

Board of Trustees  
Village of Tarrytown  
Regular Meeting No. 26  
Via Zoom Video Conference  
October 19, 2020  
8:00 p.m.

PRESENT via Zoom Video Conference: Mayor Butler presiding; Trustees: Butler, Hoyt, Kim, McGovern, Rinaldi and Zollo; Village Administrator Slingerland; Assistant Village Administrator Ringel; Village Attorney Kathy Zaltantis; Village Treasurer Hart and Village Clerk Booth

ABSENT: Trustee Brown

The meeting began with the Pledge to the Flag.

Members of the Public interested in viewing the meeting should visit <https://www.tarrytowngov.com/home/events/31961> for instructions on how to join & participate.

### REPORTS

Trustee McGovern thanked the Recreation and Parks Department and the Recreation Advisory Council for the successful Scarecrow Making event that took place this past Saturday in front of the Recreation Center. There were almost 100 kids who participated and we were able to do it using social distancing and wearing facial masks. The scarecrows will be displayed along Main Street and Broadway to help decorate the Village for Halloween.

- Halloween Window Painting will take place on Wednesday, October 21<sup>st</sup> on Broadway and Main Street starting at 3:15 p.m.
- Trunk or Treat will take place on Wednesday, October 28<sup>th</sup> on Main Street from 5 – 7 p.m. The Village is looking for people who would like to participate by decorating the trunks of their cars for Halloween. This is a way for children to wear their Halloween costumes and to trick or treat instead of going to houses. This event will also require social distancing and wearing of facial masks.
- The Senior Center is up and running and hold their senior meetings and exercise classes. Exercise classes are on Monday, Wednesday and Friday at 10 a.m. All meetings and exercise classes require social distancing and wearing facial masks.
- The Senior transport van service is back. Please call 914-631-7873 to call and make an appointment for a ride.
- The Village will be Hydrant Flushing starting today thru October 22<sup>nd</sup> between the hours of 6 p.m. to midnight on streets west of Route 9 from Church Street, North to Wildey Street.

Trustee Kim noted that he spoke to Joanne Murray, Chairperson of the Parking Task Force and they are working on a draft recommendation to be ready by next week to forward to the Task Force to review and then send to the Board of Trustees for their consideration.

Trustee Hoyt asked if the Village is observing how the bike racks on Main Street are being used. Assistant Administrator Ringel noted that he received a survey on this subject from the Police Department and knows that the Police Department has been preparing surveys on usage of the bike racks on Main Street.

### ADMINISTRATOR'S REPORT

Administrator Slingerland reported on the following:

- Road Paving on Sunnyside Avenue from Union Avenue to Neperan Road is scheduled to start next Monday; curbing is being installed at this time.
- The Treasurer's and Administrator's Office has participated in a review of the Village's financial condition with the bond agency by Moody's Financial Services prior to the bond sale that will be taking place soon. Currently, the Village's Finances are in a very strong condition and we are trying to keep it that way.
- The Speed bumps are in place in the Miller Park area and the Police Department has been keeping an eye on traffic in that area. The Village is planning on removing the speed bumps

by the end of November in preparation of the winter weather. The Village will perform an evaluation at that time and review it with the Board and determine whether the Village wants to put the composite speed bumps back or move ahead and install asphalt speed bumps. The Village has received a number of requests for speed bumps for around the Village, however, there are a lot of conditions that go into this kind of review. This is something that the Board can look at moving into the future. Trustee Hoyt noted that he has received concerns on Highland Avenue which may benefit from speed bumps due to the traffic on that road. Administrator Slingerland noted that he agrees that we should discuss this with the Transportation and Mobility Council.

Assistant Administrator Ringel noted that on Thursday, October 29<sup>th</sup> at 7:30 p.m., the Village is holding a virtual Open House to promote interest for residents to learn about how to participate on the Village's Boards, Committees and Councils. There will be further information on our website in the coming days. Mayor Butler noted that this is an opportunity for Village residents who want to volunteer and help the Village of Tarrytown move forward in a positive way.

