

Board of Trustees
Village of Tarrytown
Regular Meeting No. 22
One Depot Plaza
Tarrytown NY 10591
August 31st, 2021
8:00 p.m.

PRESENT: Deputy Mayor McGovern presiding; Trustees: Hoyt, Kim, Rinaldi and Zollo; Village Administrator Slingerland; Assistant Village Administrator Ringel; Village Attorney Zalantis; Village Treasurer Hart and Village Clerk Gilligan

The meeting began with the Pledge to the Flag.

REGULAR MEETING: 8:00 P.M.

BOARD MISCELLANEOUS AND LIAISON REPORTS

Deputy Mayor McGovern welcomed everyone to the meeting. She thanked the Tarrytown DPW, Fire Department, Police Department and all of the Village Staff for preparing us for Hurricane Henri. Deputy Mayor McGovern announced that there will be a 9/11 Ceremony at Patriots Park on Saturday, September 11th, at 10:00 am. She continued her report by talking about a program called Community Wardrobe. It's an opportunity for people to donate clothes to those who might not have what they need to be outfitted. Community Wardrobe is currently looking for a place to put the clothes as their prior location is no longer available. If anyone can think of an available space, please contact Deputy Mayor McGovern.

Deputy Mayor McGovern then proceeded to read an email she received regarding Boat Club. The email stated that Tarrytown wishes to turn the Boat Club into a tourist attraction. Deputy Mayor McGovern stated that the Village of Tarrytown does not want to close down the Boat Club, nor change it into a tourist attraction. The statement in the email is absolutely not true, and the Village is not interested in taking it away. The Village has put out a Request for Qualifications because we are simply interested in ideas and in doing the right thing for that property. Administrator Slingerland spoke about the Boat Club and stated that it is parkland, and the Village has no intent to build housing or hotels on the land. We are simply looking to bring in revenue to offset the property tax bills. Some ideas in the Request for Qualifications are restaurants, marina docks, bicycle rentals, kayak rentals, and other water and land related activities. Administrator Slingerland stated that since the area already needs improvement due to flooding issues, and the state wants interaction for the public, it will be a good way to improve the area so that people can reach and interact with the water.

Deputy Mayor McGovern continued the meeting by reporting that the pool will be closing Labor Day weekend and she thanked Kelly Murphy, the Lifeguards and all the staff for a great pool season.

CHANGES AND/OR ADDITIONS TO THE AGENDA

Assistant Administrator Ringel noted that Zoning Board appointments will have the names included in the resolution, the terms updated, and that Jack Jolly will be the first alternate member. In regards, to resolution number four, the training component will be deleted.

ADMINISTRATORS REPORT

Administrator Slingerland started by saying that there will be a future Board Meeting regarding the marijuana regulation and taxation as there is a deadline for the Village to

make a decision on how we wish to participate. There will be future discussions and possible code amendments.

Administrator Slingerland then spoke about the paid parking on Saturdays in the commuter parking lots. He noted that there will be some logistical issues as well as updates to the meters and signage, but over the course of the next few months, the Board will be looking to adopt a resolution to charge for parking in the commuter parking lots on Saturdays. The Village is looking at ways so that the residents will have the ability to park in these lots with a recreation /weekend parking permit. Deputy Mayor McGovern reiterated that the Village is not looking for residents to pay for parking on Saturdays, but it is a way for the Village to receive untapped revenue from people who reside outside of the Village.

Deputy Mayor McGovern then requested that members of the Tarrytown Seniors may be allowed to speak regarding the Senior Van.

Patracella Feister the President of the Tarrytown Seniors, first thanked the Village Board, and Village employees for all of the support they give to the seniors of Tarrytown. She then spoke about the condition of the senior van and how it is in need of replacement, or a major overhaul for the time being until a new one can be purchased. There are several mechanical issues, including heating and air conditioning issues. She talked about other various problems with the van and the challenges the seniors are facing with having the van out of service, or not operating properly. While the seniors are aware that there is a grant to get a new van sometime next year, what will the seniors do in the meantime? How will they get to their activities, doctor's appointments and have safe transportation?

Tina Whitley then spoke about the various ways the Senior Van is used including taking them to meetings, exercise, parties, bingo, doctor's appointments, and shopping at several locations. It is a necessity for many of the seniors. She thanked the Village Staff for their assistance with the van. Sandy Olsen inquired if the van could come out of the budget instead of waiting for a grant. Deputy Mayor McGovern stated that it is possible for it to be budgeted for.

Administrator Slingerland thanked everyone for sharing their concerns. He stated that the senior van will go through a complete review and maintenance to make sure it continues to operate safely, as well as a complete cleaning and detailing. Future discussions will be had with the Board on some options that may be available in the short term while waiting for the grant. He's hopeful to have some answers in September.

PUBLIC HEARING – COMPATIBLE USE PERMIT, TALLYRAND LLC AND ENT AND ALLERGY ASSOCIATES, LLP - 200 WHITE PLAINS ROAD

- Motion to Open the Public Hearing on the proposed Compatible Use Permit was made by Trustee Hoyt, seconded by Trustee Zollo

Roll Call: Trustee Hoyt; Yes, Trustee Kim; Yes, Trustee Rinaldi; Yes, Trustee Zollo; Yes Deputy Mayor McGovern; Yes

Attorney John Kolesar from Harris Beach who represent the applicant Tallyrand LLC addressed the Board and gave a brief overview of the overall project, the applicant and how it's proposed use in in harmony with the existing neighborhood.

There were no speakers from the public.

