burden of just under \$3,000 per year on our household."

Except as set forth above and in Exhibits A, B, C and D, the Appeal Letter remains true and correct as of the date hereof.

Sincerely yours,

/s/ Diana and Matthew Hunter

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<sup>1</sup> Previously, we obtained a verbal estimate of \$850 from Max Morfin Landscaping & Tree Service, but upon requesting this estimate in writing, Mr. Morfin informed us that he was not licensed to work in Tarrytown, which left us with the next lowest estimate of \$1,550.

Timberline Tree & Landscape, Inc.  
172 West Nyack Road  
West Nyack, New York 10994  
845-627-0186

February 16, 2018

Re: 15 River Terrace ~ Tarrytown, NY

To Whom It May Concern:

Upon inspection of the large *Oak Tree* located at the rear of **15 River Terrace**, Tarrytown, NY. We found the following conditions to exist:

1. The tree has a overdeveloped canopy
2. The tree is rubbing against the deck
3. The tree is rooted in compacted soil, which when saturated causes the root to become unstable.

These conditions make the tree susceptible to "*wind thru*" this terms refers to the occurrence of *the* entire root ball coming out of the ground causing catastrophic failure.

Due to the close proximity of the tree to the house and its size there is a high probability of it falling on the house. It is due to this and the level of stress expressed to us by the homeowner, that we recommend the removal of the tree.

Sincerely,

*John Reeves*

John Reeves  
Licensed Arborist #NJ-1214A  
Timberline Tree & Landscape, Inc.

**EXHIBIT B**

**Deck Tree from the kitchen window**



**Deck Tree in contact with one of the deck support screws**



**Deck Tree in contact with one of the deck railings**



**TERRAPIN TREE CARE**

41 Crow Hill Road  
Mt. Kisco, NY 10549  
(914) 769-4914

terrapintreecare@hotmail.com

Diana Hunter  
15 River Terrace  
Tarrytown, NY  
dianahuntr@gmail.com

**Estimate**

Date	Estimate #
2/15/2018	1738

License# WC-09552-H98

Description	Total				
Estimate for tree work:					
1. Safety-prune a very large Oak over the house and deck - removing large limbs to protect the house					
-Chip branches and remove wood					
Labor:	1,450.00T				
Debris removal: wood and wood chips	150.00T				
10% Winter discount	-160.00T				
<p>If you would like us to schedule in the work, please sign below and return with an approximate 1/3 deposit. We will schedule the work in and send you an insurance certificate. Thank you.</p> <p>Sign _____ Date _____ Amount of deposit _____</p>					
Thank you for considering Terrapin Tree Care. We appreciate the opportunity to work on your trees!	<table> <tr> <td>Sales Tax (7.375%)</td><td>\$106.20</td></tr> <tr> <td>Total</td><td>\$1,546.20</td></tr> </table>	Sales Tax (7.375%)	\$106.20	Total	\$1,546.20
Sales Tax (7.375%)	\$106.20				
Total	\$1,546.20				

Name:	Diana Hunter	Date:	2/15/18
Address:	15 River Terrace Tarrytown 10591		
Phone - Day:	Cell:	917-780-2888	Evening:

[illegible]

Notes/Directions: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Max Morfin gave a verbal estimate of \$850 a year ago but turned out not to be licensed to do work in Tarrytown.

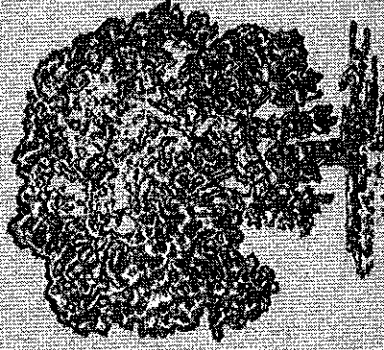
Free Estimates

Fully Licensed  
& Insured

# MAX MORFIN

## Landscaping & Tree Service Lawn Care And Gardening

Tree Removals  
Storm Damages



Planting, Pruning  
Stump Grinding

303 Webster Avenue  
New Rochelle, NY 10801

Cell: (914) 760-6962  
Home: (914) 633-6391

[maxmorfin73@gmail.com](mailto:maxmorfin73@gmail.com)



**PEST CONTROL**  
World's Best

### SPECIAL SERVICE AGREEMENT

THIS AGREEMENT IS CONTINGENT UPON THE APPROVAL AND SIGNATURE OF THE ORKIN BRANCH MANAGER, WHO HAS THE SOLE AUTHORITY TO EXECUTE IT ON BEHALF OF ORKIN.

ROUTE #	GRID #	SERVICE DAY	BUSINESS TYPE	DATE 8/4/17
ACCOUNT NAME (CUSTOMER) Diana Hunter		BRANCH OFFICE PHONE		
SERVICE ADDRESS: NUMBER, STREET 15 River Ter Tarrytown NY 10591			BILLING ADDRESS: NUMBER, STREET	
CITY, STATE, ZIP CODE			CITY, STATE, ZIP CODE	
TYPE AND NO. OF STRUCTURES TO SERVICE			PERSON TO CONTACT Diana Hunter	
PESTS TO BE TREATED (SPECIFIC OCCASIONAL INVADERS) (DO NOT ABBREVIATE) Carpenter Ants and GPC			SERVICE PHONE (917) 780-2888	OFFICE PHONE
PROBLEM AREAS			PRODUCTS PURCHASED	
SPECIAL INSTRUCTIONS			I agree to pay Orkin Pest Control the below amount at this time for treatment of the pest(s) indicated.	
<input checked="" type="checkbox"/> 1 TREATMENT <input type="checkbox"/> 2 TREATMENTS <input type="checkbox"/> (OTHER)			SERVICES RENDERED \$ 300.00 PRODUCTS PURCHASED \$ .00 SALES/SERVICE TAX \$ 22.13 AMOUNT DUE \$ 322.13 AMOUNT PAID (\$ .00) BALANCE DUE \$ 322.13	
This Special Service Agreement is guaranteed for 30 days only, and WILL NOT provide permanent control. For CONTINUOUS protection and control, we strongly recommend a REGULAR PEST CONTROL SERVICE. <b>Service Exclusions.</b> 1. Services Requiring a Separate Agreement: The Customer understands that this Agreement does not cover Bed Bugs, Carpenter Ants, Fire Ants, or Mosquitoes. Service for these pests requires a separate Agreement or Addendum. The requirement of a separate agreement or addendum cannot be waived by the Customer or any employee or agent of Orkin. 2. Additional Exclusions: This Agreement does not cover Brown Recluse Spiders. This exclusion can not be waived by the Customer or any employee or agent of Orkin. The Customer expressly releases Orkin from liability for any claim for personal injury (including stings or bites from fire ants, spiders, or any other pests) or property damage (to include the structure or contents) caused by any pests.			<b>MEDIATION/ARBITRATION:</b> ANY CONTROVERSY OR CLAIM ARISING OUT OF OR RELATING TO THIS AGREEMENT, OR THE SERVICES PERFORMED BY ORKIN UNDER THIS AGREEMENT OR ANY OTHER AGREEMENT, REGARDLESS OF WHETHER THE CONTROVERSY OR CLAIM AROSE BEFORE OR AFTER THE EXECUTION, TRANSFER OR ACCEPTANCE OF THIS AGREEMENT, INCLUDING BUT NOT LIMITED TO ANY TORT AND STATUTORY CLAIMS, AND ANY CLAIMS FOR PERSONAL OR BODILY INJURY OR DAMAGE TO REAL OR PERSONAL PROPERTY, SHALL BE SETTLED BY BINDING ARBITRATION, UNLESS THE PARTIES AGREE OTHERWISE. THE ARBITRATION SHALL BE ADMINISTERED UNDER THE RULES OF THE AMERICAN ARBITRATION ASSOCIATION ("AAA") AND SHALL BE CONDUCTED BY AAA. IF ADMINISTERED UNDER THE AAA RULES, A CLAIM SHALL BE DETERMINED UNDER THE AAA SUPPLEMENTARY PROCEDURES FOR CONSUMER-RELATED DISPUTES IN CASES WHERE SUCH PROCEDURES ARE APPLICABLE. ANY OTHER CONTROVERSY OR CLAIM SHALL BE DETERMINED UNDER THE AAA COMMERCIAL ARBITRATION RULES. THE CUSTOMER AND ORKIN AGREE THAT THE ARBITRATOR SHALL FOLLOW THE SUBSTANTIVE LAW, INCLUDING THE TERMS AND CONDITIONS OF THIS AGREEMENT. THE ARBITRATOR'S POWERS TO CONDUCT ANY ARBITRATION PROCEEDING UNDER THIS AGREEMENT SHALL BE LIMITED AS FOLLOWS: ANY ARBITRATION PROCEEDING UNDER THIS AGREEMENT WILL NOT BE CONSOLIDATED OR JOINED WITH ANY ACTION OR LEGAL PROCEEDING UNDER ANY OTHER AGREEMENT OR INVOLVING ANY OTHER PREMISES, AND WILL NOT PROCEED AS A CLASS ACTION, PRIVATE ATTORNEY GENERAL ACTION OR SIMILAR REPRESENTATIVE ACTION. EITHER PARTY HAS THE RIGHT TO REQUIRE A PANEL OF THREE (3) ARBITRATORS, BUT IN THE ABSENCE OF THE PARTIES' AGREEMENT, THE REQUESTING PARTY SHALL BE RESPONSIBLE FOR THE COST OF THE ADDITIONAL ARBITRATORS. EITHER PARTY MAY REQUEST AT ANY TIME PRIOR TO THE HEARING THAT THE AWARD BE ACCOMPANIED BY A REASONED OPINION. THE AWARD RENDERED BY THE ARBITRATOR(S) SHALL BE FINAL AND BINDING ON ALL PARTIES, EXCEPT THAT A PARTY MAY WITHIN 30 DAYS OF THE ORIGINAL AWARD REQUEST AN ARBITRAL APPEAL TO AN APPEAL TRIBUNAL, CONSTITUTED IN THE SAME NUMBER AND BY THE SAME PROCESS AS THE INITIAL ARBITRATOR(S). THE APPEALING PARTY SHALL BE RESPONSIBLE FOR THE FILING FEE AND OTHER ARBITRATION FEES AND COSTS SUBJECT TO AWARD BY THE APPEAL TRIBUNAL UNDER APPLICABLE LAW. THE APPEAL TRIBUNAL SHALL REVIEW ALL QUESTIONS OF LAW AND FACT UNDER A CLEARLY ERRONEOUS STANDARD. THE AWARD OF THE APPEAL TRIBUNAL SHALL BE FINAL AND BINDING. JUDGMENT MAY BE ENTERED ON THE AWARD IN ANY COURT HAVING JURISDICTION THEREOF. CUSTOMER AND ORKIN ACKNOWLEDGE AND AGREE THAT THIS ARBITRATION PROVISION IS MADE PURSUANT TO A TRANSACTION INVOLVING INTERSTATE COMMERCE AND SHALL BE GOVERNED BY THE FEDERAL ARBITRATION ACT. BEFORE HAVING RECOURSE TO ARBITRATION, CUSTOMER AND ORKIN EACH AGREES TO TRY IN GOOD FAITH TO SETTLE ANY CONTROVERSY OR CLAIM BY AT LEAST FOUR (4) HOURS OF MEDIATION ADMINISTERED UNDER THE AAA COMMERCIAL MEDIATION RULES WITH ORKIN AGREEING TO PAY THE COSTS OF THE MEDIATION. THE AAA MAY BE CONTACTED AT THE TOLL-FREE NUMBER 800.778.7878, OR THROUGH THE FOLLOWING WEBSITE: <a href="http://www.adr.org">http://www.adr.org</a> <b>CHEMICAL INFORMATION WARNING:</b> Virtually all pesticides have some odor which may be present for a period of time after application. If you or any member of your household believes you have a sensitivity to chemical odor or chemicals, Orkin recommends that you not have an initial or a subsequent service performed at your premises until you have consulted with your family physician. At your request, Orkin will provide information about the chemicals to be used in treating the premises. <b>CANCELLATION: CUSTOMER MAY CANCEL THIS AGREEMENT AT ANY TIME PRIOR TO MIDNIGHT OF THE THIRD BUSINESS DAY AFTER THE DATE OF THIS TRANSACTION.</b>	
ORKIN INSPECTOR 2 Westchester Plz BRANCH ADDRESS: STREET CITY, STATE, ZIP CODE			Accepted By: Signature <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Lessee <input type="checkbox"/> Agent Title	
DATE: 8/4/17 Management Approval - This agreement has been verified and monies have been received as indicated.				