**PRESENTATION – (10 Min. w/ Q & A) – NORMA DRUMMOND, COMMISSIONER OF PLANNING WESTCHESTER COUNTY ON HOUSING ASSESSMENT**

Norma Drummond noted that the Village of Tarrytown did very well with regard to the 2020 Census that just wrapped up. Tarrytown ended up with a 72.7% response rate, which the Village beat their 2010 Census response rate by over 3.7% and beat the 2000 Census response rate by .7%. In all of the 43 municipalities in Westchester County, Tarrytown ranked the 25<sup>th</sup>.

Westchester County Housing Needs Assessment, focusing on its connection to Economic Development – The Housing Needs Assessment was released in November of 2019. It is a discussion on all things relating to housing, housing stock, housing affordability, our demographics, and our ages. Before the Needs Assessment was released, it was reviewed by Bill Cuddy from the Westchester County Association and he provided the following quote: “Westchester’s long and short-term economic viability is predicated upon our housing inventory meeting the demands of our workforce. It’s a call to action. If we don’t address the miscarriage of our policies and perspectives, we fail our families and workers. The problem may be intractable, but it isn’t insurmountable.” Jobs follow the housing. There are 345,885 housing units in Westchester. Tarrytown has 4,760 housing units with 4,519 occupied. Only 4.5% of Tarrytown’s housing stock (204 units) has been built between 2000 and 2017. 60.7% of Tarrytown’s housing stock is Ownership (2,744 units) which is below the national average of 63%. 39.3% of Tarrytown’s housing stock is Rental (1,775 units) which is above the national average of 37%. Connecting to economic development, we don’t have enough housing that is affordable. 172,595 live and work in Westchester; 206,736 commute out of Westchester to work and 199,328 people commute in to Westchester to work. In Westchester, almost 89,829 people are living in Poverty, this grew 13.8% between 2000 and 2017. 315 people are living in Poverty in Tarrytown in 2017, this decreased 36.4% between 2000 and 2017. There are three major housing issues that we look at when talking about housing issues, 1) Severely Overcrowded Units, 2) Substandard Units and 3) Cost-burdened Households. In Tarrytown, 65 housing units are severely overcrowded (1%). 75 housing units are considered Substandard (1.8%), which could mean that they don’t have operating kitchens or bathrooms. 645 Households, including owners and renters are severely cost-burdened in Tarrytown, which means people are paying more than 50% of their income toward their housing costs (15.3%). Tarrytown does not have an issue with foreclosures, but Westchester County has been hit hard with foreclosures, 8,168 units have been foreclosed between 2008 and 2018. Ownership Affordability – In 2018, Westchester’s Median House is \$650,000, in Tarrytown, the Median House is \$699,500. In Tarrytown, to afford the median home, you would need an annual income of \$263,000 and in 2018, the Median Owner’s Income in Tarrytown was \$141,524. Renter Affordability – In 2018, Westchester County’s Median Renter’s income is \$36,690, median rent for a 2 bedroom rental is \$1,687. In Tarrytown, the Median Renter’s income is \$89,766, median rent for a 2 bedroom rental is \$1,684. Tarrytown’s rental income and the cost to rent are much more affordable than the ownership affordability. Jobs follow the Housing – Housing in Westchester has slowed down since the recession. New York City is ahead in job growth, they are outpacing all other areas of the region in job growth. Which means that are workforce is aging outside of New York City and there is a strain on our transit system. In Westchester County, there is a great need for affordable housing, rental assistance, housing rehabilitation assistance and foreclosure counseling/assistance. The County’s new initiatives for 2020, to try to kick things off is Education and Training, housing training and homeownership counseling, we want to encourage more home ownership. Due to the COVID-19 pandemic, the

County is putting much more money toward Housing Stabilization. They have instituted a Coronavirus Relief Fund for landlords and tenants to be able to pay their rents. The County wants to help those families that may have lost their jobs due to the pandemic so they do not become homeless. Affordable Housing Inventory and Tracking is available on the County website with lots of information.