- Motion to Close the Public Hearing on the proposed Compatible Use Permit was made by Trustee Kim, seconded by Trustee Rinaldi

Roll Call: Trustee Hoyt; Yes, Trustee Kim; Yes, Trustee Rinaldi; Yes, Trustee Zollo; Yes Deputy Mayor McGovern; Yes

WHEREAS, on August 16, 2021, a public hearing was duly noticed and held regarding the proposed Local Law to amend the Zoning Code Chapter 305-5, regarding definitions, and on August 16, 2021 such local law was adopted by the Board as Local Law 8 of 2021, which was necessary to hear the application by ENT Associates for a Compatible Use Permit at 200 White Plains Road; and

WHEREAS, a public hearing notice was published in the Journal News on August 18, 2021 and a public hearing was held on the proposed action on August 31, 2021.

NOW, THEREFORE, BE IT RESOLVED that the action is determined to be a Type II Action under NY SEQRA and therefore no further environmental review is necessary and;

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the application for a Compatible Use Permit by Tallyrand LLC and ENT and Allergy Associates LLP, 200 White Plains Road to set up operations at this location, and authorizes the Village Administrator and the Village Engineer and Building Inspector to take the necessary and appropriate actions to move forward with this Compatible Use Permit.

The application was approved on a motion made by Trustee Hoyt, seconded by Trustee Rinaldi and carried unanimously.

Approved: 5-0

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD ONLY ON ITEMS LISTED ON THE AGENDA, OTHER THAN PUBLIC HEARING ITEMS. SPEAKERS SHALL HAVE THREE (3) MINUTES EACH TO ADDRESS THE BOARD OF TRUSTEES.

There were no public speakers

RESOLUTION TO SCHEDULE A PUBLIC HEARING ON A PROPOSED AMENDMENT TO CHAPTER 157, FILMING, REGARDING REQUESTS TO FILM PRODUCTIONS

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby schedules a public hearing to be held on Monday September 20, 2021, at 7 p.m., at the Regular Tarrytown Village Board Meeting, to consider "A local law to amend Sections 157-3 & 157-4, regarding Filming on Public Property and Requests for Film Productions," to reduce the minimum time for submitting a permit application from 21 days to 14 days; and

BE IT FURTHER RESOLVED that the Board of Trustees hereby directs the Village Clerk and the Village Administrator to take the necessary and appropriate actions to advertise, publish and circulate the required notices needed to hold this hearing.

Trustee Rinaldi moved, seconded by Trustee Kim and carried unanimously.

Roll Call: Trustee Hoyt; Yes, Trustee Kim; Yes, Trustee Rinaldi; Yes, Trustee Zollo; Yes Deputy Mayor McGovern; Yes

Approved: 5-0

GIFT ACCEPTANCE-ROTARY MEMORIAL BENCH

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize acceptance of a park bench at a total approximate value of \$2,000 to \$2,500 from the Rotary Club of the Tarrytown in honor of Len Andrew a long time member of

Rotary, and a key contributor to many community organizations, to be placed in the playground area of Patriot's Park.

Trustee Zollo moved, seconded by Deputy Mayor McGovern, and carried unanimously.

Approved: 5-0

MEMORIAL DONATION - PIERSON PARK RIVERWALK BY ANDRE BROOK

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize acceptance of \$5000.00 donation from Gloria Catinchi in honor of a family member to be used towards a memorial project that would include three white birch trees, two large boulders that people could sit on, and a bronze plaque that will be affixed to one of the boulders that will say "For Judy, Who Loved It Here" along with an image of a Blue Heron to be located in Pierson Park by Andre Brook next to the river, across from the basketball court.

Trustee Zollo moved, seconded by Trustee Rinaldi and carried unanimously.

Approved: 5-0

AUTHORIZATION OF NYS DOT SUPPLEMENTAL AGREEMENTS FOR THE H-BRIDGE PROJECT

**BRIDGE NY RESOLUTION – SUPPLEMENTAL AGREEMENTS
(Locally Administered Project)**

Authorizing the implementation, and funding in the first instance 100% of the Federal aid and State aid eligible costs, of a transportation federal-aid and/or State-aid transportation projects, and appropriating funds therefore.

WHEREAS, Projects for the Rehabilitation of Main and River Streets Bridges over Metro North Railroad – BIN 2263200 identified as PIN 8761.63 – and BIN 2263210 identified as PIN 8761.64 – in the Village of Tarrytown, Westchester County, (the Projects) are eligible for funding under Title 23 U.§. Code as amended, that calls for the apportionment of the costs such programs to be borne at the ratio of 95% Federal funds and 5% non-federal funds; and

WHEREAS, the Village of Tarrytown will design, let and construct the Projects; and

WHEREAS, the Village of Tarrytown desires to advance the Projects by making a commitment of 100% of the non-federal share of the costs of construction and construction inspection.

NOW, THEREFORE, the Board of Trustees of the Village Tarrytown duly convened does hereby

RESOLVE, that the Board of Trustees of the Village Tarrytown hereby approves the above-subject projects; and

BE IT FURTHER RESOLVED that the Tarrytown Board of Trustees hereby authorizes the Village of Tarrytown to pay in the first instance 100% of the federal and non-federal share of the cost of construction and construction inspection work for the Projects or portions thereof; and

BE IT FURTHER RESOLVED that the Board of Trustees of the Village Tarrytown hereby agrees that the Village of Tarrytown shall be responsible for all costs of the projects which exceed the amount of the NY Bridge Funding awarded to the Village of Tarrytown; and

BE IT FURTHER RESOLVED that the sum of \$357,740.00 is hereby appropriated for PIN 8761.63

from the Tarrytown Village Capital Fund and made available to cover the-cost of participation in the above phase of the Project; and

BE IT FURTHER RESOLVED that the sum of \$121,694.00 is hereby appropriated for PIN 8761.64

from the Tarrytown Village Capital Fund and made available to cover the-cost of participation in the above phase of the Project; and

BE IT FURTHER RESOLVED that in the event the full federal and non-federal share costs of the projects exceed the amount appropriated above, the Board of Trustees of the Village Tarrytown shall convene as soon as possible to appropriate said excess amount immediately upon notification by the Village Administrator thereof, and

