

Board of Trustees  
Village of Tarrytown  
Regular Meeting No. 4  
One Depot Plaza  
Tarrytown NY 10591  
January 16, 2024  
7:00 p.m.

PRESENT in person: Mayor Brown presiding; Trustees: Hoyt; Kim; Mitchell, and Rinaldi; Village Administrator Slingerland; Assistant Administrator Fasman; Village Treasurer Morales; Village Attorney Zalantis and Village Clerk Gilligan.

The meeting began with the Pledge to the Flag.

#### PRESENTATION – COUNTY EXECUTIVE GEORGE LATIMER ON THE WESTCHESTER COUNTY BUDGET

- County Executive George Latimer and Deputy County Executive Ken Jenkins presented highlights from the Westchester County Budget that went into effect on January 1, 2024. In addition to the Operating Budget, the County adopts a Special Districts Budget for the sewer and refuse districts it manages throughout the County, as well as a Capital Budget. This year, the County is maintaining the same property tax levy as 2023, which is the fifth consecutive year without a tax levy increase. The County and Town taxes combined only make up about 13% of property taxes. Village taxes comprise about 25% of property taxes, and School District taxes are about 61% of property taxes for Tarrytown residents.

The County Executive highlighted several budget items including:

- Programs to address food insecurity: \$1.3 million
- Support for nonprofit organizations: \$5 million
- Support for affordable housing: \$90 million
- Public Safety which includes Emergency Services and Public Safety including County Police, the Police and Fire Academies that serve all municipal agencies, the central dispatch for emergency services among other programs: \$265 million
- Project Alliance, the Mobile Crisis Teams that work with police agencies to address incidents involving mental health crises: \$5.6 million
- Economic Development: \$8million
- Park projects including the RiverWalk Connection and the Tarrytown lighthouse restoration

The complete budget documents for Operating, Capital, and Special Districts and the press release for the County Budget can be found on the Westchester County website.

#### BOARD MISCELLANEOUS AND LIAISON REPORTS

Trustee Mitchell reported that the Warner Library will be hosting a classical concert on January 27<sup>th</sup>. In addition, Trustee Mitchell reminded everyone that they can sign up for Pilates, Yoga, and Zumba at our recreation center. More information can be found on the Tarrytown Recreation website.

Trustee Rinaldi wished to remind everyone to be careful outside. There is a lot of black ice out there this evening, so be careful driving and walking. He also encourages homeowners to keep their sidewalks passable for pedestrians.

Trustee Hoyt thanked our DPW for the great job they've been doing throughout this storm. He also thanked the Fire, Police and EMS Departments for standing by throughout the inclement weather.

Trustee Kim reported that a second meeting was held for the Route 9 Transportation Study Committee, and they were working on finalizing the vision statement as well as their goals and

objectives for this portion of the study so it can be presented at the next public meeting which is tentatively scheduled for the last week of February. Please be on the lookout for announcements and we hope many people will attend and provide input. Mayor Brown noted that the Village is working on a different traffic meeting to address the fatalities on the Route 9 corridor in the village.

#### CHANGES AND/OR ADDITIONS TO THE AGENDA

There are no changes or additions to this evening's agenda.

#### ADMINISTRATOR'S REPORT

Administrator Slingerland reported on the thanked the Public Works, Parks, Police, Fire and Ambulance Departments for all of their hard work throughout this storm. Additionally Administrator Slingerland reported that each Department Head is working on their 2023-2024 budget requests, and meeting with be scheduled to go over the requests. The Board will be kept informed on the direction they are heading in.

Mayor Brown reminded everyone that there is a blood shortage and supplies are dangerously low. She recently read a statistic where is stated that eighty six of the population is eligible to give blood, but only three percent do. Help save a life, and give blood. There is a Red Cross location right in Elmsford.