## Kathy Deufemia

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**From:** Richard Slingerland  
**Sent:** Tuesday, February 13, 2018 6:38 PM  
**To:** Robert Hoyt (external)  
**Cc:** Kathy Deufemia; Howard Wessells; Louis Tucci; obrienatm@verizon.net  
**Subject:** RE: FW: Tree Permit Appeal - 15 River Ter

From what I understand from the homeowner, the explanation she received was that she did not need to take it down, she could accomplish what she needed (not necessarily what she wanted) by trimming and pruning back the tree.

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

**From:** Robert Hoyt [<mailto:hrdmjj@gmail.com>]  
**Sent:** Tuesday, February 13, 2018 6:32 PM  
**To:** Richard Slingerland <[rslingerland@tarrytowngov.com](mailto:rslingerland@tarrytowngov.com)>  
**Cc:** Kathy Deufemia <[KDeufemia@tarrytowngov.com](mailto:KDeufemia@tarrytowngov.com)>; Howard Wessells <[hwessells@tarrytowngov.com](mailto:hwessells@tarrytowngov.com)>; Louis Tucci <[LTucci@tarrytowngov.com](mailto:LTucci@tarrytowngov.com)>; [obrienatm@verizon.net](mailto:obrienatm@verizon.net)  
**Subject:** Re: FW: Tree Permit Appeal - 15 River Ter

I would like to know why this was denied.

Bobby Hoyt

On Tue, Feb 13, 2018 at 4:10 PM, Richard Slingerland <[rslingerland@tarrytowngov.com](mailto:rslingerland@tarrytowngov.com)> wrote:

Kathy:

Please put this on the Work Session for February 28.

Thank you,

Rich

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

From: Diana Hunter [<mailto:diana.n.hunter@gmail.com>]  
Sent: Tuesday, February 13, 2018 3:00 PM

To: Richard Slingerland <[rslingerland@tarrytowngov.com](mailto:rslingerland@tarrytowngov.com)>  
Cc: Matthew Hunter <[matthew.r.hunter@gmail.com](mailto:matthew.r.hunter@gmail.com)>  
Subject: Tree Permit Appeal - 15 River Ter

Hi Richard,

It was nice to speak with you yesterday. Per our conversation, I attach a letter to the Board of Trustees to appeal the Tree Commission's second denial of our tree removal permit.

We would greatly appreciate if you could arrange to include this matter on the February 28, 2018 agenda for the Board of Trustees' consideration.

Please let us know if you have any questions.

Regards,  
Diana & Matthew Hunter  
917.780.2888

February 13, 2018

Diana and Matthew Hunter  
15 River Terrace  
Tarrytown, NY 10591

Village of Tarrytown Board of Trustees  
One Depot Plaza  
Tarrytown, NY 10591

Re: Appeal of Tree Permit Denial at 15 River Terrace (our "Property")

Dear Ladies and Gentlemen of the Board of Trustees:

We write to appeal the Tree Commission's second denial of our tree permit on February 10, 2018 (originally denied on January 17, 2018) (the "**Denied Tree Permit**") in respect of the removal of a large oak tree growing into the deck and directly over the roof of our Property (the "**Deck Tree**"). Set forth below are the reasons for which our tree permit should have been granted in accordance with Village of Tarrytown Code § 281-11(A), which states that "permits for the removal of trees may be granted (1) if the presence of the trees would cause hardship or endanger the public or the person or the property of the owner or (4) if the trees substantially interfere with a permitted use of the property."

1. Safety; Liability

- a. At 70 feet tall and located merely 6 feet away from the house, the Deck Tree hovers directly over the deck and the roof, providing the perfect setup for large branches to fall on members of our family, guests and neighbors in practically any inclement weather situation (including due to windblow/strong winds, hail, freezing rain, lightning or strong storms/tornadoes, such as the tornado that passed directly by our Property in 2006). While we can do our best to remain indoors if inclement weather is forecast sufficiently in advance, falling frozen limbs, windblow and freak storms and accidents<sup>1</sup> are, by definition, unpredictable.
- b. Due to its large size and proximity, the Deck Tree puts us at risk for significant legal liability should any falling debris injure any neighbor or trespasser to the extent any such person is on our Property with or without our knowledge or permission.
- c. We have a 2-year old son, who loves playing outdoors, and a 9-month old daughter, who is just starting to stand. With the exception of our daughter, everyone in our family has been hit in the head by branches and acorns that fall from the Deck Tree each autumn. We are very concerned that one of these days, one of our children (or a visiting playmate) will be startled by some falling tree

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<sup>1</sup> On May 18, 2017, a large oak tree in Upper Nyack, similar in age and size to the Deck Tree, fell on a stationary car and killed its passenger, 80-year-old Jerome Muhlenberg. This tree was inspected on May 10, 2017 – just 8 days prior to the accident – by an arborist contracted by the district who did not find any signs of decay. See <http://abc7ny.com/news/80-year-old-man-killed-when-tree-falls-onto-car-/2007821/>

debris, causing him/her to trip and fall down the deck stairs. As responsible parents, we wish to remove the Deck Tree in an effort to make our yard a safe as well as enjoyable place for our children and their friends to play.

2. Property Value; Structural Weakness

- a. As discussed in paragraph 1-a, the Deck Tree is positioned such that any large falling limb would easily cause structural damage and loss of property value and/or the need for repair, including, without limitation, to the deck or the roof.
  - b. Above-ground, the Deck Tree is already pushing into the deck (and, therefore, in a matter of time, it will cause the deck to push into the house itself). Below ground, it is increasingly weakening the foundation over time.
3. Pests. The Deck Tree is home to an enormous carpenter ant colony – every spring, summer and fall, we need only to glance out from inside the kitchen to see large ants march up and down the tree trunk. From there, the carpenter ants march into the kitchen and contaminate food on countertops and inside cabinets. The mere presence of these grotesquely oversized ants startles us, not to mention our toddler son, and greatly interferes with our enjoyment of the kitchen and breakfast area (where we spend a majority of our time indoors), the deck and the backyard. We've tried contracting Orkin, which treated the Property indoors and outdoors every other week for several months in a row in the summer of 2017 and finally told us they could not get rid of the ants. We've also independently scattered carpenter ant treatment on the deck, around the base of the Deck Tree and across the entire backyard to no avail. The presence of so many carpenter ants points to the fact that the Deck Tree has one or more hollows somewhere along its trunk, which suggests that the Deck Tree may not be as healthy as it appears to the naked eye.
4. Interference. The Deck Tree interferes with our usage of our kitchen, a room in which we spend much of our time indoors 12 months a year by (i) blocking the sunlight from entering through the lone kitchen window over the sink and thus making our kitchen a dim and gloomy, rather than bright and welcoming, place and (ii) serving as the root cause of carpenter ant invasions (as discussed in paragraph 3).
5. Financial Hardship. According to Ms. Deirdre Carsto, trees such as the Deck Tree should be pruned every 2-3 years. According to three estimates we've obtained, it would cost approximately \$850 to prune the Deck Tree a single time due to its large size and location (i.e., a cherry picker cannot be used). Since we have three other such large trees in close proximity to the Property, it would cost well over \$1,000 each year (on an annualized basis) if we were to maintain nothing else on our Property but the trees. When you add to that an additional \$800 to \$1,200 per year for carpenter ant control, the Deck Tree presents a significant recurring financial burden on our household.
6. Emotional Distress. For the aforementioned reasons, the Deck Tree has caused and continues to cause us great emotional distress. On numerous occasions, loud thumps

caused by falling branches and/or concern about our children's wellbeing and our property value have either kept us up or from sleeping soundly through the night.

Pursuant to Village of Tarrytown Code § 281-11(A)(1) and (4), permits for the removal of trees may be granted (i) if the presence of the trees would cause hardship or endanger the public or the person or the property of the owner or (ii) if the trees substantially interfere with a permitted use of the property. For the reasons mentioned in paragraphs 1-6, the Deck Tree has and continues to (a) causes us emotional and financial hardship and (b) endangers us, our Property and the public, including our neighbors, our guests and any trespassers on our Property, and (c) substantially interferes with our usage and enjoyment of our Property. Further, if a removal permit is not granted in respect of the Deck Tree, then the Village of Tarrytown may be held liable (whether by contribution or otherwise) if the Deck Tree were to cause injury to any persons (including, without limitation, for the reasons noted in paragraph 1). Accordingly, we respectfully request that the Board of Trustees promptly reverse the Tree Commission's decision and grant us a tree permit to remove the Deck Tree.