Alec Roberts, 63 Miller Avenue, thanked Norma for a terrific presentation. He asked if any municipalities have adopted the Accessory Apartment Ordinance yet and has it changed from the original ordinance that was presented last year. Ms. Drummond noted that the Accessory Apartment Ordinance has not changed from its original form that was submitted. Many municipalities are looking at it, but are struggling with other issues right now.

Mark Fry, Ossining, NY, thanked Norma for an excellent presentation. He believes that Tarrytown is struggling with the affordable housing issue. He asked what can be done for people who really need affordable housing in Tarrytown and elsewhere. Ms. Drummond recognizes that there is a need for affordable housing at all income ranges. We are working with many developers to be able to offer varied income averaging for each development. It is healthier to have varied income levels and provide housing for multiple ranges for each development.

**PRESENTATION - (10 Min. w/ Q & A) – JASMINE GRAHAM, PROGRAM MANAGER, SUSTAINABLE WESTCHESTER – WESTCHESTER POWER PROGRAM**

Jasmine Graham noted that she is presenting the Westchester Power Bid Results and New Contract Information. This time, they used a reverse auction bidding software, which means the suppliers can actually bid against each other to drive the prices downward. Constellation won the bid, which is our current supplier and we are going with an 18-month contract. For the Residential Green supply, the rate is 6.749 cents. For comparison, that rate is currently 7.71 cents, realizing a three-quarter of a cent decrease. For the Renewal Residential Supply, which the majority of residents and small businesses in Tarrytown are a part of, that rate has also decreased by a half a cent, from 7.96 cents to 7.405. On the Commercial Standard Supply, they were able to get an even lower rate due to the reduced demand of 6.445 cents and on the Commercial Green Supply, it will be 7.100 cents. Just as before, everyone will receive a notification letter, which will include the Village Seal on the envelope along with the text “please do not discard, official notification and information regarding Tarrytown’s Community Choice Aggregation Electricity Program.” The letters will be going out on October 31<sup>st</sup>. The Opt Out Period will be from November 9<sup>th</sup> thru December 9<sup>th</sup>. If you do not opt out, the new rates will begin on January 1, 2021. Residents can opt out at any time without penalties. You can opt out either by sending back the postcard that is provided with the letter, you can call their office at 914-242-4725 or you can do it online at [www.sustainablewestchester.org/wp/](http://www.sustainablewestchester.org/wp/). If you opted out in the past, you will not have to opt out again, you will not get a notification letter, although you can opt in at any time. Westchester Power has increased its outreach and education and has a robust emphasis on digital outreach that includes FaceBook, Twitter, and You Tube.

Peter Bartolacci, 67 Miller Avenue, asked if he is out of the program, will he be left out of the program or brought into the program and then he would have to opt out of the program again. Ms. Graham noted that if he already opted out of the program, he would be left out of the program and will not receive a notification letter. But if you wanted to opt in at any time, you can do it online or give the office a call. He believes there was an issue with the envelope/notification letter the last time where people might have taken it as junk mail. He believes the envelope that was presented tonight may have the same problem. Ms. Graham noted that in addition to having the Village Seal, we are providing a tool kit prior to the notification going out, which will be provided to the municipality. It will provide sample text that could be put on the website, or newsletter to alert residents that these letters are on their way. And the language on the envelope, “do not discard.....” Hopefully all of these efforts will be enough to grab everyone’s attention. Assistant Administrator Ringel noted that the Village will be posting the information on the Village’s website and news update.

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

Rob Wingate, 42 N. Broadway, asked the Board to reconsider Item #14 on the agenda, to schedule a public hearing on the topic of changing a local code to accommodate some permitting text related to demonstrations, rallies and parades. He would like this hearing to be delayed until after

Election Day, it is a complex set of topics. He has been looking at comparable text that other municipalities have been working with. He noted that people would appreciate the extra time to do a more in-depth analysis before they can take part in a public hearing in a meaningful way that helps to shape this kind of legislation for the Village.