#### 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

Dolf Beil from White Plains wished to compliment whomever put out a paper which included the following statement: The revenues from the water rents will go into a long term fund that will accrue and be set aside for future purchase or replacement of water meters and reduce the reliance on debt in the future. He thinks this is wonderful and a huge change from what he originally thought. He is assuming the statement is correct, and that in the future we will have segmented funds and be able to track what that is. Administrator Slingerland replied that at the last work session we have updated our ideas and are now earmarking the money for any water capital need. It will not be just for future water purchases of water meters, it's for future water fund capital needs. Mr. Beil stated that it was his understanding that the water meters would add about \$250,000 a year. When he looks at the historical past ten or twelve years, every year the water fund contributes \$600,000 in surplus that goes back. He's assuming that if the money is not earmarked for the meters, and if history repeats itself, that means we have \$850,000 of money that has to be addressed such as how it's going to be used and where it's going to be used. Administrator Slingerland stated that the water meter rents will only be able to be used for water fund capital, not for any other capital fund. We do have pending improvements to our water system that are due to be done either on our own or with the merger with a shared water pump station. This could end up being multiple millions of dollars. We still continue to do water system main improvements and other repairs. The funds from the water meter rents will be exclusively used for water fund capital, no other capital. Mr. Beil asked if there might be somewhere around ten million dollars of planned water system improvements in the foreseeable future? Administrator Slingerland replied it all depends upon whether we might be able to do some projects jointly with other municipalities or whether we have to do it on our own. Mayor Brown noted that even if we do things with other municipalities, ten million is probably a low estimate. Our water pumping station is coming to the end of its life, and we are working with the Villages of Sleepy Hollow and Briarcliff to see if we can work together to keep our wonderful water system and save money for all three municipalities. No matter how it happens our new pumping station will still cost us many millions of dollars. Mr. Beil thanked everyone for the explanations, and he's sure there will be more talk about this as the capital budget and general budget comes due in the next couple of months.

#### LOSAP FINGERPRINTING VERIFICATION

On a motion made by Trustee Mitchell, seconded by Trustee Rinaldi with Trustee Hoyt abstaining, the following resolution was approved. Approved: 4-1-0

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

WHEREAS, in addition to years of service, firefighters earn points by participating in fire department activities including responding to incidents; and

WHEREAS tracking member participation involves cumbersome and time-consuming record-keeping and reports for volunteer fire department officers, while the Red Alert digital records management software program would facilitate easier tracking of incident attendance and generate automatic reports;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize the purchase and implementation of the Red Alert Records Management Software System from Alpine Software; and

BE IT FURTHER RESOLVED that the Village Administrator, the Village Treasurer and the Fire Chief are authorized to take any necessary and appropriate actions to implement the project.

RESOLUTION SCHEDULING A PUBLIC HEARING ON AN UPDATE TO THE TARRYTOWN VILLAGE CODE CHAPTER 269 REGARDING THE TAX REDUCTION FOR EMERGENCY RESPONDERS

On a motion made by Trustee Kim, seconded by Trustee Mitchell with Trustee Hoyt abstaining, the following resolution was approved. Approved: 4-1-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby schedules a public hearing on a Draft Proposed Local Law to amend Chapter 269 of the Village Code on Taxation, to update the Village Code regarding recent changes to the NYS RPTL Chapter 466-d to become 466-a, and updating other provisions in the Village Code; and

BE IT FURTHER RESOLVED that pursuant to Article 8 of the State Environmental Conservation Law and 6NYCRR Part 617 and based upon review of the Proposed Action, the Village Board of Trustees hereby determines that the Proposed Action is a ministerial action and is included under the listing of actions defined as Type 2 actions and therefore no further review is required under SEQRA.

RESOLUTION SCHEDULING A PUBLIC HEARING ON AN UPDATE TO THE TARRYTOWN VILLAGE CODE CHAPTER 269 TAXATION, TO UPDATE THE VILLAGE CODE TO MORE CLOSELY FOLLOW TAX LAW FOR TAXABLE INCOME.

On a motion made by Trustee Rinaldi, seconded by Trustee Mitchell with all voting by aye, the following resolution was approved. Approved: 5-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby schedules a public hearing on a Draft Proposed Local Law to amend Chapter 269 of the Village Code on Taxation, Article III Senior Citizens Exemption, to update the Village Code regarding recent changes to State Law that provides for the inclusion of IRA distributions in the calculation of taxable income; and

BE IT FURTHER RESOLVED that pursuant to Article 8 of the State Environmental Conservation Law and 6NYCRR Part 617 and based upon review of the Proposed Action, the Village Board of Trustees hereby determines that the Proposed Action is a ministerial action and is included under the listing of actions defined as Type 2 actions and therefore no further review is required under SEQRA.