Sincerely yours,

/s/ Diana and Matthew Hunter

Enclosure: Denied Tree Permit



Diana Hunter <diana.n.hunter@gmail.com>

---

**Hello**

---

**Deirdre Carsto** <deirdre941@aol.com>

Sat, Feb 10, 2018 at 8:08 AM

To: Diana Hunter <diana.n.hunter@gmail.com>

Yes, after the correct identification of the multi trunked Oak (on the North side) that will be approved for removal but the Oak by the deck will not. You can have the Oak by the deck pruned; any dead wood and thinning needed.

The village will contact your tree company.

Thanks for your patience,  
Deirdre

Sent from my iPhone  
[Quoted text hidden]

**VILLAGE OF TARRYTOWN  
TREE PERMIT**

Permit # \_\_\_\_\_

The following information is provided in accordance with the provision of Chapter 281 of the Code of the Village of Tarrytown, entitled TREES. A separate permit is required for each tree to be removed. (Permit Valid for 45 days.)

**TO BE FILLED OUT BY PROPERTY OWNER:**

OWNERS' NAME: Diana Hunter

ADDRESS OF PROPERTY: 15 River Terrace, Tarrytown, NY

OWNER'S TELEPHONE #: 917-780-2888

**TO BE FILLED OUT BY PARTY REMOVING TREE:**

NAME OF PARTY REMOVING TREE: Timberline Tree & Landscape, Inc

ADDRESS: 172 West Nyack Road, West Nyack - NY

TELEPHONE #: 845-627-0186

LICENSE OR BUSINESS CERTIFICATE # (STATE OR COUNTY): WC-22909-H10

TYPE OF TREE: Oak

LOCATION OF TREE ON PROPERTY: back yard

"(TREE MUST BE MARKED PRIOR TO REVIEW BY TREE WARDEN)"

SIZE OF TREE:      HEIGHT 70  
                            DIAMETER 29 (Measured at 54" above ground level)

**PURPOSE FOR REMOVAL (Check one):**

☐ Tree is dead  
☐ Tree is diseased (Specify) \_\_\_\_\_  
☒ Other: Tree is growing into the deck.

LOCATION OF DISPOSAL (PLEASE BE SPECIFIC): Timberline will remove all wood and debris

SIGNATURE OF PROPERTY OWNER: \_\_\_\_\_

SIGNATURE OF PARTY REMOVING TREE (If not Owner): Steve Blawie

**FOR OFFICE USE ONLY**

APPROVED \_\_\_\_\_ DISAPPROVED ☒ DATE: 1/17/18

SIGNATURE OF TREE WARDEN: AS per DEIRDRE CARSTO

DATE OF COMPLETION OR REMOVAL: \_\_\_\_\_

Mr. Robert Hoyt, Liaison, Board of Trustees  
Cc: Mr Richard Slingerland, Village Administrator

February 21, 2018

Dear Trustee Hoyt,

Thank you for the opportunity to respond to your inquiry relating to the specimen Oak tree at 15 River Terrace. The Tree Commission appreciates your interest and your support as our Liaison to the Board.

As you know, the Tree Commission takes seriously our responsibility to the Village of Tarrytown, its Board and residents, to preserve our heritage of fine trees and valuable canopy. The Village and its residents benefit from their aesthetic value, as well as their cost-saving contribution from cooling shade, energy conservation, water storage, erosion prevention. They provide bird and animal food and shelter, supporting butterflies, birds, squirrels, a rich ecosystem. Oaks are particularly valuable in this regard.

The TC respects the concerns of individual home-owners. The vast majority of applications are approved: about 250 applications are granted annually (some pruning, most take-down), 2 denied. Only after serious consideration and inspection by a certified landscaper and/or arborist is a permit denied. In this instance there were several visits to the site by the DPW representative, the internationally certified landscaper, and the internationally certified arborist.

The Tree Commission believes this healthy, straight trunked, strong specimen Oak should not be removed. It is about 150 yrs. old, 70+ ft. tall, with a diameter (dbh) over 29 inches.

The Board will no doubt, and understandably, take into account the hardships claimed by the applicant in their letter, which the TC has reviewed. We trust the Board to note these considerations:

- The Village Tree Warden has advised pruning every few years (not every year) to mitigate any risk and/or problem.
- Previous owners lived with this specimen Oak for over 50 years. It survived the 2006 Westchester County tornado; the strongest tornado ever recorded here, the largest tornado locally since 1904. "Thousands of trees were uprooted," but not this Oak.
- The Hunters purchased house and land, having seen the tree and its location.
- Future owners have an interest and will benefit from tree preservation, as have past owners.
- Potential erosion is a possibility. Were the root system of the tree to be removed, soil disruption and destructive erosion could occur.
- An Oak such as this is **valued very conservatively** at over **\$32,000** (see attached spreadsheet and documentation). This number reflects a tree with "major problems," which is not known/believed to be the case for this Oak. This tree cannot be replaced in less than ~150 yrs.
- According to the NYCDPR, a 29" dbh Oak provides these services:
  - Stormwater intercepted/yr.: 5,492 gallons
  - Energy conserved/yr.: 2,247 kWh
  - Air pollutants removed /yr.: 5 pounds
  - Carbon dioxide reduced/yr.: 11,659 pounds

\*<https://tree-map.nycgovparks.org/#treeino-4681434>
- Carpenter Ants: Many of us in Tarrytown (with no nearby oak trees) have carpenter ants at a certain time of year. Their presence can be mitigated. We believe the onus is upon the owner to demonstrate that the oak tree is the source of the ants, as distinct from any other source.

We ask you, Bobby, our trusted Liaison, to share with the Board the unanimous view of all members of the TC who attended our Feb. 19 meeting (one person could not attend) that the denial should stand. We volunteers take our responsibility to preserve the beauty and value of Tarrytown's trees seriously. We believe the Village needs to make every effort to preserve this tree for all. The Board has appointed the Tree Commission for just that purpose. It would be unfortunate were the Board to act on this case in a way that would override the TC's position and thus invite other similar requests.

Sincerely,

*Anne T. O'Brien*  
Anne T. O'Brien  
Chair, Tarrytown Tree Commission

Addenda:

**Image from the Tarrytown Tornado, July 12, 2006, that our Oak survived.**



"The 2006 Westchester County tornado was the strongest and largest tornado in Westchester County... since the 1904 Chappaqua tornado. It touched down on July 12, 2006 and (after crossing the Hudson) traveled 13 miles through Sleepy Hollow, Tarrytown, and east into southwestern Connecticut during a 33-minute span through two states. ... Thousands of trees were uprooted..." (not our Oak)

Damage: \$12.1 million. Max rating1: F2 tornado

Sources: Wikipedia, and everythingweatherblogspot.com

**Of possible interest: Decks with trees incorporated.**





**J. ROBERT FOLCHETTI & ASSOCIATES, LLC**  
**CIVIL/ENVIRONMENTAL ENGINEERS**

**RECEIVED**

March 5, 2018

MAR - 6 2018

Village of Tarrytown Board of Trustees  
One Depot Plaza  
Tarrytown, New York 10591  
Attn: Hon. Drew Fixell, Mayor

**TARRYTOWN VILLAGE  
ADMINISTRATOR**

**RE: SISTERS OF THE SACRED HEART OF MARY  
MARYMOUNT CONVENT SITE PLAN APPLICATION  
32 WARREN AVENUE  
S.B.L.: 1.50-20-70  
TARRYTOWN, NEW YORK**

Dear Mayor Fixell:

The "Project Site" sits on a +/- 8.0 acre parcel of land formally recorded as S.B.L 1.50-20-70 located at 50 Wilson Park Drive in Residential (R-40) zoning district. The parcel on which the proposed work will be performed includes a residential structure and several institutional structures. The proposed work is to be performed at the Marymount Convent, a retirement home for Roman Catholic nuns, which has its own address of 32 Warren Avenue. The existing residential structure is served by public water and wastewater facilities. The Convent frontage is on Warren Avenue and includes an existing retaining wall and 11-foot driveway around the rear of the building.

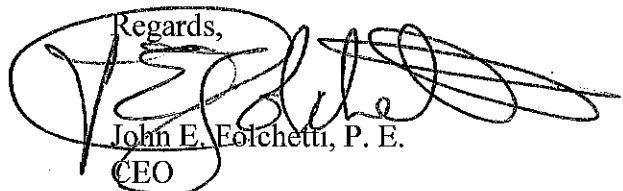
Under the current project proposal, the Applicant is seeking to obtain approval and permits for widening of the existing 11-foot wide driveway to provide appropriate access for the Tarrytown Fire Department. A permit to build a new retaining wall to replace the existing wall that will be removed due to the driveway widening is also being requested. Drainage improvements include two new catch basins and improvements to the existing drainage channel which runs west to east through a culvert under the existing trail along the eastern property line. The existing driveway around the rear of the building is only 11-feet wide, measured from the building wall to the retaining wall. The building is three stories tall in the rear. The combination of narrow driveway, driveway proximity to the structure, and structure height precludes use of modern firefighting equipment. The local fire department's access to the structure is limited to the front and sides. The existing retaining wall, a cast in place concrete gravity wall, is approaching failure. The wall is beginning to turn and the concrete faces exhibit significant freeze-thaw deterioration.

31 Sodom Road  
Brewster, New York 10509  
845-363-1560  
Fax 845-279-2062  
[www.jrfa.com](http://www.jrfa.com)

The project site area consists primarily of paved asphalt parking, buildings, and undeveloped wooded or grassed lands located on Warren Avenue. The predominant land cover types within the project site include impervious buildings and parking, undeveloped wooded lands, and turf grass lawn area. The soils are largely coarse grained glacial materials overlain by coarse grained fill. No groundwater or bedrock was encountered in the borings performed at the project site. Standard Penetration Test (SPT) values, a prime indicator of the density of the soils and their ability to serve as a foundation, are high. Laboratory analysis and classification confirmed the field analysis. The results of the investigation indicate that the insitu soils are suitable foundation material for either a cast in place wall or a Mechanically Stabilized Earth (MSE) wall.