BE IT FURTHER RESOLVED that the Village of Tarrytown hereby agrees that construction of the Projects – PIN 8761.63 and PIN 8761.64 shall begin no later than eighteen (18) months after award and that the projects shall be completed within three (3) years of the commencement of construction; and

BE IT FURTHER RESOLVED that the Tarrytown Village Administrator be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State-Aid on behalf of the Village of Tarrytown with the New York State Department of Transportation in connection with the advancement or approval of the Projects and providing for the administration of the Projects and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and

BE IT FURTHER RESOLVED that in addition to the Village Administrator, the following municipal titles: Assistant Village Administrator, Village Engineer, Village Treasurer and Superintendent of Public Works are also hereby authorized to execute any necessary agreements or certifications on behalf of the Village of Tarrytown with the NYS DOT in connection with the advancement or approval of the projects identified in the State/Local Agreement; and

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreements in connection with the Projects PIN 8761.63 and PIN 8761.64; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon approval by the Board of Trustees of the Village of Tarrytown.

Trustee Zollo moved, seconded by Deputy Mayor McGovern and carried unanimously/

Roll Call: Trustee Hoyt; Yes, Trustee Kim; Yes, Trustee Rinaldi; Yes, Trustee Zollo; Yes Deputy Mayor McGovern; Yes

Approved: 5-0

MAIN STREET DINING- ADDITIONAL DATES

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby authorizes the following additional dates for Main Street Outdoor Dining; September 18th, September 25th, and October 2nd, 2021, and

BE IT FURTHER RESOLVED that the Village Administrator is authorized and directed to work with involved Village Departments to make this schedule of street closures happen.

Trustee Hoyt moved, seconded by Trustee Zollo and carried unanimously.

Approved: 5-0

SEWER /JET VACUUM TRUCK – AUTHORIZATION TO SIGN GRANT
AGREEMENT AND SET FUNDING SOURCE

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize an appropriation of funds from the Sewer Fund for payment towards a new Sewer Jet/Vacuum truck estimated at \$150,000, as a match for a grant in the amount of \$250,000, sponsored for the Village of Tarrytown by Assemblyman Thomas Abinanti through the New York State Dormitory Authority (DASNY) and

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown authorizes the Village Administrator execute and submit the grant agreement, and for the Village to take any other necessary and appropriate actions to move this grant agreement and project forward in coordination with Assemblyman Thomas Abinanti and/or the Dormitory Authority of the State of New York (DASNY).

Trustee Zollo moved, seconded by Deputy Mayor McGovern and carried unanimously.

Roll Call: Trustee Hoyt; Yes, Trustee Kim; Yes, Trustee Rinaldi; Yes, Trustee Zollo; Yes Deputy Mayor McGovern; Yes

Approved: 5-0

RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES
AGREEMENT FOR SCADA AND WATER SYSTEM SECURITY PROJECT WITH
WOODARD & CURRAN

WHEREAS, with the rising frequency of cyber-security threats, and in turn the Village of Tarrytown's desire to improve the security and protection of the operations of our public water system against such threats, the Village requested Woodard & Curran to provide an estimate of costs for equipment and labor/consultant work to upgrade certain systems and security of the Tarrytown Public Water Supply and Systems, specifically to upgrade the SCADA Computer, increase remote access and access security, implement rules and procedures to improve and enhance system security and protections, and Woodard & Curran supplied a proposal in the total approximate amount of \$9,040 for hardware, software and licensing, and \$21,150 for programming, startup and staff training, for a gross total approximate amount of \$30,190.

NOW, THEREFORE, BE IT RESOLVED, that the Village Administrator is authorized to execute an agreement with Woodard and Curran for this equipment, software and staff support, education and training, and

BE IT FURTHER RESOLVED that the Village Administrator, Village Treasurer, Village Engineer and Superintendent of Public Works are authorized to take the necessary and appropriate actions to implement this project and related improvements.

Trustee Zollo moved, seconded by Deputy Mayor McGovern and carried unanimously.

Roll Call: Trustee Hoyt; Yes, Trustee Kim; Yes, Trustee Rinaldi; Yes, Trustee Zollo; Yes Deputy Mayor McGovern; Yes

Approved: 5-0

ZONING BOARD APPOINTMENT

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Ritchie Abraham as member of the Zoning Board to replace Alan Braun for the unexpired portion of a term that will expire in December of 2024.

Trustee Hoyt moved, seconded by Deputy Mayor McGovern and carried unanimously.

Approve: 5-0

Appointment of 1st Alternate Member of the Zoning Board

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint John Jack Jolly as 1st Alternate Member of the Zoning Board for a term that will expire in December of 2021.

Trustee Hoyt, seconded by Trustee Kim and carried unanimously.

Approved: 5-0

Appointment of 2nd Alternate Member of the Zoning Board

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Jeanne Kaplan as 2nd Alternate Member of the Zoning Board for a term that will expire in December of 2023.

Trustee Kim moved, seconded by Trustee Hoyt and carried unanimously.

Approved: 5-0

APPROVAL OF MINUTES OF THE AUGUST 31, 2021 REGULAR BOARD MEETING

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the minutes of the regular meeting of the Board of Trustees held on Monday, August 31, 2021, as submitted by the Village Clerk.

Deputy Mayor McGovern moved, seconded by Trustee Kim and carried unanimously.

Approved: 5-0

APPROVAL OF AUDITED VOUCHERS

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No. 3 Audited Vouchers dated August 18, 2021 in the total amount of \$231,875.63 as presented by the Village Treasurer, to be paid in the following amounts:

General	\$ 182,972.99
Water	\$ 15,641.54
Sewer Fund	\$ 2,611.75
Capital	\$ 12,065.01
Library	\$ 10,818.26
Trust & Agency	\$ 7,766.08
Total	\$ 231,875.63

Trustee Kim moved, seconded by Deputy Mayor McGovern and carried unanimously.

