

**VILLAGE OF TARRYTOWN  
BOARD OF TRUSTEES  
WORK SESSION 6:00 P.M.  
WEDNESDAY, JUNE 10, 2015  
Amended June 9, 2015  
Tarrytown Village Hall  
One Depot Plaza, Tarrytown, New York**

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Board of Trustees Concerns

Open Session

1. IMA – Westchester County – RICl System (Repository for Integrated Criminalistic Information)
2. Website Announcements
3. Andre Brook Pedestrian Bicycle Bridge
4. Fire Department Membership Change
5. Building Department Schedule
6. Green Street Parking Lot Request for Proposals
7. Bid – 2015-04 Swap Loader Lift Gate
8. Resolution – Workers Compensation Alliance Plan
9. Parking
10. Dredging Permit
11. Expansion of Train Station Study Boundary
12. Sidewalk Project Altamont Avenue
13. Successor Lease Elizabeth Mascia Child Care Center
14. LED Lighting
15. Elections – per Mayor Fixell
16. Solarize Westchester
17. Bid for Sinkhole Repair, RiverWalk Park
18. Business Parking Permits
19. Additional Environmental Services – Eastview Pump Station
20. Local Law – Consultant Fees
21. Letter from NYCOM re: Tax Cap

Executive Session

- 1A. Personnel
- 2A. DPW Laborer Position
- 3A. Management Employees
- 4A. Appointment Summer Day Camp Director
- 5A. Ethics Board

## Amendments to Work Session Agenda

1. Local Law Consultants Fee – this is a local law that enables the Village to invoice applicants before the Planning Board for the time of the Village Attorney. This work is not included in the retainer agreement from Silverberg Zalantis, with the presumption that these costs would be billed to the applicants and not paid by the Village. They would be billed at a reduced hourly rate from the Village Attorney. When I worked in Mamaroneck and Briarcliff Manor, we would bill applicants for the time of the Village Attorney.
2. NYCOM has requested that the membership write a letter to our state legislators regarding legislation presently being considered to make the tax cap permanent.
3. Fred Mauhs forwarded to me a letter from a person interested in being appointed to the Ethics Board which outlines his qualifications. I noted to Fred that the Board requires a resume and Fred noted that this candidate does not have a resume but would develop one should the Board want a resume as opposed to this letter of qualification.
4. I have commenced a survey associated with item 5 on the agenda. I am forwarding for your review the responses I have received as of this writing.

**Local Law Number \_\_\_\_ of 2015**  
**Consultant Fees**

A local law to amend the Code of the Village of Tarrytown to address payment of consultants' fees for applications to the Village Planning Board.

**Section 1: Purpose.**

The purpose of this article is to allow for reimbursement to the Village for the actual costs of consulting services with respect to the review of applications before the Planning Board for approval to utilize any property in the Village..

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

**Section 2: Amendment to Sections 305-138 (B) and (C) of the Village Code.**

Sections 305-138 (B) and (C) of the Village Code shall be amended to read as follows:

B. Review services. The Planning Board, in review of any application for a site plan, **compatible use permit and/or subdivision** or amendment to a site plan, **compatible use permit** and/or subdivision, may refer such application to a planner, **attorney**, engineer, landscape architect, environmental expert or other professional as the Planning Board shall deem reasonably necessary to enable it to review such application as required by law. Fees applications charged by such professionals shall be in accord with fees usually charged for such services in the Metropolitan New York Region **and shall be no more than the fee charged to the Village for similar services**. All such charges shall be paid by the Village. The applicant shall reimburse the Village for the cost of such professional review services, **including the fees for the attorney assigned to represent the Planning Board** [other than legal services performed by the Village Attorney], **from the escrow account established in accordance with subsection 305-138 (C)**, upon submission of an invoice from the Village. **All invoices for fees charged to applicants by consultants shall be reviewed and approved by the Village Administrator as to reasonableness before payment by the Village and applicant shall be provided with copies of the invoices charged against the escrow deposit. In the event an applicant believes that the charges invoiced are excessive, the applicant may file a written protest to the Village Board, within 15 days of receipt of the invoice, questioning such invoice and the Village Board shall review the protest by the applicant and provide the applicant with a written response within 45 days of receipt of the protest** [The applicant must pay the invoice within one month of mailing of the invoice by the Village. Failure to make timely payment may result in a stop-work order issued by the Building Inspector.] No certificate of occupancy shall be issued for the subject property until all review costs have been paid to the Village. The payment of such fees shall be required in addition to any and all other fees required by this or any other section of this chapter or any other local law.