In order to improve firefighting access and the associated safety of the residents, the owner proposes to expand the driveway to a full 26 foot wide traveled way. The proposed driveway widening will require construction of a new retaining wall between the rear of the building and the east property line. Originally a two tiered approach to the wall was proposed in order to mitigate the aesthetic effect of the new wall. After preliminary review with the Village Planning Board, a site walk was conducted in November. As a result of that meeting we have adopted a revised approach. This revision includes a single wall that is filled in front, leaving a four foot face so as to reduce the aesthetics to residents on the walking trail. The face will be finished in stone to approximate the existing wall of the grotto. The fill section between the wall and the trail is proposed to be installed at a 2:1 slope and is to be restored with native tree species. The fill will extend across the property line onto Village land; approximately 7 cubic yards of fill will be placed on Village land, occupying approximately 572 square feet (0.013 acre).

On behalf of our client we respectfully request your consideration in this matter and await your direction regarding next steps to accomplish this approach.

Regards,  
  
John E. Folchetti, P. E.  
CEO

Cc: D. R Penella, P.E.  
Planning Board  
D. Cascone  
File

## Kathy Deufemia

---

**From:** Richard Slingerland  
**Sent:** Tuesday, March 06, 2018 11:43 AM  
**To:** Kathy Deufemia  
**Subject:** FW: Sisters of the Sacred Heart of Mary Marymount Convent Site Plan Application  
**Attachments:** 0543-ALT GRADING.pdf

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

---

**From:** Julie A. Coulter [<mailto:Julie.Coulter@jrfa.com>]  
**Sent:** Tuesday, March 6, 2018 7:53 AM  
**To:** Richard Slingerland <[rslingerland@tarrytowngov.com](mailto:rslingerland@tarrytowngov.com)>  
**Subject:** RE: Sisters of the Sacred Heart of Mary Marymount Convent Site Plan Application

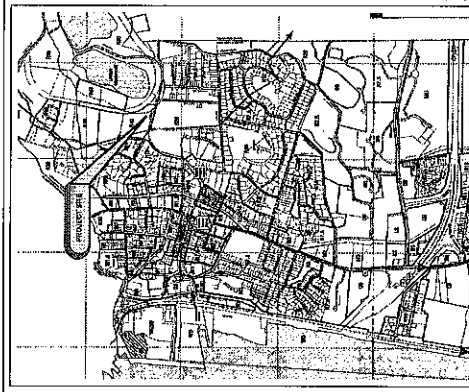
Good Morning Rich,  
John Folchetti will attend the March 14<sup>th</sup> Work Session should you need a representative from our office to explain the project in more detail. Please confirm that you need him to be there as the date gets closer. Additionally, we have attached a plan that should help clarify the work of the project.  
Thank you.  
Julie

---

**From:** Richard Slingerland [<mailto:rslingerland@tarrytowngov.com>]  
**Sent:** Monday, March 05, 2018 5:19 PM  
**To:** Julie A. Coulter  
**Cc:** Dan Pennella  
**Subject:** RE: Sisters of the Sacred Heart of Mary Marymount Convent Site Plan Application

Will do. The Mayor and I just discussed it with Dan Pennella our Village Engineer to explain it a little further. We may need someone to attend that March 14 Work Session meeting to make a presentation to the Board.

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



WARNING- IT IS A VIOLATION OF NEW YORK EDUCATION LAW, SECTION 7209.2, FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, TO ALTER THIS DOCUMENT IN ANY WAY. IF ALTERED, THE ALTERING PERSON SHALL COMPLY WITH THE REQUIREMENTS OF NEW YORK EDUCATION LAW, SECTION 7209.2.

DATE MARCH 2017  
 G-SHEET 4 OF 5  
 DWG. NO. 54302G003

NO.			BY DATE		REMARKS			
1.	NO.	06.06.17	REV. PER BLDG. DEPT. COMMENTS					DSS
2.	NO.	06.07.17	REV. PER BLDG. DEPT. COMMENTS 02/01/17					DWS
3.	NO.	06.08.18	UPDATED THE EXISTING AND ALL BAIL CORRECT					CHK

**Local Law Number \_\_\_ of 2018**

A local law to amend Chapter 9 of the Code of the Village of Tarrytown entitled Architectural Review Board to address the referral requirements of applicants for building permits to the Architectural Review Board

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

**Section A: Purpose.**

The Village wishes to limit the Architectural Review Board's review requirements to only the Restricted Retail RR Zone, all new construction, signage and exterior alterations in the Historic District. The Village finds that mandating Architectural Review Board referral throughout the Village is too burdensome on landowners throughout the Village. The mandatory all-inclusive referral creates too many restrictions and impediments on design throughout the Village and intends to limit the mandated review to only the Restricted Retail RR Zone where it finds that design

**Section B: Amend Chapter 9 Section 4(A) "Referral of Applicants for building permits", which shall read as follows:**

Except where an application for a certificate of appropriateness must be submitted to the Architectural Review Board pursuant to the Landmark and Historic District Act (Chapter 191, Historic Districts and Landmarks), every application for a building permit **for property within the Restricted Retail RR Zone, and all new construction and signage** shall be referred by the Building Inspector to the Architectural Review Board, provided that:

- (1) There will be construction, reconstruction or alteration of any building or structure that affects the exterior appearance of the building or other structure and is visible from any public street;
- (2) The proposed plans include construction, reconstruction or alteration of any deck or uncovered porch that affects the exterior appearance of the building or other structure, is visible from any public street and exceeds 25 square feet, including steps;
- (3) The proposed plans include construction, reconstruction or alteration of existing/new windows or security grills that affect the exterior appearance of the building or other structure and are visible from any public street; or
- (4) The proposed plans include construction, reconstruction or alteration of any fence or wall exceeding three feet in height or 20 feet in length that is visible from any public street.

**Section C: Supersession of other laws.**

All laws, ordinances, rules and regulations of the Village are modified and superseded by this article with respect to their application to parking and enforcement.

#### **Section D: 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 E: 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.

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VILLAGE OF TARRYTOWN INTEROFFICE MEMORANDUM

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**TO:** Mayor Fixell and Board of Trustees

**FROM:** Donato R. Pennella, P.E., Village Engineer 

**RE:** Conversion of Existing Laundromat to a Restaurant/Bar  
Building Permit Application# 2018-6064  
22 Main Street - "The Cube Inn"

**DATE:** March 8, 2018

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The above noted building permit application was issued the attached denial letter on February 5, 2018 and was referred to the Planning and Zoning Boards for a change of use and insufficient on-site parking for its patrons. In addition, the application was referred to the Board of Trustees for modifications to the public parking on John Street since it proposed to modify the street parking to create a curb cut and generate one off-street parking space.

The same plan submitted to the Board of Trustees on March 6, 2018 requires realignment of the parking stalls on the west side of John Street and results in the creation of one compact parking space which is not acceptable. The applicant will be requested to modify the plans to comply with the minimum 18 feet deep parking stall and provide sufficient proof that a fire truck can negotiate a left turn onto John Street, prior to this department submitting an opinion on this matter.

DRP:lm  
attachment  
cc: Richard Slingerland, Village Administrator



# VILLAGE OF TARRYTOWN

One Depot Plaza, Tarrytown, New York 10591-3199

*Mayor*

DREW FIXELL  
*Deputy Mayor*  
THOMAS BUTLER

*Trustees*

KAREN G. BROWN  
ROBERT HOYT  
MARY McGEE  
REBECCA McGOVERN  
DOUGLAS ZOLLO

*VILLAGE ADMINISTRATOR*

914-631-1885

*VILLAGE TREASURER*

914-631-7873

*VILLAGE CLERK*

914-631-1652

*VILLAGE ENGINEER*

914-631-3668

*DEPT. OF PUBLIC WORKS*

914-631-0356

FAX NO. 914-631-1571

February 5, 2018

VIA EMAIL

Robert Gonzales  
39 Meadow St.  
Tarrytown, New York 10591

RE: Application No. 2018-6064 Change of Use/Conversion/Change of Occupancy  
22 Main Street  
Sheet 1.70, Block 34, Lot 9

## LETTER OF PERMIT DENIAL

**PLEASE TAKE NOTICE** that your application for the premises located at 22 Main Street, Sheet 1.70, Block 34, Lot 9, for the change of use from an existing laundromat to a food service establishment (restaurant) use which is located in the ***Restricted Retail RR, Zoning District*** in the Village of Tarrytown, has been denied for the reasons set forth below:

Section §305-132.A(1) & C, Uses subject to site plan review; for the change of use to a restaurant which proposes an increase of more than five off-street parking or loading spaces requires approval by the Planning Board, therefore, you may proceed with the submission of an application and provide the required documentation per §305-134. A recent survey must be provided with this application, as well as a waste management plan by an independent carting company. Compliance with the IBC 2015 and 2017 NYS supplement and Chapter 166 of the Village code is required for the installation of a fire sprinkler system. The proposed storage area in the basement must comply with section 1208.2 of the IBC 2015 and 2017 NYS supplement.

Approval from the Board of Trustees is required for the elimination of street parking if the proposed access to refuge area is to be from John Street.

In addition, your application requires approval from the Zoning Board of Appeals for non-compliance with the following section(s) of the Code of the Village of Tarrytown (Chapter 305):

<b>Code Description</b> <b>305-39 Restricted Retail</b> <b>305 Attachment 10</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Variance</b> <b>Required</b>
305-63.D(1) Schedule of Off-Street Parking Requirements: Restaurant 1 per employee + 1 per 3 seats or 1 per 100 gross sf (39 Seats/3=13 + 6 employees = 19)	19 Spaces	5*	0	14 Spaces
305-63.F(2)(e) Minimum Off-Street Loading No Parking in a side yard	1 Space	0	0	1 Space

\*Based on approval granted November 14, 1988 by the Zoning Board.

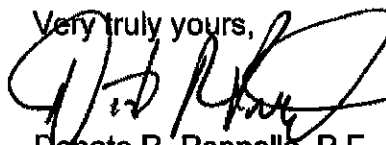
Please refer to §305-63C(7)(d)[1&2] regarding the Parking Fund established by the Board of Trustees, which is applicable to this application since this property is located within the Restricted Retail Zone.

Please revise your plans to fully comply with the section(s) of the Zoning Code referenced above. Alternatively, in accordance with Zoning Code § 305-109 and 305-118 and NY Village Law § 7-712-a, you may submit an application to the Village of Tarrytown Zoning Board of Appeals within 60 days of the date of this letter seeking (1) to appeal this interpretation of the application and/or (2) seek variances from the provision(s) of the Code referenced above.

Approval from the Architectural Review Board in accordance with §9-4 will also be required for the exterior alterations visible from a public street.

Should you require additional information, please don't hesitate to contact me.

Very truly yours,



Donato R. Pennella, P.E.