RESOLUTION TO AUTHORIZE EXECUTION OF A (1) STORMWATER FACILITIES MAINTENANCE AND ACCESS EASEMENT AGREEMENT; AND (2) STORMWATER DRAINAGE AND ACCESS EASEMENT WITH THE DEVELOPERS OF 62 MAIN STREET

On a motion made by Trustee Mitchell, seconded by Trustee Kim with all voting by aye, the following resolution was approved. Approved: 5-0

WHEREAS, the Village of Tarrytown has been requested to enter into: (1) Stormwater Facilities Maintenance and Access Easement Agreement; and (2) Stormwater Drainage and Access Easement with 62 MAIN HOUSING DEVELOPMENT FUND COMPANY, INC., an Article XI New York private housing finance law corporation and a New York not-for-profit corporation, having its principal office located c/o Housing Action Council, Inc., 55 South Broadway, Tarrytown, New York 10591 (the "HDFC"), as nominee of 62 MAIN LIMITED PARTNERSHIP, a New York limited partnership, having its principal office located c/o Wilder Balter Partners, Inc., 480 Bedford Road, Chappaqua New York 10514 (the "Partnership").

WHEREAS, pursuant to a certain Declaration of Interest and Nominee Agreement entered into on March 3, 2021, the HDFC is the bare legal or record owner, and the Partnership will be the beneficial and equitable owner, of certain real property located in the Village of Tarrytown, County of Westchester, State of New York, and identified on the Tax Map of the Town of Greenburgh as Section 1.70, Block 33, Lots 23..V and 23..R) (the "Property");

WHEREAS, the Village is the fee owner of the adjacent property known as South Washington Street West Lot, located at S. Washington Street, Tarrytown, New York, also known and designated on the tax assessment map of the Town of Greenburgh as Section 1.70, Block 33, Lot 11, which is used as a municipal parking lot and consists of twenty-five (25) metered parking spaces (the "Municipal Lot"); and

WHEREAS, the Partnership intends to redevelop the Property with a new affordable mixed-income senior multi-family building consisting of a 50-foot, four-story building (the "Building") with 109 dwelling units (14 efficiency/studio units and 95 one (1) bedroom units), and a parking structure (the "Garage") in which 69 parking spaces on the ground floor level will be designated exclusively for Village/public use (the "Municipal Spaces"), which Municipal Spaces will be accessible only from the Municipal Lot and 121 parking spaces on a portion of the ground floor level and two below-ground levels will be for building residents (collectively, the "Project").

WHEREAS, by Resolution adopted on November 23, 2020, the Planning Board of the Village of Tarrytown ("Planning Board") granted site plan approval for the Project (the "Approval") for development of the Project in accordance with Civil Drawing and Landscape Plans prepared by Kimley-Horn of New York, P.C. dated February 5, 2020 and last revised November 13, 2020, Proposed Elevations prepared by Beyer Blinder Belle Architects & Planners LLP dated November 13, 2020, and Building Floor Plans prepared by L&M Design LLC dated November 13, 2020, as well as the Stormwater Pollution Prevention Plan (SWPPP) prepared by Kimley-Horn of New York, P.C (the "Plans"); and

WHEREAS, in accordance with the Plans, the Property will be improved with certain stormwater management and erosion and sediment control facilities referenced in the SWPPP and shown on the Plans ("Stormwater Facilities"), which, among other things, convey and distribute storm water from the Property to the Village operated storm water catch basin at the public road known as Windle Park Avenue; and

WHEREAS, the Village and the NYSDEC request that the Partnership and HDFC construct, maintain, repair and/or replace as necessary certain stormwater management and erosion and sediment control facilities in connection with the SPDES Construction General Permit which are referenced in the SWPPP and shown on the Plans; and

WHEREAS, the Village requires an easement for drainage of storm water collected at and through a drainage inlet and stormwater drainage line located on the Municipal Lot (collectively the "Municipal Lot Drainage Facilities") through, into, and across the Stormwater Facilities on the Property. The drainage inlet is to be repaired as part of the Lot Work referenced and defined in a license agreement entered into between the Village and 62 Main Owner on or about March 31, 2021; and

NOW, THEREFORE, BE IT RESOLVED that in furtherance of the development of the Project, the Board of Trustees of the Village of Tarrytown does hereby authorize the Village Administrator to enter into the: (1) Stormwater Facilities Maintenance and Access Easement Agreement; and (2) Stormwater Drainage and Access Easement; and

BE IT FURTHER RESOLVED, that the Village Administrator is hereby authorized to execute any and all recording documents and other documents to effectuate the filing of the agreements in the land records with the Westchester County Clerk and consistent with this resolution.