Roll Call: Trustee Hoyt; Yes, Trustee Kim; Yes, Trustee Rinaldi; Yes, Trustee Zollo; Yes Deputy Mayor McGovern; Yes

Approved: 5-0

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD ON ITEMS NOT INCLUDED ON THE AGENDA. SPEAKERS WILL HAVE THREE (3) MINUTES BEFORE YIELDING TO THE NEXT SPEAKER.

John Stiloski questioned the Board about the Boat Club and whether the Board was going to do anything with the Boat Club. He felt that two statements were put out, one saying nothing was going to be done with the Boat Club, and another stating that the Board put feelers out to do some things in that area. He also inquired whether the Village received \$16 million dollars for the sale of the Asbury Terrace, or could the Village have received any money at all? Deputy Mayor McGovern clarified that when she spoke about the Boat Club it was in regards to the email she received which stated that Tarrytown was going to turn the Boat Club area into a tourist attraction. Deputy Mayor McGovern said that the Board has no intentions of turning that area into any kind of tourist attraction, and currently the Boat Club's lease has been extended until the end of this year. In regards to Mr. Stiloski's question about the 16 million dollars for the sales of Asbury Terrace, the Board and Administrator Slingerland confirmed that any proceeds from the sale had to be used towards affordable housing and is governed by the state. Deputy Mayor McGovern told Mr. Stiloski that the Board would give him at a future date, a full explanation on the money and how the program works.

Mark Frey gave some back round on the Sherman Rule, and how the Federal Government's intention is to get municipalities out of ownership of the types of projects such as Asbury Terrace property. Mr. Frey feels the history of the property and how we got to where we are today is very important for the Board to understand. Deputy Mayor McGovern said she would be happy to speak with Mr. Frey at another time and they could compare notes with one another. The Board then discussed briefly about how the Village is allowed to spend the money from the sale of Asbury Terrace and will gather more information to present to the public.

Sadie McKeown from the Tarrytown Housing Authority Board spoke about how the Housing Authority has selected a developer to collaborate and redevelop the two Housing Authority properties. She explained that the Housing Authority must go through a very deliberate and specific process in order to redevelop the properties and to continue to receive HUD funding. There were several redevelopment options that were discussed including adding additional affordable housing. Ms. McKeown stated that there is a possibility that the Housing Authority might request additional units to be built at Franklin Courts. The redevelopment process will take time, and if additional units are requested the Housing Authority will be following all of the proper protocols such as going before the Planning and Zoning Boards. Nothing will be done without Village approval. Ms. McKeown continued by stating that the residents have been fully involved in the process, and if they have any issues, they can go through a process with the Executive Director. All of the RFP's that were received have done this type of redevelopment before and have a depth of experience. She requests that a consultant be allowed to come before the Board and speak to them about the redevelopment processes.

Jim Daravan from Franklin Courts feels that there is a lack of communication with the residents about the extent of the work that will happen at Franklin Courts. They are a community with thoughts, ideas and rights. He feels that they are trying to put a lot of things on the property. Density is not always better. Parking is already limited and the area is very congested. Mr. Daravan feels that the access to any meetings has been limited, and that he thinks the process should slow down, and spend time talking with the residents and let their voices be heard.

Paul Gomez from Franklin Courts stated that have not been informed, due process has not been followed and no official meetings have taken place other than one zoom meeting. He has spoken with several residents who attended the zoom meeting and they said that no information was disseminated, questions were avoided, and nothing was really shared with the residents about what the preliminary plans are. Mr. Gomez requests that the Board of Trustees be more involved in the process and listen to the residents' concerns. Deputy Mayor McGovern reminded Mr. Gomez that the Hosing Authority's meetings are held on the second Tuesday of the month and he should try to attend.

Ms. Gomez from Franklin Courts stated that she did not want to see overcrowding and does not want Franklin Courts to be destroyed.

Wanda Watts who lives at Franklin Courts stated that she received a letter on August 9th, telling her she had to move out of her apartment by August 31st. She stated that she had just gotten out of the hospital and there was no way she could move four rooms of furniture in that short period of time. She then read a letter from the Housing Authority stating that she had to relocate her apartment to another available unit by August 31st. She advised the Board

that she had no prior notice until she received the letter that she would have to move. She has requested help from the Housing Authority to move her belongings without any response. The Board and Administrator Slingerland said they would help look into the situation.

Mark Frey spoke again about Franklin Courts. He read his document that was emailed to the Board earlier in the day and attached to these meeting minutes. Mr. Frey stressed that the Village Board created the Tarrytown Municipal Housing Authority, and the appointing of the directors, and the Board of Trustees are required by law to oversee the operation of the agency. Mr. Frey feels that there are serious problems at Franklin Courts and the Village needs to slow things down. Trustee Kim inquired about the references to a second tower. Sadie McKeown responded that under no circumstances will a second tower be built at Franklin Towers or Franklin Courts. Ms. McKeown said that the only tower that will be there is the current tower, and all of the apartments will be renovated and upgraded to today's standards. Per HUD's standards, the old buildings will be taken down after people are moved to new units, the buildings elevated above the flood line and additional parking will be added. No decisions have been made regarding adding new units at this time. Several meetings have been held already, and another one can be held if the residents wish to have one. The total number of units today is 151 and the number of future units is to be determined throughout the process.

John Stiloski asked if Sadie McKeown could respond about the 16 million dollars from the sale of Asbury Terrace. She first gave a brief history about Asbury Terrace, and the past financing involved with the property. The Attorney General's Office states you must comply with their guidelines. Monies from the sale of Asbury Terrace must be used towards housing good works in the Village of Tarrytown. Excess cash was collected in a reserve for future renovations and building maintenance. Some donations were privately made to the YMCA for their housing, \$200,000 towards a fund to help Tarrytown residents who were having trouble paying their rent because of COVID, and other private donations. The building was sold to an affordable housing developer and we were under no obligation to anyone other than the Attorney General. Some sale proceeds went to the YMCA which stay in line that the money must be used towards housing good works within the Village of Tarrytown. The Action Council is making decisions with what is to be done with the other funds. Deputy Mayor McGovern reiterated that with the sale of Asbury Terrace, the Village received no funds.

