

Board of Trustees
Village of Tarrytown
Regular Meeting No. 23
October 1, 2018
8:00 p.m.

PRESENT: Mayor Fixell presiding; Trustees: Butler, Hoyt, McGee, McGovern and Zollo; Village Administrator Slingerland; Village Treasurer Hart; Village Attorney Kathy Zalantis and Village Clerk Booth

ABSENT: Trustee Brown

The meeting began with the Pledge to the Flag.

REPORTS

Trustee Zollo noted that the Tarrytown Fire Department took delivery of a new state of the art 36' Fire Boat last week. It is moored down at the Boat Club. Trustee Zollo invited anyone who wants to take a look at it, by land, to stop by. We will soon hold a public ribbon cutting event. He thanked Assemblyman Tom Abinanti who was responsible for acquiring \$325,000 of grant monies that made the purchase of the new fire boat possible.

Trustee McGovern noted that the Parks and Recreation Department is incredibly busy during the fall season. The Parks and Recreation Fall/Winter Brochure is available on our website, tarrytowngov.com. Trustee McGovern noted the following events and programs:

- Tonight starts the fall volleyball league for grades 3 through 5 at the W.I. gymnasium and there is still time to register.
- Next week starts the Art Workshop from 4:30 to 5:30 p.m. for children ages 7 to 11.
- Fall Tennis Clinic for grades K – 9th is being held right now.
- Saturday, October 13, is the Scarecrow Making Event at Patriots Park at 10:30 a.m.
- Wednesday, October 17, is the Window Painting Event from 3:30 to 5:30 p.m.
- Saturday, October 20, from 5:30 – 7 p.m., we are having a new fall event called Trunk or Treat at the Recreation Parking Lot. There are two ways to participate: 1) Volunteer to decorate the trunk of your car with your favorite Halloween theme and pass out candy to all of our Trunk or Treaters or 2) Come in costume as a family to check out all the spooky trunk decorations and go Trunk or Treating. If you are interested, please contact the Recreation Department.

Trustee McGee noted that on Saturday and Sunday, October 20 and 21st from 10 – 5 p.m., the Warner Library is holding its semiannual Book Sale. It's always a nice time to increase your library and support the Friends of the Warner Library

Trustee Hoyt noted as a friendly reminder that as schools have been open for about a month, he asks that everyone obey the law and stop for school buses at bus stops.

CHANGES AND/OR ADDITIONS TO THE AGENDA

- The Board of Trustees approved to add a resolution regarding a road closure request of West Elizabeth Street between Broadway and John for the Annual Fall Fair that is being held at the Christ Episcopal Church.
- The Board of Trustees approved to remove Agenda Item No. 17, to support the Town of Greenburgh's and other Villages' request to the Westchester County Human Right's Commission to create a Task Force on Hate Groups and Hate-Related Incidents and discuss this at the next Board of Trustees Work Session.

ADMINISTRATOR'S REPORT

Administrator Slingerland noted the following:

1. The Village will be launching its new upgraded website tomorrow. Please visit our new website at tarrytowngov.com. Some highlights of the new website: A Responsive Design – easily readable from screens of any size – smart phones and

tablets, secure communications from website to browser, easier editing and advanced search and user friendly and easy to navigate.

- The Village will be co-hosting a forum with the Journal News at Village Hall, One Depot Plaza, on Tuesday, October 9th at 7 p.m. regarding the Metro North Cell Tower that Metro North put up two Saturday's ago without any notice of the installation date. The Village is very unhappy about it and would like it moved. The Village has contacted and met with our state representatives, Assemblyman Tom Abinanti and Senate Leader Andrea Stewart Cousins and Metro North. Discussions have already begun on alternatives and they seem to be open to suggestions and willing to listen. Mayor Fixell noted that he understands that the Governor's Office is aware and will help support the Village to find an alternative place for the cell tower that is not in everybody's face and next to a children's playground.
- Tomorrow begins the first of a series of water system shutdowns for the Catskill Aqueduct over the next year. The first shutdown will be tomorrow, October 2nd from approximately 8 a.m. to 6 p.m. We ask everybody to conserve water; we will be on a limited water supply. The Village has capacity in our water system tank to supply the Village, but there could be issues with pressure and water flow. This is a region wide issue, they are shutting down the Catskill Aqueduct to repair and maintain it for the first time in 100 years. Our plan for next year is to cross connect to the Delaware Water Supply and have that up and running by next fall before the Catskill Aqueduct plans their 8 or 12 week shut down.

PRESENTATION BY VILLAGE AUDITORS NAWROCKI & SMITH ACCOUNTING FIRM REGARDING THE VILLAGE'S FINANCIAL AUDIT FOR FISCAL YEAR 2017-2018

David Tellier, Partner of Nawrocki and Smith introduced Chris Angotta, Manager of Nawrocki and Smith. They have been contracted by the Village to audit the financial statements for the year ended May 31, 2018 in accordance with *U.S. Generally Accepted Auditing Standards* and *Government Auditing Standards*. They have issued our letter on findings and recommendations on improving internal controls. They have performed an audit of the Justice Court Funds, and issuance of financial statements prepared in accordance with the cash basis of accounting. They assisted the Village in preparing the Village's financial statements. The Village closed their books in under a month. They began the audit and were on site on June 25th and received excellent cooperation from everybody, which expedited the audit process. The records were accurate and were presented in a timely manner and he thanked everybody in the accounting department for doing a great job. The New York State Annual Update Document, "AUD" was filed on time. An unmodified opinion on auditor's reports: no material weaknesses or significant deficiencies in internal control, no compliance findings, and no outstanding recommendations. Mr. Tellier presented an overview of the financial statement highlights to the Mayor and Board of Trustees.