C. Escrow accounts. At the time of submission of any application before the Planning Board, **an initial escrow of \$2,500.00 shall be established with the application**. [the Planning Board may require the establishment of an escrow account from which withdrawals shall be made to reimburse the Village for the cost of professional review services.] The applicant shall then

provide **any additional** funds to the Village for deposit into such account in the amount to be determined by the Planning Board based on its evaluation of the nature and complexity of the application. [The applicant shall be provided with copies of any Village voucher for such services as they are submitted to the Village.] When the balance in such escrow account is reduced to 1/2 of **the initial escrow amount of the amount established by the Planning Board, whichever is higher.** [its initial amount], the applicant shall deposit additional funds into such account to bring its balance up to the amount of the initial deposit. If such account is not replenished within 30 days after the applicant is notified, in writing, of the requirement for such additional deposit, the Planning Board may suspend its review of the application. A building permit or certificate of occupancy shall not be issued unless all professional fees charged in connection with the applicant's project have been reimbursed to the Village. After all pertinent charges have been paid, the Village shall refund to the applicant any funds remaining on deposit

### **Section 3: Supersession of other laws.**

A. All laws, ordinances, rules and regulations of the Village are modified and superseded by this article with respect to their application to fees which may be charged with respect to applications for land use permitting or approvals.

B. This article shall modify and supersede, with respect to the properties covered thereby, the provisions of Article 7 of the Village Law of the State of New York, Executive Law Article 42, and Navigation Law Article 4 of the State of New York.

### **Section 4: Severability**

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this local law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this local law.

### **Section 6: Effective Date**

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

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

DATED:

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

617.20  
Appendix B  
Short Environmental Assessment Form

**Instructions for Completing**

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: Local Law No. X of 2015 regarding Consultant Fees			
Project Location (describe, and attach a location map): Village of Tarrytown			
Brief Description of Proposed Action: A local law to establish procedures for charging and collecting fees for Village consultants reviewing various land use applications.			
Name of Applicant or Sponsor: Village of Tarrytown by Village Administrator Michael S. Blau		Telephone: 914-631-1785 E-Mail: MBlau@Tarrytowngov.com	
Address: One Depot Plaza			
City/PO: Tarrytown		State: NY	Zip Code: 10591
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO <input type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Village of Tarrytown by Village Administrator Michael S. Blau</u> Date: <u>June 8, 2015</u>		
Signature: _____		

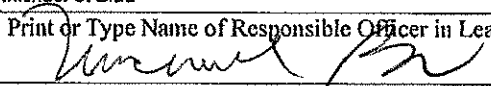
**Part 2 - Impact Assessment.** The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Part 3 - Determination of significance.** The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The proposed local law will merely codify past practice of the Village to collect consultant's fees for review of land use applications. The only substantive changes are (1) adding to the list of consultants covered by the fees to be collected, (2) establishing a formal procedure for the collection of fees and (3) the ability of applicants to protest fees they believe to be excessive.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Village of Tarrytown Board of Trustees	June 8, 2015
Name of Lead Agency	Date
Michael S. Blau	Village Administrator
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT



June 5, 2015

Hon. John Flanagan  
Majority Leader  
NYS Senate  
LOB - Room 805  
Albany, NY 12247

Dear Majority Leader Flanagan:

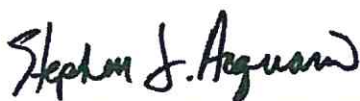
As you evaluate the existing design of the property tax cap and how to improve its implementation, our three statewide associations – representing New York’s 1,600 counties, cities, towns and villages – strongly believe that any continuance of the property tax cap must: (1) be done on a temporary basis; (2) make the tax cap a true 2% cap (as is the case with the state’s self-imposed 2% cap on spending), not one tied to inflation; (3) provide an exclusion from the cap for municipal expenditures on public infrastructure, just as schools and the state have from their respective caps; and (4) include the assessed value of real property improvements associated with PILOT agreements in the calculation of the cap’s tax base growth factor.