Village Engineer/Building Inspector

cc: Feliciano Valvano, Building Inspector  
Liz Meszaros, Secretary to Planning and Zoning  
Katherine Zalantis, Attorney for the Planning Board  
Christie Tormm Addona, Attorney for the Zoning Board of Appeals  
Robert Galvin, Village Planner  
Leonard Brandes, Architect  
Martin Stankiewicz, Owner



**LEONARD BRANDES**  
**A R C H I T E C T**

**Date:** March 6, 2018

*Board of Trustees  
Village of Tarrytown  
One Depot Plaza  
Tarrytown, New York 10591*

**Project: The Cube Inn  
22 Main Street - CURB CUT REQUEST**

**Sheet 1    Block 70    Lot 34    Parcel 9**

Dear Sirs:

Please accept this application to add a curb cut along John Street off the corner of Main Street. We are in the process of converting an existing Laundromat (self-operated and drop off) to an Eating and Drinking Establishment at 22 Main Street. This building also contains Five Apartment units on the upper floors.

The existing garbage for both the commercial and residential units has always been kept in the back yard along John Street and picked up by the Village Sanitation Department.

With the increased potential garbage created by the proposed restaurant we would like to have rolling metal containers for private curbside pick-up. That would require a curb cut for access to our existing refuse area.

The existing spaces on that area of the block has metered and non-metered parking. The open area in front of non-metered space was very extended as shown on the plans.

By reducing the existing parking spaces to a compact car size, 22 Main Street will be able to have a Ten foot wide entry to their back yard. This would add one more parking space to the block as well as create easy access for the removal of the garbage produced by the residential tenants and the new restaurant. The number of on street parking remains. The existing tree will be replanted a few feet away towards Main Street.

Please feel free to contact me with any questions.  
Thank you very much for your time and consideration.

Sincerely,

Leonard H. Brandes, R.A.

4  
**RECEIVED**  
MAR - 6 2018  
TARRYTOWN VILLAGE  
ADMINISTRATOR

## Kathy Deufemia

---

**From:** Richard Slingerland  
**Sent:** Tuesday, March 06, 2018 11:43 AM  
**To:** Kathy Deufemia  
**Subject:** FW: Leak Detection Proposal for Village of Tarrytown  
**Attachments:** image001.jpg; Tarrytown, Village of 3-1-18.pdf

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

---

**From:** Howard Wessells  
**Sent:** Monday, March 5, 2018 1:22 PM  
**To:** Richard Slingerland <[rslingerland@tarrytowngov.com](mailto:rslingerland@tarrytowngov.com)>  
**Subject:** FW: Leak Detection Proposal for Village of Tarrytown

Attached is a proposal for NYLD to come back in and do a more comprehensive leak detection evaluation

Howard D. Wessells Jr.  
Superintendent of Public Works  
Village of Tarrytown

**From:** Howard Wessells [<mailto:xlconv67@optonline.net>]  
**Sent:** Friday, March 2, 2018 8:11 PM  
**To:** Howard Wessells  
**Subject:** FW: Leak Detection Proposal for Village of Tarrytown

----- Begin forwarded message -----

Subject: FW: Leak Detection Proposal for Village of Tarrytown  
Date: 03/01/18 04:01:55 PM  
From: "Laurie Bobbette" <[lbobbette@nyld.com](mailto:lbobbette@nyld.com)>  
To: "[xlconv67@optonline.net](mailto:xlconv67@optonline.net)" <[xlconv67@optonline.net](mailto:xlconv67@optonline.net)>  
Cc: "Mark Manzari" <[mmanzari@nyld.com](mailto:mmanzari@nyld.com)>, "Delores Mowers" <[dmowers@nyld.com](mailto:dmowers@nyld.com)>, "Chelsea Marnell" <[cmarnell@nyld.com](mailto:cmarnell@nyld.com)>



March 1, 2018

Howard Wessells  
Village of Tarrytown  
1 Depot Plaza  
Tarrytown, NY 10591  
914-906-3829  
[hwessells@tarrytowngov.com](mailto:hwessells@tarrytowngov.com)

RE: Proposal – Comprehensive Leak Detection Survey

Dear Mr. Wessells:

Thank you for contacting NYLD to provide a leak detection survey for the Village of Tarrytown water distribution system.

New York Leak Detection, Inc. (hereafter referred to as NYLD) was organized to provide the best professional **water leak detection services, fire flow testing, utility location, survey grade utility mapping, video inspection, data logging, and ground penetrating radar technology** under one roof. NYLD is active in instructing and exhibiting leak detection and location services for the New York Rural Water Association, American Water Works Association and private water companies throughout the East Coast.

NYLD will conduct a comprehensive survey and, when appropriate, will perform the survey at night to minimize the effect of daytime usage and provide a higher degree of accuracy. The final leak survey report is a complete, easy-to-read summary of leaks detected and organized according to Type, Location, Estimated Gallons of Loss, and Priority Classification. NYLD ensures its clients will receive a complete and professional survey.

**The cost for a comprehensive leak detection survey and report on approximately ~60 miles of water distribution system including performing continuity testing between hydrants and surveying the major private developments is \$18,600.00.**

\*Estimate only – NYLD has calculated costs based on the information and maps provided by the customer. The actual quantities may vary from those given depending on several factors beyond NYLD's control. If during the execution of the work, NYLD anticipates changes which would impact the estimated cost, NYLD will estimate the additional service and contemporaneously seek the customer's authorization of the changes.

**NYLD provides all state-of-the-art electronics including:** Ground Penetrating Radar 250 MHz (0'-30' depths), 500 MHz (0'-6' depths), 1000 MHz (0'-2' depths), variable wattage magnetometers, video inspection camera with locatable heads, computerized electronic acoustic leak locators, 350' fiberglass rods with sonde transmitters (15' and 40' depth potential), and all necessary support tools.

**Surveying and Mapping Equipment include:** Leica 780862 R400 Total Station with Power Search & Automatic Target Aiming, Leica 772300 RH15 Radio Handle with Integrated Radio Modem and Radio Antenna, Leica 781600 CS15 3.5G & Radio Field Controller, Leica GNSS Smart Antenna Geodetic 120 channels, and Carlson/AutoCAD 2011 software. Crossover technologies are maximized to ensure the highest degree of accuracy on all location projects.

**Specialized Services Available Upon Request:** Profiler EMP-400 (electromagnetic induction sensor), Pressurized Pipe Inspection for internal condition assessment and leak detection utilizing JD7 Investigator, Valve Exercising Services including operation and cleaning of valve boxes and data collection utilizing Wachs Grand LX Valve Maintenance Trailer.

Should you have any questions, you may contact me via e-mail or at the phone/fax numbers provided below. Thank you for the opportunity to submit this proposal.

Sincerely,

Mark Manzari  
Vice President  
Director of Operations

Phone (315) 469-4601 • Toll Free (800) 928-4350 • Fax (315) 469-2868  
PO Box 269 Jamesville, NY 13078 • [www.nyld.com](http://www.nyld.com) • [info@nyld.com](mailto:info@nyld.com)



FED-ID: 16-1299328



Please acknowledge your acceptance of this proposal by signing below and returning to NYLD.

Print Name \_\_\_\_\_

Date \_\_\_\_\_

Signature of Authorized Party \_\_\_\_\_

Pricing is valid for 30 days from date of proposal.

Recognizing that underground leak detection and utility locating is an art as well as a science, and that there are innumerable variables in achieving the desired results, NYLD does not guarantee accuracy in locating underground leaks or utilities, and disclaims all liability for any damages based on information provided by NYLD.

NYLD strives to provide the highest quality service with the experience of the technicians and equipment used. It is our desire that our work provides our customers with the information they need without adverse consequences.

Phone (315) 469-4601 • Toll Free (800) 928-4350 • Fax (315) 469-2868  
PO Box 269 Jamesville, NY 13078 • [www.nyld.com](http://www.nyld.com) • [info@nyld.com](mailto:info@nyld.com)



## **LEAK DETECTION METHODS & PROCEDURES**

### **General**

New York Leak Detection, Inc. (hereafter referred to as NYLD) surveys for and pinpoints water leaks using the latest non-invasive, non-intrusive leak detection technology available. NYLD uses a sonic leak detection sound amplification instrument in conjunction with a sensitive transducer, as well as various sophisticated equipment from correlators to ground microphones. NYLD equips each mobile unit with pipe tracing and box locating equipment. Experienced, skilled Water Loss Specialists are fully trained to operate the leak detection equipment. A detailed report of leak locations, estimated water loss, and areas covered is supplied daily. A final report is provided at the completion of the project. In general, most leak detection surveys are performed during early morning periods for optimal low usage conditions.

### **Specifics**

- A. NYLD will review the water distribution maps of the client's system for familiarization of the pipe network and available appurtenances (valves, services, hydrants, etc.) to be used as contact points.
- B. As the leak survey progresses, NYLD determines the distance that even quiet leak sounds travel in various pipe materials, pipe sizes, and pressure zones in each area of the distribution system. This will be done by asking the municipality to slightly turn on fire hydrants, hose bibs, etc., creating a simulated quiet leak sound. Appurtenances in that area are then checked with a sound amplification instrument to see how far the simulated leak sound travels, thus determining how often NYLD will make contact with appurtenances in a given section of the water distribution system.
- C. NYLD then conducts a comprehensive survey by making physical contact with all available main line appurtenances and selected customer services. NYLD uses a sonic leak detection sound amplification instrument designed for this purpose. When surveying PVC pipelines, NYLD will make contact with all available appurtenances.
- D. Contact is then made with pipe appurtenances at intervals no greater than 300 feet where contact points are available and accessible, or at predetermined distances as noted in Paragraph B (whichever distance is less). This allows for even more quiet leaks to be located.