WATER RATE ADJUSTMENT AND WATER METER RENTS

On a motion made by Trustee Hoyt, seconded by Trustee Kim with all voting by aye, the following resolution was approved. Approved: 5-0

WHEREAS, since the Village of Tarrytown has not had a water rate increase since July, 2021, but has experienced increases in costs for water from New York City, as well as increases in other operating expenses for the Water Department; and

WHEREAS, the Village of Tarrytown has also been implementing a water meter replacement program, to replace outdated and failed water meters through the Ferguson Water Meter company, using the Master Meter Magnaflow meters, which the Village of Tarrytown is installing and will operate and maintain, and the Village will be adding charges to customers to rent the water meters to provide for coverage of the current and future capital costs for the water department, while allowing residential and business customers to no longer pay for the full cost of a replacement meter, should one fail now or in the future; and

WHEREAS, since the New York City Department of Environmental Protection (NYC DEP) adopted water rate increases of 1.385% in 2022 and 6.332% in 2023, after the last Village increase in 2021, the Village is proposing an increase in water rates by approximately 7.8% in January, 2024, and the Village is proposing a regular fee for water meter rents, based on whether the customer is billed monthly or quarterly, on a sliding scale based on the cost of the meter installed; and

WHEREAS, the rate of the increased NYC DEP rates to the Tarrytown water system requires an overall seven point eight percent (7.8%) increase in water rates to be charged to Tarrytown Water System consumers, and a corresponding increase in the out-of-district water system rates for water supplied by the Village to customers outside of Tarrytown, and a new water meter rental fee.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown hereby enacts a seven point eight percent (7.8%) increase in water rates to be charged to Tarrytown Water System consumers, along with the institution of water meter rent charges, with the proceeds of such water meter rents to be used for current and future capital needs of the Tarrytown Public Water Supply effective with the water bills that will go out starting after January, 2024, as follows:

<b>Tier</b>	<b>Former rate</b>	<b>Classification</b>	<b>New Rate 7.8% increase</b>
R1	\$88.50	Regular residential	\$95.40
R2	\$132.75	Outside Village Residential	\$143.10
R3	\$65.99	Senior (w/tax exemption)	\$71.14
<b><u>Village Non-Residential (Commercial)</u></b>			
R5	\$91.02	per 1,000 cubic ft. for first 2,000 c.f.	\$98.12
	\$109.24	per 1,000 cubic ft. for next 5,000 c.f.	\$117.76
	\$131.08	per 1,000 cubic ft. for next 5,000 c.f.	\$141.30
	\$157.30	per 1,000 cubic ft. thereafter	\$169.57
<b><u>Outside Village Non-Residential (Commercial)</u></b>			
R5	\$136.53	per 1,000 cubic ft. for first 2,000 c.f.	\$147.18
	\$163.84	per 1,000 cubic ft. for next 5,000 c.f.	\$176.62
	\$196.60	per 1,000 cubic ft. for next 5,000 c.f.	\$211.93
	\$235.92	per 1,000 cubic ft. thereafter	\$254.32
S1 Sewer	\$2.63	per 1,000 cubic ft.	\$2.84

Water Meter Rents:

Water Meter Rents	Meter size	Quarterly Rent (whole dollars)	Monthly rent (whole dollars)
	5/8" meter installed	\$ 12	\$ 4
	3/4" meter installed	\$ 13	\$ 4
	1" meter installed	\$ 15	\$ 5
	1 1/2" meter installed	\$ 56	\$ 19
	2" meter installed	\$ 58	\$ 19
	3" meter installed	\$ 107	\$ 36
	4" meter installed	\$ 140	\$ 47
	6" meter installed	\$ 219	\$ 73
	8" meter installed	\$ 271	\$ 90
	10" meter installed	\$ 422	\$ 141
	8" fire service meter installed	\$ 353	\$ 118
	10" fire service meter installed	\$ 503	\$ 168

BE IT FURTHER RESOLVED that the Village Administrator, Village Treasurer, Superintendent of Public Works and Village Engineer are authorized to take the necessary and appropriate actions to charge these new rates and water meter rents immediately with the next water billing cycle.