Dolf Beil spoke about 29 South Depot Plaza and the Planning Board Meeting. Mr. Beil reviewed the various plans and requests the developer has for 29 South Depot Plaza. He discussed several highlights from the Planning Board Meeting and the actions the Board of Trustees would have to take in order for this project to move forward. Mr. Beil stated that he has a problem with the fact that a developer can take an hour and a half to present to appointed and elected officials, but the public gets zero time for feedback. He finished by reading Observations from "A Friend" which is attached to the meeting minutes.

ADJOURNMENT

On a motion made by Trustee Hoyt, seconded by Trustee Zollo, the meeting was adjourned at approximately 9:45 pm by a vote of five in favor, none opposed.

Kristine Gilligan
Village Clerk

TARRYTOWN MUNICIPAL HOUSING AUTHORITY

FRANKLIN TOWERS – FRANKLIN COURTS

50 WHITE STREET

TARRYTOWN, NEW YORK 10591

TARRYTOWNHOUSING.NET

FOR IMMEDIATE RELEASE

**Development team selected to modernize
Tarrytown affordable housing complex**

***Wilder Balter Partners, Duvernay + Brooks and the Housing Action
Council team-up for redevelopment of Franklin Towers and Courts***

TARRYTOWN, NY (August 31, 2021)—The Tarrytown Municipal Housing Authority has chosen WB Housing Partners for a major modernization of its affordable housing complexes utilizing the Department of Housing and Urban Development (HUD) Rental Assistance Demonstration program. Working with the continued involvement of the Tarrytown Municipal Housing Authority, WB Housing Partners will oversee the modernization of the Housing Authority’s affordable rental housing that includes 151 apartments in Tarrytown’s *Franklin Courts* and *Franklin Towers*. WB Housing Partners is comprised of Wilder Balter Partners, Duvernay + Brooks, and the Housing Action Council, all of whom have extensive experience in the region’s affordable housing sector.

“Our Team members have strong real estate development, construction, management and finance experience that we have applied in Tarrytown as well throughout Westchester County and New York State. We have a depth of experience in working with HUD, New York State Homes and Community Renewal and Public Housing Authorities,” said William Balter, President of Wilder Balter Partners Inc. *Franklin Courts*, built in 1952, includes 70 multi-family garden style apartments in 14 one- and two-story standalone buildings. *Franklin Towers* is a 10-story brick building built in 1964 that contains 81 apartments, many with views of the Hudson River. Both are at 50 White Street.

“We are committed to providing our residents with dignified and contemporary affordable housing that reflects the extraordinary renewal they are seeing in their community, as well as ensuring the long-term sustainability of very needed affordable housing in Tarrytown and protecting the rights of our current residents to remain in their homes,” said Wilfredo Gonzalez, Jr., Executive Director of the Tarrytown Municipal Housing Authority.

Wilder Balter Partners is currently under construction on several developments in Westchester and, in partnership with Duvernay + Brooks, is 50% complete with the redevelopment of the Glens Falls Housing Authority’s portfolio. Currently, working with the Housing Action Council, Wilder Balter Partners is under construction on the redevelopment of the Tarrytown YMCA into a 109-unit affordable, LEED Gold certified, development for residents with incomes ranging from 30% AMI to 70% AMI. The development includes the preservation and adaptive re-use of the existing historic structure on Main Street, combined with a new four-story building behind it, and the development of a new 68-car municipal parking garage that will be provided to the Village of Tarrytown.

Brian Heeger, Managing Director of Duvernay + Brooks, said: “D+B, a New York State certified woman-owned business, has extensive experience working with public housing authorities and the unique issues faced by public housing authorities undertaking redevelopment, and we look forward to working with TMHA and its residents on meeting their goals for the redevelopment.”

Over the last 40+ years, the Housing Actions Council, located in Tarrytown, has been involved in dozens of affordable developments and redevelopments in the County and Hudson Valley. HAC focuses much of their work on affordable housing advocacy for existing tenants as well as those seeking affordable housing.

WB Housing Partners is committed to a collaborative process with the TMHA, residents of the two complexes and other Tarrytown stakeholders. The redevelopment will be undertaken to minimize disruption in the lives of the residents, and all current TMHA residents will have the absolute right to remain and live at the newly redeveloped properties.

“This collaborative approach enables us to generate a realizable vision for each development that is ‘owned’ by the community, establishing a solid foundation for each project’s subsequent development or redevelopment, while also building momentum and enthusiasm for the project,” said Rosemarie Noonan, Executive Director of the Housing Action Council.

Interactive planning meetings with residents, elected officials and community stakeholders are expected to begin in the early fall.

Contact: Deborah Post at dpost@wilderbalter.com

Comparison of two versions of THMA RFPs for Legal Services.

Original text from page 3 of RFP dated October 13, 2020 printed in black below is compared with: "Notice to Proposers Deemed in the Competitive Range" dated November 15, 2020

Additions to original RFP text are shown in red underline.

Deletions to original RFP text are shown as blue strikeouts

Project 1: Franklin Towers (81 Units)

Franklin Towers is a good candidate for rehabilitation under RAD. The property is solid and well-built and in an ideal location. Conversion under RAD would allow TMHA to finance the substantial rehabilitation of the property and increase the long-term viability of the property while furthering TMHA's mission. This should be accomplished with the use of tax-exempt bonds and 4% low income housing tax credits, combined with RAD (75% RAD I 25% Section 18), to leverage TMHA's limited capital funds.