Local officials are using all available means of budget-balancing, including austerity spending, drawing down of fund balances, cuts in the size of the municipal workforce, maximization of shared services between local governments, and postponed investments in key public infrastructure. Meanwhile, many of their largest cost-drivers have risen dramatically (e.g., pension contribution rates are 69% higher today than they were in 2008). But this combination of local austerity, minimal mandate relief, and lack of robust state aid has a price. The quality-of-life in our communities is suffering and local infrastructure – roads and bridges, water and sewer systems – is in arguably its worst condition in a generation.

These fiscal realities demand a proactive response by the state. Mere continuance of the tax cap – even with the necessary reforms outlined above – does nothing to address the causes of New York’s high property taxes and fails to facilitate property tax reductions. With the imposition of the tax cap, you have asked more of local officials, and municipal leaders have answered the call as best they can with the limited tools you have provided. Yet the tax cap is reaching a point of diminishing returns and local decline will continue unless you provide increased municipal aid and meaningful mandate relief. Now is the time to help local governments help themselves.



Peter A. Baynes  
Executive Director  
NYS Conference of Mayors



Stephen J. Acquario  
Executive Director  
NYS Association of Counties



Gerry Geist  
Executive Director  
Association of Towns of the  
State of New York

Noah Zamdmer  
15 Croton Avenue  
Tarrytown, New York  
10591  
(914) 909-0535  
nzamdmer@hotmail.com

June 5, 2015

To whom it may concern:

Please consider me for a position on the Ethics Board. Take into account my history, as outlined below.

I was born and raised in New York City. I attended the Massachusetts Institute of Technology for ten years, and obtained a Ph. D. in Electrical Engineering in 1999. Ever since then, I have worked for IBM at its Semiconductor Research and Development Center in Hopewell Junction, New York. I take part in the development of silicon technology that is used in many places, from iPhones to IBM mainframes. I manage a group of ten engineers that verifies the proper function of silicon technology in microelectronic circuits.

I moved to Tarrytown in 2000, when my wife and I bought my current residence. Our two children were born soon after we arrived. They have grown up here and they currently attend the public schools here.

For the last three years, I have made a significant effort to offer world-class educational opportunities in math and science to local children. I teach a free, biweekly math problem-solving workshop for middle school students at the Warner Library, in the Eastern European tradition of the "Math Circle". I organized participation in an international Physics contest for eleven Sleepy Hollow High School students. I have publicized these events in the Hudson Independent and Paul Feiner's radio program. I take pride in the dramatic growth in participation in extracurricular math at Sleepy Hollow High School over the last few years.

Sincerely,  
Noah Zamdmer

<b>BUILDING DEPARTMENT HOURS</b>		
<b>MUNICIPALITY</b>	<b>VILLAGE HALL HOURS</b>	<b>BUILDING DEPARTMENT HOURS FOR PUBLIC</b>
Ardsley	9 am to 5 pm	9 am to 4 pm
Briarcliff Manor	8:30 am to 4:30 pm	8:30 am to 4:30 pm
Buchanan	8:30 am to 4:30 pm	8:30 am to 4:30 pm
Dobbs Ferry	8:30 am to 4 pm	Mon. to Thurs. - 8:30 am to 4 pm; Fri. - 8:30 am to 12 noon
Elmsford	9 am to 5 pm	Does not have special hours but wants to implement such hours
Hastings	8:30 am to 4:00 pm	Does not have special hours but Building Inspector has requested that Village consider such hours to allow for plan review
Mamaroneck (T)	8:30 am to 4:30 pm	8:30 am to 4:30 pm
Mamaroneck (V)	9 am to 4:30 pm	9 am to 3:30 pm
New Castle	8:30 am to 4:30 pm	8:30 am to 4:30 pm
New Rochelle	8:30 am to 4:30 pm	8:30 am to 2:30 pm
Pelham (V)	9 am to 4:30 pm	Monday to Thursday - walk-in hours 11-12:30; appointment hours 2:30 -4; no walk-in hours or appointment hours on Friday
Rye Brook	8:30 am to 4:30 pm	8:30 am to 3:30 pm
Scarsdale	9 am to 5 pm	9 am to 4 pm
No special hours for Building Department		