- E. When normal contact points are not available or cannot be created within a reasonable distance (as described in Paragraph D), NYLD will attempt to use a sonic ground listening instrument making physical ground contact at intervals no greater than 6 feet directly over the pipe. If conditions do not allow this procedure, NYLD's Water Loss Specialist will advise the client at time of the project. If excessive ambient noise precludes the effectiveness of the ground listening device in an area during daytime hours, arrangements will be made to schedule this portion of the survey for night time hours. NYLD will pre-approve these situations with the customer. Ground listening devices are employed when ground cover is pavement, cement or a similar hard surface. Direct contact to the main line at intervals outlined in preparation for service will result in the most thorough survey.
- F. When ground cover is not a hard surface, probe rods will be used at 6-foot intervals when normal contact points are not available (as described in Paragraph D). A sound amplification instrument with attachments is used on probe rods. Probe rods will be driven into the ground a minimum of 6" directly over the pipe when ground conditions allow.
- G. A detailed report of peak levels at suspected leak sound locations and observations are compiled during the survey for reinvestigation and possible pinpointing at a later time. This reinvestigation is to increase the speed of the survey and will eliminate correlating on most false leak sounds (i.e., service draw).
- H. All indications of leaks found during a survey will be verified a second time, after which the leak shall be pinpointed to the closest probable location with a computer based leak sound correlator (when possible). Pinpointed leak locations through interpretation of sound intensity, either by ear, decibel metering, or other like methods is not used when contact points are available for use with a correlator.
- I. The equipment utilized does not normally require valves to be operated during surveying and pinpointed. However, on occasion, services or valves may need to be operated to eliminate service draw noises or to change velocity noise. Operation of valves will be performed by the municipality.



- J. The equipment used will have the capability to prompt the operator to input the variables when different pipe sizes and/or pipe materials are encountered in the same span to be investigated. This is necessary to ensure accuracy of results based on the automatic computation of the correct leak sound velocity in leak pinpointing operations. Our correlator has the capability of correlating up to 7 different pipe materials or diameters within a given span. To ensure effective performance in all field environments encountered in a distribution system (i.e. traffic noise, service draw, pump operation, industrial noise, etc.) the correlator equipment provides 12 multi-range high and low pass filters.
- K. NYLD will furnish an experienced professional Water Loss Specialist, leak detection instruments, equipment and tools to complete the survey and leak pinpointing.
- L. NYLD Water Loss Specialists will perform their utmost effort to pinpoint the closest possible location all existing leaks.
- M. Client is to furnish qualified individual to assist in locating appurtenances (when necessary), communicating directions, and to provide maps of areas to be surveyed.
- N. When the customer makes a repair prior to the completion of the leak survey, NYLD will resurvey that section of the system to eliminate the existence of smaller leaks that may have been masked by a larger leak signal.



## LIST OF EQUIPMENT

### INNOVATIVE TECHNOLOGY

- FCS S-30 Surveyors
- LC-2100 & LC-2500 Subsurface Correlators
- Numerous Tools to Maximize Efficiency
- Safety Equipment (for personal protection & traffic control)
- RD-4000/ RD-8000 Cable and Pipe Locating System (Variable Wattage)
- MetroTech Vivax vLocPro2
- Profiler EMP-400 (electromagnetic induction sensor)
- Fiberglass Probes with Sonde Transmitters
- Correlating Data Loggers
- MGD-2002 Helium/Hydrogen Detectors
- Smoke Testing Equipment
- Pipe Plugging Leak Detection Units
- Noggin 250 & 500 Smart C Ground Penetrating Radar for locating metallic and non-metallic pipes
- Conquest 1000 mhz Ground Penetrating Radar Imaging Shallow Depth
- GatorCam Video Inspection with Locatable Camera Head
- 2011 Leica 780862 R400 Total Station with Power Search & Automatic Target Aiming
- 2011 Leica 772300 RH15 Radio Handle with Integrated Radio Modem and Radio Antenna
- 2011 Leica 781600 CS15 3.5G & Radio Field Controller
- 2012 Leica Viva GNSS BS12 receiver
- 2012 Leica GNSS Smart Antenna Geodetic 120 channels
- Carlson/AutoCAD 2015 software
- Laptop Computers for mapping and reporting locations of leaks, utilities and subsurface objects

All equipment listed is 2008 or newer

Phone (315) 469-4601 • Toll Free (800) 928-4350 • Fax (315) 469-2868  
PO Box 269 Jamesville, NY 13078 • [www.nyld.com](http://www.nyld.com) • [info@nyld.com](mailto:info@nyld.com)



# **NATIONAL WATER MAIN CLEANING**

*A Carylton Company*

1806 Newark Turnpike  
Kearny, NJ 07032  
p: (973) 483-3200  
f: (973) 483-5065  
www.nwmcc.com  
NYC BIC License #468

March 8, 2018

## **Village of Tarrytown**

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

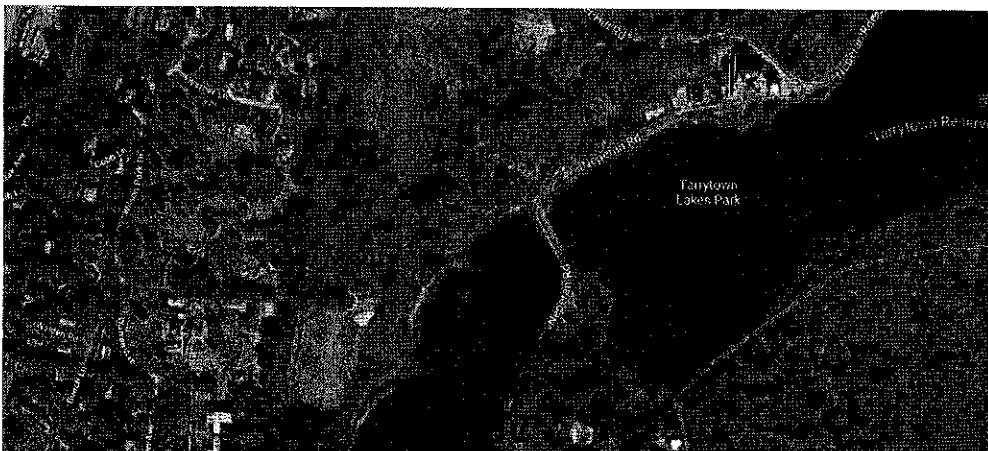
RE: Transmission Main Leak Detection Survey

Dear Mr. Slingerland:

Thank you for the opportunity to submit a proposal for consideration on this project. National Water Main Cleaning Company provides pipeline condition assessment services by employing cutting-edge technologies that accurately and comprehensively inspect water mains while they are in service. The inspection equipment employed for this project contains a tri-sensor head which will conduct an acoustic leak detection survey using a hydrophone, record high definition CCTV, and provide the ability to precisely locate the pipeline from above ground using a sonde and high frequency utility locator.

This inspection technology identifies leaks in pipelines constructed of all materials operating with an internal pressure between 15 and 200 pounds per square inch (PSI). The inspection platform is best employed on pipelines with diameters of 12-inches in diameter and larger with flow velocities of 1 foot per second or greater. During the inspection, the field technician can control the sensor with the tether, advancing, halting and retrieving the tool.

The Transmission Main to be inspected begins at the Pump Station located on Neperan Road and conveys water in a westerly direction to the Village of Tarrytown. The Figure below shows the location of the pump station marked by a red flag and the general area of the pipeline alignment. The Transmission Main is reported to be constructed of lined ductile iron pipe 16-inches in diameter and approximately one mile in length. The typical demand transported through the pipeline is 2.1 Million Gallons per Day (MGD) with a typical operating pressure well in excess of 15 PSI.





## NATIONAL WATER MAIN CLEANING

*A Carylton Company*

A preliminary scoping visit was conducted on February 26, 2018 to identify an existing access point to insert the inspection equipment. An existing fire hydrant on Neperan Road just outside of the pump station was found to be suitable for a short-range leak detection survey using The Investigator inspection platform. The identified access point would not allow for an inspection of the entire length of the pipeline but it would allow the Village of Tarrytown to get a better understanding of the technology before it decides to create access points for the long-range inspection platform.

The Investigator inspection platform has a maximum inspection length of 600 feet in total, which is accomplished by inspecting 300 feet in both the upstream and downstream direction. The actual inspected length of the pipeline will be influenced by the pipe diameter, internal conditions, (i.e. tuberculation, operating pressure, etc.), and number of bends present.



Should the Village of Tarrytown elect to inspect the entire length of the transmission main it will likely need to install two 2-inch corporation stops along the alignment. National Water Main Cleaning company will work closely with the Village to identify the optimal location for the access points after reviewing existing plan and profile drawings of the pipeline alignment. The LDS1000 inspection platform is employed to conduct long-range inspections with a maximum inspection length of 3,000 feet in the direction of the flow of water.

After conducting the inspection, a report will be generated including a summary of the project scope, a map indicating the inspection limits, the inspection date, and a description of the inspection methodology. The report will also include the inspection results estimating the size and location of the leaks identified, discussion of pertinent observations, pictures and videos. Conclusions will be clear and concise depicting the condition of the pipe at the time of the inspection. A Draft Report will be submitted to the Village of Tarrytown for review. A Final Report incorporating the comments provided by the Village of Tarrytown will be delivered in both electronic and hard copy.



# NATIONAL WATER MAIN CLEANING

A Carylton Company

## PROPOSED BUDGET

TASK	UNIT	ASSUMED QUANTITY	UNIT COST	EXTENDED COST
Short-range Leak Detection Survey	DAY	1	\$2,500	\$2,500
Long-range Leak Detection Survey	DAY	3	\$8,500	\$25,500

This proposal assumes the following:

- Each line item will be invoiced upon delivery of the Draft Inspection Report.
- The cost of support services such as traffic control, removal of flanges, valve operation, and modifications to the pipeline for access are not included in this proposal.
- This proposal is subject to the attached General Terms and Conditions unless amended by a mutually agreed upon binding contract.

Should you find this Proposal and the Terms and Condition agreeable, please provide your signature(s) below. By signing below, you are endorsing this scope of work and agreeing to the Terms and Conditions which are part of this proposal.

We look forward to working with you on this project. Should you have any questions, or require clarification, do not hesitate to contact me at (813) 860-7946. Thank you for your consideration.

Sincerely,

NATIONAL WATER MAIN CLEANING COMPANY

David Smith  
Water Division Manager

DS; ds

Accepted By:

*By signing this you agree to our terms and prices.*

Village of Tarrytown

Name \_\_\_\_\_

Signature \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

National Water Main Cleaning Co.