Project 2: Franklin Courts (70 Units)

Franklin Courts is an excellent candidate for redevelopment at a higher density with both affordable and higher income workforce and market rate units. Based on the recently completed HUD Demolition/Disposition PNA for Franklin Courts by AEI Consultants, the estimated cost of rehabilitation is 62.27% of HUD's Total Development Cost (TDC), or about \$16.7 million (\$237,997 per unit). This exceeds the HUD Obsolescence requirement of a minimum of 57.14% of TDC. Therefore, based on the AEI Report, Franklin Courts would meet the HUD Obsolescence requirement. TMHA should proceed with a Section 18 application for Franklin Courts and follow up with an application for Tenant Protection Vouchers to support the phased redevelopment of Franklin Courts

The existing 6.65-acre site ~~could will~~ be master planned to accommodate ~~perhaps double the current units~~ an increase in the number of units in -an attractive mixed-income community, which will require a multi-year effort. ~~A master plan/program for the site must first be developed in concert with the residents and surrounding community as the basis for moving forward.~~ This ~~should will~~ be led by a third-party developer in partnership with TMHA. The master plan ~~should will~~ incorporate a "build-first" component to minimize existing resident displacement, consider phasing and scale that responds to anticipated future available financing, study increased density to create a mix of incomes on site and help address the need for housing in Tarrytown, and incorporate one-for-one replacement of the existing public housing with deep subsidy such as Project-Based Vouchers (based on an approved Section 18 application from HUD).

Once the master plan is in place, financing applications and HUD approvals can be pursued through competitive Federal 9% tax credits in the vicinity of \$350,000 per unit. Based upon previous 9% awards, we are assuming maximum project size **in the vicinity of 70 units per tax credit round** [Emphasis added]

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The initial analysis recommends a two-phase 140 unit mixed income development. The preliminary proposed redevelopment program consists of 70 tax credit project based voucher units to replace the existing units at Franklin Courts, and serving extremely low-income households, 46 tax credit-only units serving households below 50% of AMI, and 24 market rate units with rents set at the 2020 Westchester County Fair Market rents. The public housing units are replaced over two phases, so as to minimize displacement.

PHA Letterhead

Date

Address

Re: Legal Services RFP - Notice to Proposers Deemed in the Competitive Range

To Whom It May Concern:

The Tarrytown Municipal Housing Authority evaluation committee has evaluated all proposals and has determined that your proposal falls in the competitive range, which means your proposal has a reasonable chance of being selected for award. We are inviting all proposers in the competitive range to submit their best and final offers, making any changes they wish in the rates they have submitted. In addition, we have included a summary of the proposed redevelopment projects and would like you to submit an estimated fixed price, associated hours and assumptions for each of these transactions. We understand that this is just an estimate. All best and final offers shall be scored pursuant to the RFP.

Project 1: Franklin Towers (81 units)

Franklin Towers is a good candidate for rehabilitation under RAD. The property is solid and well-built and in an ideal location. Conversion under RAD would allow TMHA to finance the substantial rehabilitation of the property and increase the long-term viability of the property while furthering TMHA's mission. We expect to accomplish this with the use of tax-exempt bonds and 4% low income housing tax credits, combined with RAD (75% RAD / 25% Section 18), to leverage TMHA's limited capital funds.

Project 2: Franklin Courts (70 units)

Franklin Courts is an excellent candidate for redevelopment at a higher density with both affordable and higher income workforce and market rate units. Based on the recently completed HUD Demolition/Disposition PNA for Franklin Courts by AEI Consultants, the estimated cost of rehabilitation is 62.27% of HUD's Total Development Cost (TDC), or about \$16.7 million (\$237,997 per unit). This exceeds the HUD Obsolescence requirement of a minimum of 57.14% of TDC. Therefore, based on the AEI Report, Franklin Courts would meet the HUD Obsolescence requirement. We expect to proceed with a Section 18 application for Franklin Courts and follow up with an application for Tenant Protection Vouchers to support the phased redevelopment of Franklin Courts.

The existing 6.65-acre site will be master planned to accommodate an increase in the number of units in an attractive mixed-income community, which will require a multi-year effort. This will be led by a third-party developer in partnership with TMHA. The master plan will incorporate a "build-first" component to minimize existing resident displacement, consider phasing and scale that responds to anticipated future available financing, study increased density to create a mix of incomes on site and help address the need for housing in Tarrytown, and incorporate one-for-one replacement of the existing public housing with deep subsidy such as Project-Based Vouchers (based on an approved Section 18 application from HUD). Once the master plan is in place, financing applications and HUD approvals can be pursued through competitive Federal 9% tax credits. We are assuming total development costs in the vicinity of \$350,000 per unit. Based upon previous 9% awards, we are assuming maximum project size in

the vicinity of 70 units per tax credit round. The initial analysis recommends a two-phase, 140 unit mixed-income development. The preliminary proposed redevelopment program consists of 70 tax credit project-based voucher units to replace the existing units at Franklin Courts, and serving extremely low-income households, 46 tax credit-only units serving households below 50% of AMI, and 24 market rate units with rents set at the 2020 Westchester County Fair Market rents. The public housing units are replaced over two phases, 35 units at a time, so as to minimize displacement.

Please provide your response via email to Wilfredo ("Wil") Gonzalez, Executive Director at wil.tmha@verizon.net by [time] on [date].