Mark Fry, Ossining, NY, noted that he understood the amendment the Board adopted regarding the public comment period to be reduced to 3 minutes if there are more than 10 potential speakers at a meeting. He questioned if the public hearing time period was changed from 10 minutes per speaker. Administrator Slingerland noted that it is on the agenda that speakers have 5 minutes during the public hearing comment period.

Mike Love, 88 Main Street and owner of Coffee Labs at 7 Main Street, asked why the Back the Blue rally that took place on September 12, was not able to exit on Franklin or Central Avenue; why Main Street, which took almost 1 ½ to finish up. There were horses and planes. Why was this allowed and when he put a small flag on the sidewalk for a weekend, he gets threatened with fines.

John Stiloski, Stiloski Automotive, Tarrytown, NY, noted that he doesn't understand the issue of his right to demonstrate like everyone's right to demonstrate. He supports law enforcement and law and order and he doesn't understand why this is such an issue. It was not a protest, it was a peaceful community rally.

Administrator Slingerland noted that this is a period to discuss items on the agendas and it is not a debate forum. He asked if Mike Love had anything further to say, he can send Administrator Slingerland an email with his question and/or comment and he would be happy to respond to it.

Assistant Administrator Ringel noted these are recorded public meetings and are on live television, so he pointed out that people should watch what they say during these meetings.

**PUBLIC HEARING ON A PROPOSED LOCAL LAW TO AMEND THE VILLAGE CODE IN ORDER TO EXPAND THE NUMBER OF MEMBERS ON THE PLANNING BOARD**

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

Suzanne Bartolacci, 67 Miller Avenue, noted that she is not in favor of adding more members to the Planning Board, she thinks that would be just adding more dysfunctionality to the existing Planning Board.

Peter Bartolacci, 67 Miller Avenue, noted that he has a lot of experience going before the Planning Board having been to 19 Planning Board meetings for replacement of a retaining wall. The dysfunctionality and inefficiency is astounding. His understanding that the purpose to increase the number of members to the Planning Board is to add diversity to the Board. He has nothing against diversity, but this is not the way to do it. That would only add more opinions, more comments and adding more time to get anything done. His opinion is if you want to add 2 new members to the Planning Board, 2 current members need to go.

Mayor Butler noted that he brought up diversity, but that's not the only reason. There are other reasons, such as aging out. If Mr. Bartolacci or anyone else is interested in becoming a member of the Planning Board or any other Board, please submit your resumes.

Mark Fry, Ossining, NY, noted that he has appeared before the Planning Board between 100 and 200 times in the last 43 years. He believes since the unbelievable Planning Board meeting of September 30, 2020, he would like the Board of Trustees to take a hard look at the working on the Planning Board and possibly provide them with direction and guidance. He doesn't believe increasing the number of members on the Planning Board will be beneficial.

Katy Krider, 42 N. Washington Street, noted that she doesn't think adding more members to the Planning Board is going to help. Not only that applications may take longer, but that she doesn't want a lot of development in the Village, which could be detrimental to what she likes about the Village. She believes that the Village should deal with the current Planning Board. She thinks

that adding more members may stack the Board and things will get approved too quickly without an opportunity for citizens to understand what's going on.

Peter Bartolacci, 67 Miller Avenue, noted that he believes the issue of aging out on the Planning Board could be addressed without adding 2 more members to the Planning Board. He asked the Board to take the time to watch a Planning Board meeting to see what goes on and he believes you will come away with thinking that the last thing we need is 2 more opinions on this Board. He does not think this is the right thing to do for Tarrytown.

Colin Vanderhorn, 52 LeGrande Avenue, noted that he doesn't believe the Board should add 2 more members to the Planning Board. He believes 2 of the Planning Board members seem to disregard the wishes of the public. He asked why the public has to pay such close attention to Planning Board meetings. The Planning Board should be acting in the best interest of the Village. He is worried that this is another effort to move through some of these large developments that don't seem to be the best interest for the Village.

Stew Schectman, 87 Main Street, noted that he has never heard the phrase "aging out" that Mayor Butler used tonight. He finds it offensive. As far as the older members on the Planning Board, he finds them to be very sharp. Mayor Butler noted that he is in the same age bracket and he doesn't want Mr. Schectman to be offended.