RESOLUTION TO PROHIBIT PARKING ALONG GREEN STREET BY THE RECYCLABLES COLLECTION AREA

On a motion made by Trustee Kim, seconded by Trustee Hoyt with all voting by aye, the following resolution was approved. Approved: 5-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby amend Chapter 291-77 as the schedule of areas where Parking is Prohibited at all times, to add spaces 1241 through 1245 on the west side of Green Street south of the entrance to Lot F, where the Food Scrap Collection area and Textile Recycling Collection area are currently placed.

FOOD SCRAP CURBSIDE COLLECTION GRANT

On a motion made by Trustee Kim, seconded by Trustee Mitchell with all voting by aye, the following resolution was approved. Approved: 5-0

WHEREAS, the Village of Tarrytown supports a planning study of a joint program of curbside collection of food scraps for composting; and

WHEREAS, the study will assess the feasibility of a collaborative initiative including the Villages of Ardsley, Elmsford, Dobbs Ferry, Hastings, Irvington, Sleepy Hollow and Tarrytown; and

WHEREAS, the Hudson River Valley Greenway Planning Grant Program has been identified as a funding source appropriate for the study, which is estimated to cost \$95,000.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown supports the project and application to the Hudson River Valley Greenway and, upon approval of said request, commits to provide up to \$10,000 for the project; and

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown authorizes the Village Administrator to execute the agreement and to take the necessary and appropriate actions to implement it.

FIRE DEPARTMENT MEMBERSHIP CHANGES

On a motion made by Trustee Rinaldi, seconded by Trustee Kim with Trustee Hoyt abstaining, the following resolution was approved. Approved: 4-1-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves the following membership changes recommended at the December 19, 2023 Board of Fire Wardens Meeting.

Officers: Sawyer Herschman was elected to Captain and Sam Langer to 1<sup>st</sup> Lieutenant of Hope Hose.

Membership: Conqueror Hook and Ladder approved Michael Pereira for Mutual Aid Membership. Consolidated Engine removed Justine Cochrane from Active Membership not in good standing. Riverside Hose approved Randy Tavarez for Mutual Aid Membership. Hope Hose moved Adam Konwerski and Joe Vercesi from Active Membership to Associate Members.

Drivers: Justin McCarthy has been approved as a driver of Tower Ladder 78.

APPROVAL OF THE MINUTES OF THE BOARD OF TRUSTEES MEETING OF JANUARY 3, 2024

On a motion made by Trustee Rinaldi, seconded by Trustee Kim with Trustee Hoyt abstaining, the following resolution was approved. Approved: 4-1-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves the minutes of the Board of Trustees Meeting held on Wednesday, January 3, 2024 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS

On a motion made by Trustee Rinaldi, seconded by Trustee Kim with Trustee Hoyt abstaining from voucher numbers 2023007218, 2023007190 and 2023007240, and Mayor Brown abstaining from voucher number 2023007878, the following resolution was approved. Approved: 5-0

Roll call: Trustee Hoyt; Yes, Trustee Kim; Yes, Trustee Mitchell; Yes Trustee Rinaldi; Yes, Mayor Brown; Yes

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No.14 of Audited Vouchers in the total amount of \$862,345.69 as presented by the Village Treasurer, to be paid in the following amounts:

General	\$ 665,670.30
Water	\$ 89,199.80
Sewer Fund	\$ 2,896.79
Capital	\$ 0.00
Library	\$ 96,600.85
Trust & Agency	\$ 7,977.95
CM (Special Funds)	\$ 0.00
Total	\$ 862,345.69

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD ON NOT INCLUDED ON THE AGENDA. SPEAKERS SHALL HAVE THREE (3) MINUTES EACH TO ADDRESS THE BOARD OF TRUSTEES

There were no public speakers on non-agenda items.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 6:54 pm on a motion by Trustee Hoyt, and seconded by Trustee Kim with all voting aye. 5--0

ADJOURNMENT

Kristine Gilligan  
Village Clerk