Sincerely,

Wilfredo Gonzalez, Executive Director



8/23 P.B. Observations

(No Public Comment Allowed)

29 SDP Presentation

Taxes Are Too High (1:45)

PILOT to Lower Excess Taxes (1:46)

For Downsizers & Professionals (1:41)

75% Studio & 1-Bedroom Units (1:41)

2- Bedrooms at \$4,200 (1:44)

Walkable to Main Street (1:43)

Co-ordinate with Franklin Court (1:36)

RFP Awarded to Balter (1:36)

15 Parking Spaces on Lot “B” (1:31)

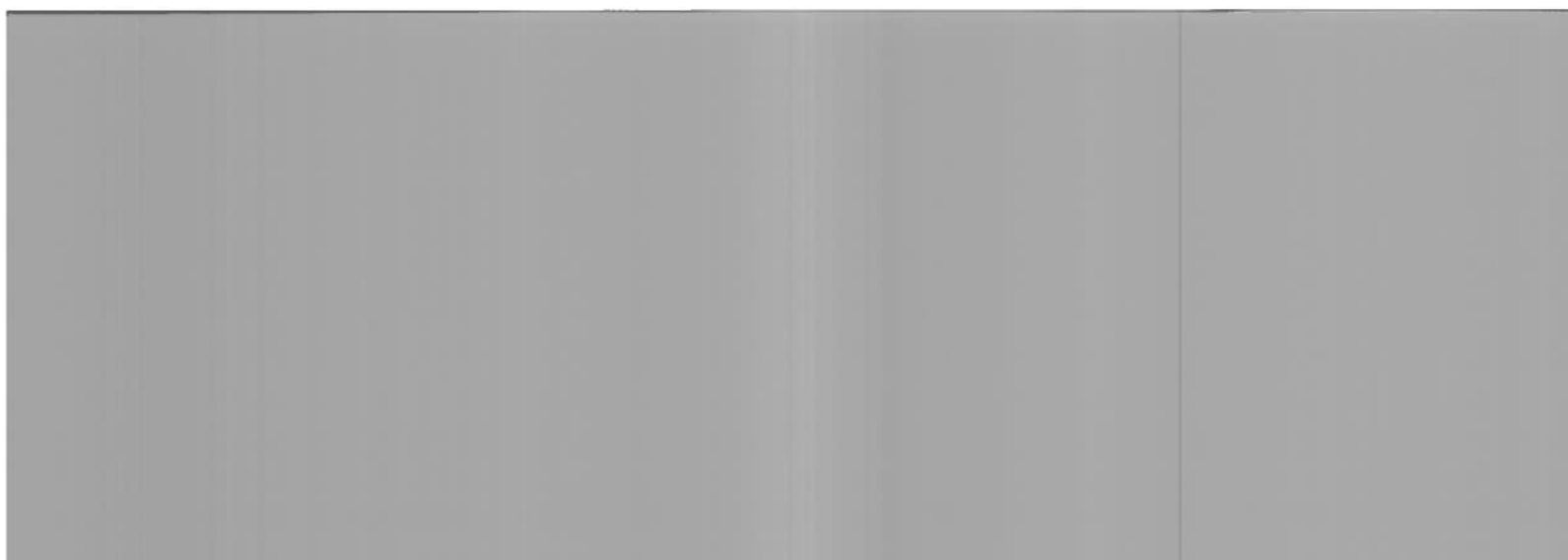
BOT Action Needed

Merge Lots #37 & #38 (1:37)

Lot B Use (1:37)

Status

Nothing Further Until BOT “Direction” (2:08)

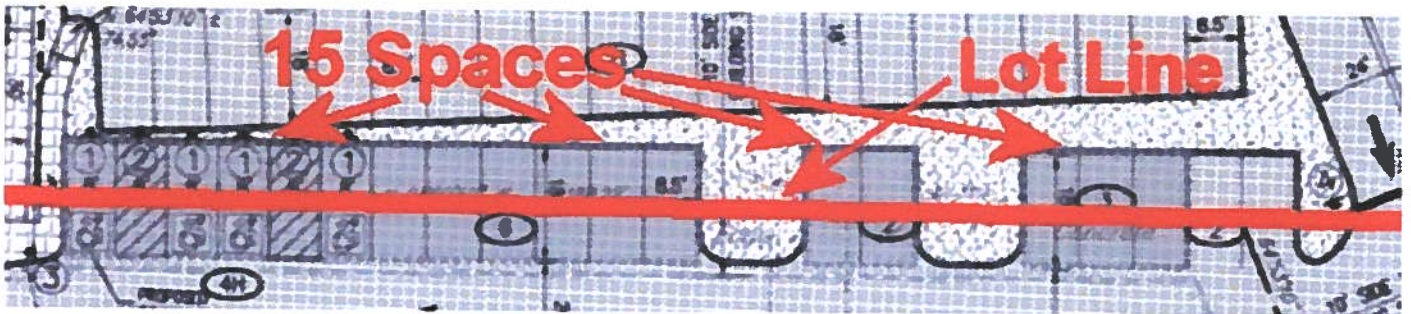


BOT Action Items

Merge 2 Lots



Lot "B"