Name \_\_\_\_\_

Signature \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_



# NATIONAL WATER MAIN CLEANING

*A Carylton Company*

## GENERAL TERMS AND CONDITIONS

- I. **General Conditions:** These general conditions are incorporated by reference into the proposal and are part of the Agreement under which services are to be performed by the Contractor for the Customer.
- II. **Customer Supplied Labor:** Where the Customer supplies labor for the Contractor, the Customer will indemnify the Contractor for liability, loss or expense for work related injuries to the Customer's employees. The Customer agrees to waive all rights of subrogation against the Contractor arising out of the work in this Agreement.
- III. **Damage Limitations:** Under no circumstances will the Contractor be responsible for indirect, incidental or consequential damages. The Contractor also is not responsible for the rendering of or failure to render architectural, engineering or surveying professional services.
- IV. **Preexisting Conditions:** The Contractor will not be responsible for liability, loss or expense (including damage caused by the backup of basement sewers) where the primary cause of the claim or damage is preexisting conditions including faulty, inadequate or defective design, construction, maintenance or repair of property or contamination of the subsurface where the condition existed prior to the start of the Contractor's work. Customer is responsible for loss of service caused by the preexisting conditions at the jobsite.
- V. **Environmental Conditions:** The Customer will indemnify the Contractor for liability, loss and expense caused by discharge, escape, release of liquids, gases or any other material, contaminant or pollutant into the atmosphere or into or onto land, water or property. The Customer holds clear title to all waste debris or other materials that the Contractor might handle, process or transport and Customer agrees to supply all necessary manifests and indemnify Contractor for claims based on the handling, processing, transportation, disposal, or release of these materials.
- VI. **Indemnification:** The Customer and Contractor will each indemnify the other for liability, loss and expense incurred by the other party resulting from a negligent act or omission in performance of work under this Agreement. If both parties are jointly at fault, each will indemnify the other in proportion to their relative fault. The Customer will also indemnify Contractor for liability, loss and expense resulting from Contractor's services if the Contractor is acting at the direction or instruction of the Customer, or where the primary cause of any damages is due to information provided by the Customer.
- VII. **Credit Policy:** Regular Terms are Net 30 Days. The company may charge interest at the rate of 1-1/2% per month on all invoices outstanding 60 days past invoice date.
- VIII. **Entire Agreement:** This proposal together with any written documents which may be incorporated by specific reference herein, constitutes the entire agreement between the parties and supersedes all previous communications between them, either oral or written. The waiver by contractor of any term, condition or provision herein stated shall not be construed to be a waiver of any other term, condition or provision hereof.
- Rev. 2/17/98

## Kathy Deufemia

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**From:** Richard Slingerland  
**Sent:** Tuesday, March 06, 2018 11:44 AM  
**To:** Kathy Deufemia  
**Subject:** FW: Follow up to last week's Earth Day meeting

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

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**From:** Rachel Tieger [mailto:[savvypalates@optonline.net](mailto:savvypalates@optonline.net)]  
**Sent:** Wednesday, February 28, 2018 9:51 AM  
**To:** Richard Slingerland <[rslingerland@tarrytowngov.com](mailto:rslingerland@tarrytowngov.com)>  
**Cc:** Anthony Ross <[aross@tarrytowngov.com](mailto:aross@tarrytowngov.com)>; d.gallea@ieee.org; suzy@suzyallman.com  
**Subject:** Re: Follow up to last week's Earth Day meeting

OK thanks for the clarification about the trees Rich.

Re: bags, we need to purchase the sample because this company does not send free samples. They are the least expensive bags we could find so it makes sense to pay for the sample, even though it is annoying. I will specify it is for a municipality and needs to be tax-free.

Picnic - Justin from Dunkins Abby offered to donate beer for the volunteers but we were thinking that the Oath could sell beer to the general public. The Taco Project will be selling tacos and they could also sell sangria if approved.

Re the chamber of commerce/merchants, we did not want to hang pledge trees in Sleepy Hollow businesses because the business with the most pledges will win a prize or picture/mention in HI. Since that is one of the main requests in the letter so we would need two different letters for SH or Tarrytown merchants. Sounds complicated.

Thanks!

Rachel Tieger  
914.202.5470

On Feb 28, 2018, at 9:03 AM, Richard Slingerland <[rslingerland@tarrytowngov.com](mailto:rslingerland@tarrytowngov.com)> wrote:

Rachel and all;

Good summary – thank you.

On the trees – numbers are correct, but to clarify, I don't want to plant 15 to 20 trees just in Neperan Park. I'd like to spread them around the Village.

Seedlings – yes!

Bags – when you're ready to place the order, let the Village place the order so that we don't pay the tax, and they are delivered here.

Picnic – okay on the band; do you want to charge for the beer, or are you just serving it?

Little Gardens – okay

Calendar of events – I'd post in a couple of locations, including the website and 10591. It would be best to do a flyer, if someone is tech-savvy to create one, we'll photocopy it and scan it for posting and distribution.

Chamber of Commerce – I'd think it best just to share it with the chamber. The more the merrier, but we'll let everyone know this is a Tarrytown event.

Best regards,

Rich

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

---

**From:** Rachel Tieger [<mailto:savvypalates@optonline.net>]  
**Sent:** Wednesday, February 28, 2018 7:23 AM  
**To:** Richard Slingerland <[rslingerland@tarrytowngov.com](mailto:rslingerland@tarrytowngov.com)>; Anthony Ross <[aross@tarrytowngov.com](mailto:aross@tarrytowngov.com)>  
**Cc:** [d.gallea@ieee.org](mailto:d.gallea@ieee.org); [suzy@suzyallman.com](mailto:suzy@suzyallman.com)  
**Subject:** Follow up to last week's Earth Day meeting

Good all. Thanks again for you time last Friday Rich and Anthony, what a productive meeting.

Just a quick recap:

**Tree planting** - will plant trees in area next to Neperan Park. Anthony and staff to clear out and prepare the land. Will order 15-20 small but established fruit, berry and flowering/ornamental trees about 3-5' tall. TEAC to submit specific suggestions to Rich. Anthony and Rachel to meet Friday 9am to walk the site.

**Seedlings** will still be ordered to give out to residents at picnic, quantity - 50. TEAC to submit suggestions to Rich.

**Bags** - We found larger cotton totes for less than \$2 each with printing and set-up charges. \$500 for 250 bags. Cotton, 15x16" with two colors and two logos. We are ordering a sample. <https://www.cheaptotes.com/canvas-tote-bags/canvas-tote-bags-colored.html#&ui-state=dialog>

**Picnic** - will host picnic in Pierson Park 2-5:30pm but Anthony will reserve the space from 1-6pm for set up and clean-up. Will have the band The Kennedys play. Rich approved the Cost of \$500. Beer or alcohol on premises needs to be Board approved. We have commitments from food vendors and a beer vendor. Rich please add us to the next possible work session and we will draft a proposal.

**Metal Detecting** - will have in Wilson Park and at a few private properties with owner permission

FYI- The Little Gardens of Tarrytown will be doing a clean-up from 9-12 noon at Neperan Park on Saturday April 21st, Anthony, Kim Waddell seems to be the lead person so I will have her contact you with their need for paper lawn bags, gloves, tools and to plan pick-up times etc.

**Calendar of events** - we did not discuss this but we are trying to figure out the best places to post all the activities. Besides posting on the Village site, TEAC website, TEAC facebook, 10591 and a paper version at the Tarrytown Rec center, senior center, library, and some local businesses, could we take out an ad in the Hudson Independent? They said we can publish an article for free and list all the events but cannot list times ® . Or do either of you have other ideas how to best promote the day? We want to start publishing the calendar right away so people can plan ahead.

**Letter to Merchants**- We will be sending the merchants a letter requesting Earth Day and general environmental participation. We had planned to go through the Chamber of Commerce but realized we would be including the Sleepy hollow merchants. Rich may we get a list of places owner names and email addresses from the village of all the TT merchants?

1 Depot Plz, Tarrytown, NY 10591

2/24/2018

Dear Trustees of Tarrytown,

My name is Luke Silva and I am writing to you regarding my proposed service project at Patriots Park as part of my path to Eagle Scout. I have been in the scouting program since first grade, almost twelve years, and I am now a Life scout pursuing the rank of Eagle. For my project I'm proposing a 90 square foot stone pathway leading up to the Gold Star Mother Monument in Patriots Park. In addition to this I would like to put a plaque next to the monument describing what a Gold Star Mother is. Before starting the project, almost a year ago, I remembered when the monument was put in and I didn't know what a Gold Star Mother was. This is the reason for the path and the plaque, it is intended to bring attention to the monument and educate others what a Gold Star Mother is. Since the monument is off to the side of the much larger WWII memorial, the path will hopefully make it look more like a monument and bring it the attention it deserves.

The work needed for this project will be done as volunteer work by friends, family, and local scouts. At all of the work sessions two adults will always be there for supervision and to operate any machinery needed. The project itself should only take four to five sessions to complete, these work periods will be done on the weekends so those volunteering to help can make it. My goal is to complete this well before this Memorial Day service.

The first day will consist of digging out the pathway in preparation for laying the stone. Between each visit to the work site the area around the site will be fenced off using burlap and wooden poles. The second work day will consist of starting to lay the stone dust and sand for each segment of the path. That day the first segment would be completed. Each visit after that

would include finishing another segment of the path. The last day of the project will be clean up and the placement of the plaque next to the monument on a pressure treated wooden post.

Throughout my time as a scout I have been part of several other Eagle Scout projects and participated in many town events such as the Memorial Day parade, Warner Library book sale, Strawberry festival, and Earth day. I eagerly await the towns review so I can get started on my project.

Thank you in advance for your consideration and I look forward to giving this monument the path it deserves for the Mothers it honors.

Very Respectfully,

Luke Silva

65 Bowbell Road

## Kathy Deufemia

---

**From:** Richard Slingerland  
**Sent:** Monday, March 05, 2018 11:23 AM  
**To:** Kathy Deufemia  
**Subject:** FW: 2018 TaSH Farmers Market Village Contract

Backup for the Work Session.

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

**From:** Tammy Abraham [<mailto:tammy.abraham@gmail.com>]  
**Sent:** Monday, March 5, 2018 9:00 AM  
**To:** Richard Slingerland <[rslingerland@tarrytowngov.com](mailto:rslingerland@tarrytowngov.com)>  
**Cc:** Mellana/Sorrentino <[suztom@optimum.net](mailto:suztom@optimum.net)>  
**Subject:** Re: 2018 TaSH Farmers Market Village Contract

Thanks for the lightning fast response Rich.

For us, the Top concerns/questions are:

1. Bathrooms bathrooms bathrooms: the Porto-Johns that are currently in the park are typically unsanitary (to say the least) and remain one of the biggest issues for our vendors and shoppers. (We hear about it on our surveys and throughout the year). Any/all help improving that situation would be amazing.
2. Park Improvements (bridge grant): we are very excited about this! We just want to get an update on the changes that will happen and the timing so we can plan. And of course we also want to make sure nothing will disrupt the market during market hours.
3. Shed: Anthony is providing a new shed for the TaSH (which we are extremely excited about to say the least). I think it's in motion, but just want to confirm when it's expected to be completed. We can follow up with him if that makes more sense.
4. A-Frame Signs for Main Street: this is something we desperately need to drive foot traffic ON market days. We want visitors and residents to know we're open as they stroll Main Street. We're thinking the prime spots are on the N. Broadway corner near the art gallery and on the other side of the street, near the wine store/entrance to the parking lot. We can take care of making the signs, we just need approval to put the signs out on Saturdays.