PRESENTATION BY JANICE LUBIN KIRSCHNER AND CHANDREYEE MITRA FROM JCY-WESTCHESTER COMMUNITY PARTNERS FOR INTENT TO SUBMIT AN APPLICATION FOR FUNDING TO WESTCHESTER COUNTY CDBG GRANTS FOR THE READING BUDDIES AFTER SCHOOL PROGRAM IN THE TARRYTOWN SCHOOL DISTRICT

Janice Lubin Kirschner with the JCY-Westchester Community Partners stated that on behalf of JCY-Westchester Community Partners she is here tonight to notify the Board of their intent to apply for Westchester County CDBG monies. Their mission is to enhance the educational experience of children in Westchester County through effective learning

initiatives and the engagement of volunteer mentors. Their reading programs include SMART, Reading Buddies After School, Intro 2 America, Summer Reading Buddies, Open Book, After School Academies and Holocaust Program. They feel that their program is needed in the Tarrytown School District. The Reading Buddies After School program can provide critical and the much-needed extra academic, literacy and social-emotional support services to students, many of whom may have social and economic barriers to language and literacy. They are applying for a total of \$75,000 for five different communities, approximately \$15,000 per community with a match made by JCY-Westchester Community Partners.

CONTINUATION OF A PUBLIC HEARING – ARCHITECTURAL REVIEW BOARD REQUIREMENTS

Trustee Butler moved, seconded by Trustee Zollo and unanimously carried, that the hearing be opened.

Trustee Zollo moved, seconded by Trustee McGee, and unanimously carried, that the following resolution be approved: Approved: 6-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby continue the public hearing to Monday, October 15, 2018, the next regular meeting of the Board of Trustees so that the revised text may be re-published prior to adoption.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD ONLY ON AGENDA ITEMS. SPEAKERS SHALL HAVE THREE (3) MINUTES TO ADDRESS THE BOARD OF TRUSTEES

Mayor Fixell asked if anyone wanted to address the Board on agenda items. No one appeared.

APPOINTMENT OF RECREATION LEADER

Trustee McGovern moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 6-0

BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown does hereby authorize the appointment of Michael Wisniewski of Briarcliff, NY, as Recreation Leader for the Village of Tarrytown at an annual salary of \$55,012, Step 4, effective on October 2, 2018, with a start date of Monday, October 15, 2018, subject to the provisions of Civil Service rules and regulations.

HALLOWEEN PARADE

Trustee McGovern moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 6-0

WHEREAS, the Village of Tarrytown will hold its annual Halloween Parade on Saturday, October 27, 2018; and

WHEREAS, the Board of Trustees of the Village of Tarrytown have been requested by representatives of business and of the Village Recreation Department's Halloween Parade Committee in 2017 to allow the consumption of beer and wine in a controlled area on Main Street as part of the parade.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby grant permission for the sale and consumption of beer and wine in a controlled, outdoor portion of Main Street between Kaldenberg Place/John Street and South Washington Street; and

BE IT FURTHER RESOLVED THAT each establishment must obtain a New York State Liquor Authority (SLA) offsite premise permit, provide insurance naming the Village of Tarrytown as additional insured for this event and the following limitations will be enforced:

- a) The establishments must have a valid Village of Tarrytown Sidewalk Café Permit.
- b) Permitted hours for the sale of beer and wine outdoors will be 5:30 p.m. to 10 p.m.
- c) The establishments that sell and serve alcohol will be required to issue a bracelet to each person who possesses and has shown legal identification and proof as being of legal age to purchase alcohol.
- d) Only for Saturday, October 27, 2018 from 5:30 p.m. to 10 p.m.

PILGRIM RUN STREET CLOSURES

Trustee Zollo moved, seconded by Trustee McGee, and unanimously carried, that the following resolution be approved: Approved: 6-0

WHEREAS, the Village of Tarrytown's Pilgrim Run in the past has taken place in the Crest area with a start and finish at Hackley School; and

WHEREAS, the Village is proposing to change the location of the event to start and finish at Pierson Park and the race course to include the Tarrytown RiverWalk, portion of the Sleepy Hollow RiverWalk, West Main Street and Green Street. The Pierson Park and waterfront course will benefit runners who will be able to run on a flat course, run faster and enjoy the waterfront scenery.

BE IT RESOLVED that the Pilgrim Run will be held on Sunday, November 18, 2018, at 9:30 a.m. with a start and finish at Pierson Park.

THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize the closure of portions of West Main Street, Green Street and portions of the parking lots which are Lots F and G as the turnaround points of the race.