Month to Month Lease Since 2012

2 BOT Options:

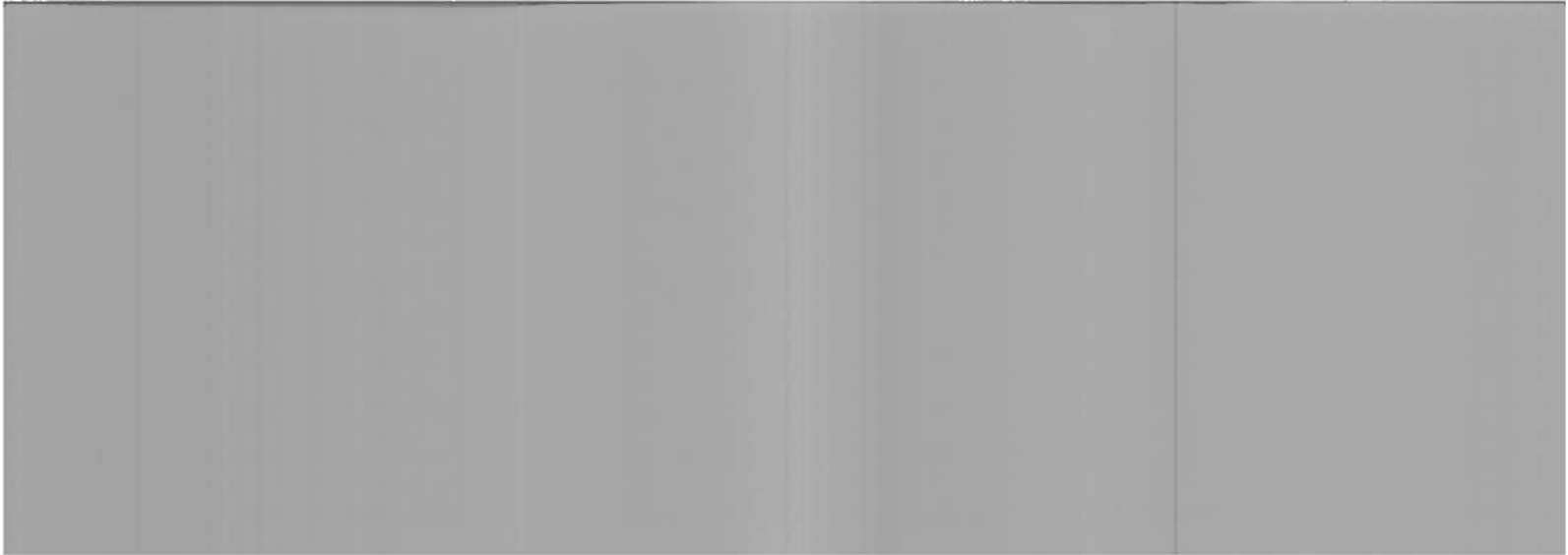
1/ Renew Lease & Authorize Parking

2/ Lease Lapses & MNRR Deals Directly

What Compensation Does Village Get?

20

21



“INCONVENIENT TRUTHS”

February 1 BOT Minutes

Art Collins noted that there will now be **66** units with the 4 stories.

July 15 Presentation

DEPOT PLAZA, TARRYTOWN, NY						
Unit Type	Unit Net Area	L1	L2	L3	L4	TOTAL
Units per Floor		0	25	28	26	79

DEPOT ANNEX, TARRYTOWN, NY						
Unit Type	Unit Net Area	L1	L2	L3	L4	TOTAL
Units per Floor		0	5	5	5	15

TOTAL UNITS = **94**

% Increase = **42% (Or 2% of Total Housing Units)**

Non-Required Village Benefits = **Zero**

Presentation Time

7/15 0.5 Hours (Estimate – No Video Record)

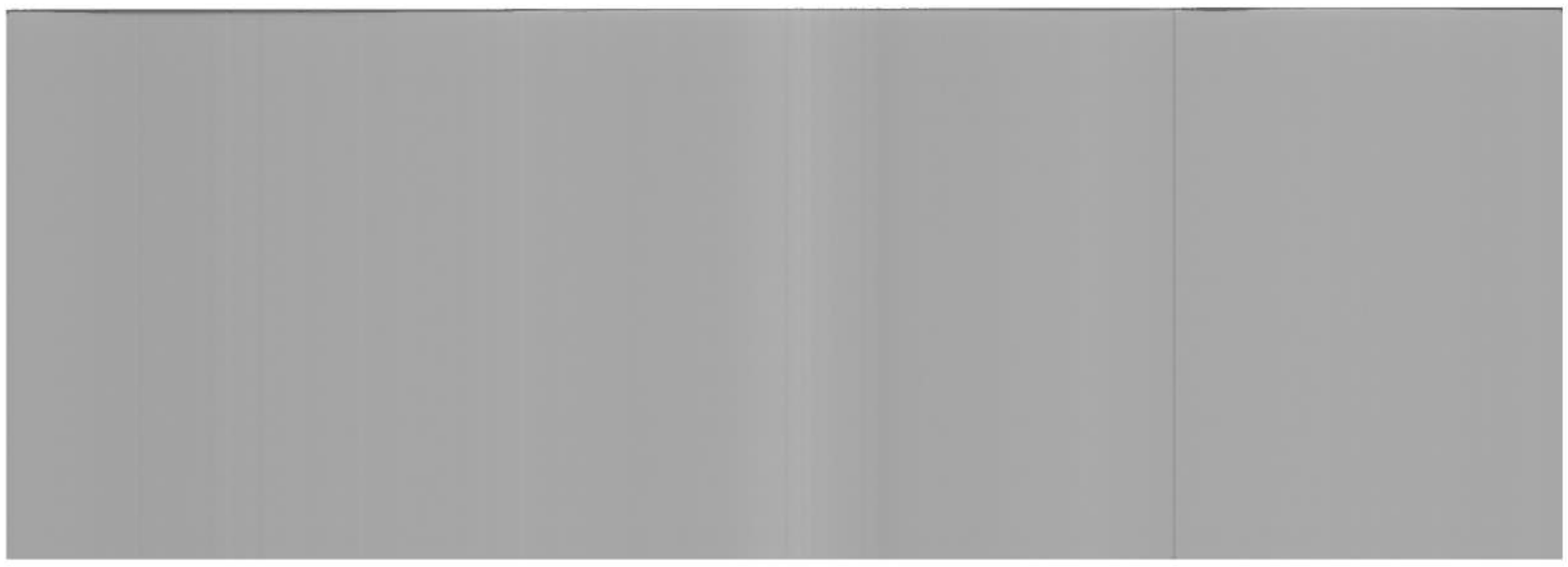
8/12 0.5 Hours (Estimate – No Video Record)

8/23 0.5 Hours (Actual from Video)

TOTAL **1.5 Hours**

Public Feedback Time

ZERO



Observations from “A Friend”

- Expands development footprint and density with no further SEQRA due diligence
- Merging of property is an inappropriate back door approach to larger scale development. Under this precedent, Coco could seek approval for 39-51 N B'way and, after receiving it, propose to merge that property with the property to the north, thereby more than doubling the size of the resulting development without any further due diligence
- Parking relies on use of property he does not own that is currently leased to the village for public benefit. Legality of village in effect subleasing the property to a private entity is questionable.
- PILOT defers full tax benefit to the village
- Still no public benefit associated with the project