Let us know if these make sense or if you have any questions and want to discuss.  
Really appreciate your help.  
Tammy

On Mon, Mar 5, 2018 at 12:13 AM Richard Slingerland <[rslingerland@tarrytowngov.com](mailto:rslingerland@tarrytowngov.com)> wrote:

Okay — thanks for sending this through.

I'll put this on the next Work Session on March 14 and we should be able to renew it without any issues.

Do you have any concerns or issues you want to address, or you need help with? Let me know.

Rich

Sent from my iPhone

> On Mar 4, 2018, at 9:57 PM, Tammy Abraham <[tammy.abraham@gmail.com](mailto:tammy.abraham@gmail.com)> wrote:

>

> Hi Rich!!

>

> Hope all is well.

>

> It's that time of the year when we renew our TaSH contract with the Village.

>

> We went ahead and took a stab at updating the contract. (See attached) Can you let us know what the process is from here...and what you need from us?

>

> Thanks so much,

> Tammy & Suzanne

> <2018VillagecontractwithRVG(TaSH).docx>

## **2018 Operating Plan for the Farmers Market in the Village of Tarrytown**

The Village of Tarrytown ("Village") agrees to allow Rivertowns Village Green Inc. ("RVG"), a non-profit, 501(c)3 organization, to exclusively operate a farmers market ("Market") on the location identified below according to the operating plan set forth in this document.

Farmers markets serve important roles in their communities, including providing access to locally grown, healthy foods, educating the community on the benefits of healthy diets, providing a space for neighbors to meet to exchange ideas and news, providing a source of family-friendly entertainment, and stimulating local and regional economies. RVG was formed in recognition of these important roles and with the understanding that a farmers market best serves its community when it is operated by community members, in the best interests of the community, and with input from the community's various stakeholders.

The success of the Market will rely on ongoing collaboration among RVG, the residents and businesses of Tarrytown and Sleepy Hollow, and the Village administration. The roles and responsibilities of RVG and the Village are outlined below:

### **I. General Conditions**

- A. Regular Operating Season:** Memorial Day weekend through the weekend before Thanksgiving.
- B. Special Events:** May include December 2018 Village Tree Lighting and other events as may be agreed upon between the Village and RVG. Requests for additional events must be approved at least two (2) weeks prior to date of event.
- C. Days & hours:** Saturdays, 6:30 am - 4:30 pm inclusive of set-up and break down time. Market operates from 8:30 a.m.-2 p.m.
- D. Market location:** Patriots Park, Route 9, Tarrytown, NY
- E. Traffic Control:** During Market operating hours, entrances to Market site will be blocked off to vehicles, with the exception of vendor and RVG vehicles.
- F. Term:** January 1, 2018 through December 31, 2018.

### **II. Rivertowns Village Green Responsibilities**

- A. Vendor selection and recruiting:** RVG will endeavor to provide a mix of Market vendors reflective of the needs and interests of the community and according to its selection policies.
- B. Market management & administration:** RVG will operate the Market according to its general policies and rules, said policies and rules to be shared with the Village. RVG will engage a market manager to be its agent at the Market site during operating hours to ensure vendor

compliance with general policies and rules. RVG will encourage the participation of community merchants and organizations where applicable.

- C. Vending fees:** RVG, at its sole discretion, will establish a schedule of fees for market vendors and other participants. These fees will be retained by RVG and applied toward the operation and development of the Market.
- D. Insurance:** RVG will maintain a general business liability insurance policy naming the Village of Tarrytown as an additional insured. The policy limits will be \$1,000,000 per incident, \$2,000,000 aggregate and will be in effect for the market season. RVG will confirm that Market vendors maintain general and product liability insurance policies naming RVG and the Village as additional insured.
- E. Rules governing processing and sale of food and agricultural products:** Market vendors will be responsible for securing any licenses or permits required by county, state or federal laws and for complying with all health and safety regulations governing their products.
- F. Promotion & advertising:** Prior to the market season, RVG will prepare a promotional plan that incorporates the variety of media, signage and strategies that it determines are appropriate to increase market attendance. RVG will be responsible for designing all printed materials, advertisements, banners and signs promoting the Market. All materials will be developed in accordance with RVG branding.
- G. Activities & Events:** RVG will develop a range of programming, including entertainment and educational offerings, to be presented at the Market.
- H. Clean-up:** At the end of each market day, vendors will leave their areas broom clean and remove their own rubbish. The Market Manager will make sure the entire site is left in the same condition as it was prior to the Market operation on that day.

### **III. Village of Tarrytown Responsibilities**

- A. Site conditions & maintenance:** The Village will retain all responsibility for maintaining the generally safe conditions of the Market site, including but not limited to patching broken pavement and addressing other hazards that could cause injury to Market visitors. The Village will make best efforts to repair any conditions identified by RVG and, where appropriate, install barricades. The Village will contract for two (2) portable bathrooms on the site, and will ensure the cleanliness of the facilities for market day. The Village will take into consideration the operation of the Farmers Market in any future development plans for Patriots Park, and aim to have any major work completed before Memorial Day, the start of Market season, but shall not be restricted in the decision making due to the operation of the Farmers Market. If at all possible, the Village will avoid maintenance in

the park during the market operating hours.

The Village will provide garbage cans and recycling cans every 60 feet around the oval, or at least 5 of each around the southern half of the oval for use by Market visitors. The Village will empty trash receptacles after the Market closes. RVG and the Village shall meet at the site for the first and/or second date of the Market, at an appropriate time to assess whether there are sufficient trash and recycling receptacles to maintain the site in a clean and debris free condition.

The Village will provide a new 8x12 storage shed for RVG use within the park.

- B. **Traffic control:** Village will provide adequate and effective temporary barricades to prevent motor vehicle access to the Market site and separate the Market site from nearby traffic.
- C. **Signage:** Village will permit signage to be placed at the two locations on Route 9 where signage is permitted (known as the "jughandle" and the McKeel parking lot bulletin board), provided no other entity has requested and been granted permission to use the said location. It is fully understood that the Village cannot commit the two locations strictly for Market purposes. The signage for the specific location shall be produced, installed and removed by RVG. The Village will permit lawn type signs to be placed along streets and roadways to direct customers to the Market. The signs may be placed along the streets and roadways the morning of the Market and shall be removed after the Market has ended on that particular day. The signs shall be erected and removed by RVG. Village will erect at least four vertical banners along poles near the Market site at no cost to RVG. Banners to be provided by RVG and the graphic shall require prior approval of the Village Administrator.

The Village will permit two Market Day A-frame signs to be erected on Main Street sidewalks.

- D. **Promotion:** The Village will include information about the Market in various publications, websites, and event listings that it maintains as an information service for its residents and constituents.

The Village will permit RVG to hang posters on community bulletin boards and distribute brochures as appropriate in Village-owned buildings.

**IV. Amendments** Any amendments to this Operating Plan shall be executed in writing signed by both RVG and Village.

For Rivertowns Village Green Inc.

For Village of Tarrytown

By:

Title:

Date:

For the Village of Tarrytown

By:

Title:

Date:

## Kathy Deufemia

---

**From:** Richard Slingerland  
**Sent:** Tuesday, March 06, 2018 12:04 PM  
**To:** Kathy Deufemia  
**Subject:** FW: Tree Work in Wilson Park

If we get a written proposal, we'll include that instead of this. If not, we'll include this.

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

-----Original Message-----

From: Catherine Ruhland [<mailto:cruhland@aol.com>]  
Sent: Thursday, March 1, 2018 6:11 PM  
To: francesca spinner <[fspinner@optonline.net](mailto:fspinner@optonline.net)>; Regina Mignogna <[reg.mignogna@gmail.com](mailto:reg.mignogna@gmail.com)>  
Cc: Deirdre Carsto <[deirdre941@aol.com](mailto:deirdre941@aol.com)>; Richard Slingerland <[rslingerland@tarrytowngov.com](mailto:rslingerland@tarrytowngov.com)>; Anthony Ross <[aross@tarrytowngov.com](mailto:aross@tarrytowngov.com)>  
Subject: Tree Work in Wilson Park

Dear Francesca and Regina,  
(Rich and Anthony, FYI)

Deirdre and I walked the park with Bill Davies of Westchester Tree Life this morning after walking the park with Rich and Anthony yesterday. It looks like we can get 6 days of tree work from Westchester Tree Life, one of which is free.

They recommended a number of things.

- 1) Doing the tree work: taking out certain dead or dying trees; pruning damaged trees -- both long overdue;
- 2) Planting two new trees every year to be sure they are properly watered and cared for and also to set up a natural succession of the trees. Westchester Tree Life will make tree recommendations to make sure we build diversity into the tree inventory in the park. They also said it should not be a problem to get landscapers to donate the trees annually. They will help us set this up, as will Deirdre.
- 3) Bushhogging everything except the forsythia patches along Wilson Park Drive in order to get rid of the tangle of invasives. Once we have a clean slate, we can let a few patches of the wine berries regrow and be islands in the grass. The Devils Walking Stick will eventually stop growing if it is cut back again and again. They suggested we have volunteers work on the forsythia tangles along Wilson Park Drive during our Earth Day Clean-Up on April 21.
- 4) Once all this work is completed, we can work with a landscaper to design islands of fields. Bill urged us not to invest in bushes as they require additional maintenance and a lot of watering upfront.

Bill will work on the specifics for the tree removal and pruning work so we can present this to the BOT. Karen Brown met up with us both days so she is already somewhat on board.

The Village believes they can contribute the benches, complete the incomplete path and also manage the bush hogging.

The tree work will take place in March. I imagine I will be reviewing the list of work being contemplated with Anthony. Bill Davies explained how their machinery will do minimal damage to the lawn. I believe the wood chips could be put along the side of the trail, at the foot of the park...obviously there are a few things that still need discussion.

With the completion of the tree work, the Wilson Park Association funds will have been very effectively used up. And Wilson Park will at last have a plan into the foreseeable future.

Rich, I leave it to the village to notify neighbors of the work being undertaken--if you think it necessary. It will of course all take place during business hours, Monday through Friday.

With kind regards,

Cathy Ruhland

Sent from my iPhone