ROAD CLOSURE – WEST ELIZABETH STREET

Trustee McGovern moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 6-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize a road closure of West Elizabeth Street between Broadway and John Street (excluding the parking lot allowing access to behind Nearly New) between the hours of 8:00 a.m. and 4:30 p.m. on Saturday, October 20, 2018 for the Annual Fall Fair that is being held at the Christ Episcopal Church.

VILLAGE OF TARRYTOWN INVESTMENT POLICY

Trustee McGovern moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 6-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby adopt an Investment Policy for the Village of Tarrytown which applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual;

BE IT FURTHER RESOLVED that a complete copy of the policy will be affixed to the official minutes of this meeting.

VILLAGE OF TARRYTOWN FUND BALANCE POLICY

Trustee McGovern moved, seconded by Trustee Butler, and unanimously carried, that the following resolution be approved: Approved: 6-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby adopt a Fund Balance Policy to maintain an unrestricted fund balance in a range between 15% and 25%, and that it should not go below 10% except for emergencies or other extenuating circumstances; and

BE IT FURTHER RESOLVED that if the Village realized an unrestricted fund balance in excess of 25% at the end of any fiscal year, the Village would utilize those funds for proper uses such as capital expenses, reduction or avoidance of debt, or establishment of a reserve for defined long-term financial exposures.

VEHICLE AND TRAFFIC AMENDMENT - HANDICAPPED PARKING SPACE

Trustee Zollo moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 6-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize to move the handicap parking space from North Broadway to Main Street to allow easier access to those utilizing the handicapped space.

All new material is set forth in **bold** letters. Material to be deleted is set forth in parenthesis ().

Section 291-92. Schedule XXVII: Handicapped Parking Spaces.

In accordance with the provisions of 291-62, the following described streets, driveways, parking lots and auto parks or parts of streets, driveways, parking lots and auto parks are hereby designated as handicapped parking spaces and are designated for use by persons with handicapped parking permits:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
(Broadway, North)	(West)	(1: the first metered space north of Main Street)
Main Street	North	1: The First Metered Space West of Broadway

VEHICLE AND TRAFFIC AMENDMENT – AREAS RESERVED FOR PARKING PERMIT HOLDERS

Trustee Zollo moved, seconded by Trustee Butler, and unanimously carried, that the following resolution be approved: Approved: 6-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby amend the Vehicle and Traffic Code to update the Village Code and to mirror the NYS Vehicle and Traffic Law, which permits on street parking at the following locations.

All new material is set forth in **bold** letters.

Section 291-52. Areas reserved for parking permit holders. The following off-street parking areas shall be reserved exclusively for holders of parking permits issued under §291-45 through 291-51 of this article. It shall be unlawful for any person to park any vehicle in such areas unless such person is the holder of a valid parking permit for such vehicle.

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

(10) White Street.

(a) West Side: Permit Parking entire length; except for a distance of 30 feet in a southerly direction from Main Street, which shall be unrestricted.

(11) Linden Place

(a) West Side: Permit Parking entire length; except for a distance of 20 feet in a southerly direction from Central Avenue, which shall be unrestricted.

SURPLUS FIRE BOAT

Trustee Butler moved, seconded by Trustee Hoyt, and unanimously carried, that the following resolution be approved: Approved: 6-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby declare the old Tarrytown Fire Boat as surplus, once the new fire boat is in service, and to be disposed of by auction.

- 2000 Parker, Fiberglass, Gas, Outboard Motor Fire Boat

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON SEPTEMBER 17, 2018

Trustee McGee moved, seconded by Trustee Butler, and unanimously carried, that the following resolution be approved: Approved: 6-0

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 September 17, 2018 as submitted by the Village Clerk.

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF THE BOARD OF TRUSTEES HELD ON SEPTEMBER 12, 2018

Trustee McGovern moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 6-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the minutes of the special meeting of the Board of Trustees held on September 12, 2018 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS

Trustee McGovern moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 6-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No. 6 of Audited Vouchers to be paid in the following amounts:

General	\$	400,166.86
Water		10,598.87
Sewer Fund		0.00
Capital		19,200.48
Library		11,775.64
Trust & Agency		<u>12,207.08</u>
Total	\$	453,948.93

The Board was polled all voting "aye" with the exception of Trustee Hoyt who recused himself from Voucher Number 2018005976. Motion carried. 7-0

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD. SPEAKERS HAVE FIVE (5) MINUTES BEFORE YIELDING TO THE NEXT SPEAKER; THEN THREE (3) MINUTES FOR ADDITIONAL COMMENTS.

Mayor Fixell asked whether anyone wished to address the Board on any matter. No one appeared.

ADJOURNMENT TO EXECUTIVE SESSION

Trustee McGee moved, seconded by Trustee Butler, and unanimously carried that the meeting be adjourned to Executive Session at 8:50 p.m. to discuss personnel.

ADJOURNMENT OF EXECUTIVE SESSION

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried that the Executive meeting be adjourned at 9:10 p.m.

Carol A. Booth
Village Clerk