Laura Burke, 40 N. Washington Street, noted that she doesn't think adding to the dysfunction is going to help. She also doesn't think that the appointment on the Planning should be a life-time appointment. If there are other qualified and or interested people that would be fine to possibly swap some people out. Maybe the agenda needs to be shorter. She thinks that adding 2 more members is not the answer, she thinks there has to be another way to better manage the Board.

Heather Haggerty, Kaldenberg Place, noted that she attended the last Planning Board meeting because she wanted to comment on the condo development on Broadway. She didn't speak at the meeting because it got so out of hand. She believes the public should have more information about these big projects on the Village's website prior to the meetings. She has found that a lot of people are interested in what's going on, but don't have the time or stamina to sit through these very long meetings. She doesn't know that adding 2 more members will help the situation, she believes informing the public could cut down the time explaining things at each meeting.

Jeannie Michael, Hamilton Place, noted that she believes by adding 2 more members to the Planning Board will make things worse. She agrees with the last speaker that it would be helpful if the Village can disseminate more information to the public about these projects.

Mark Fry, Ossining, NY, noted that he doesn't believe adding 2 more members to the Planning Board is the answer and thinks the Planning Board should remain at 5 members. He asked to share his screen. Assistant Administrator Ringel noted that we don't permit members of the public to share their screen unless it is pre-planned. He objected to that notion as an Urban Planner who has spent time preparing his presentation, he would like to see that policy changed. He urged the Board to not pass this law and work hard for more public access.

Trustee Hoyt moved, seconded by Trustee Rinaldi, and unanimously carried, that the following resolution be approved: Approved: 6-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby continue the public hearing on the proposed local law to expand the number of members on the Planning Board to Monday, November 2, 2020, Regular Meeting of the Board of Trustees at 8 p.m. for ongoing consideration and public discussion to be held either via in-person meeting, or Zoom Video Conference, depending on the State's directives about gathering under NY on Pause.

Roll Call –Mayor Butler, Yes, Trustee Brown, Absent, Trustee Hoyt, Yes, Trustee Kim, Yes, Trustee McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

#### CHANGE OF DATE FOR NOVEMBER WORK SESSION

Trustee McGovern moved, seconded by Trustee Zollo, and unanimously carried, that the

following resolution be approved: Approved: 6-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby change the November Work Session date from Wednesday, November 11, 2020 to Tuesday, November 10, 2020 at 6:00 p.m. via Zoom Video Conference.

Roll Call –Mayor Butler, Yes, Trustee Brown, Absent, Trustee Hoyt, Yes, Trustee Kim, Yes, Trustee McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

#### VILLAGE PLACEMAKING COMMITTEE LIAISON

Trustee McGovern moved, seconded by Trustee Kim, and unanimously carried, that the following resolution be approved: Approved: 6-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Trustee Rinaldi as Liaison to the Village Placemaking Committee.

Roll Call –Mayor Butler, Yes, Trustee Brown, Absent, Trustee Hoyt, Yes, Trustee Kim, Yes, Trustee McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

#### APPOINTMENT OF LEAD MAINTENANCE MECHANIC-SANITATION

Trustee Hoyt moved, seconded by Mayor Butler, and unanimously carried, that the following resolution be approved: Approved: 6-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Taft Smith to the position of Lead Maintenance Mechanic-Sanitation, Step 1, in the Department of Public Works at a starting annual salary of \$83,381.00 effective November 1, 2020 and shall be subject to a probationary period and to all applicable civil service rules and regulations.

Roll Call –Mayor Butler, Yes, Trustee Brown, Absent, Trustee Hoyt, Yes, Trustee Kim, Yes, Trustee McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

#### (2) APPOINTMENTS OF RECREATION ATTENDANTS

Trustee McGovern moved, seconded by Trustee Rinaldi, and unanimously carried, that the following resolution be approved: Approved: 6-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Christian Enax and Jose Adam Collado as Recreation Attendants to work at the Front Desk at the Fitness Center at a salary of \$13.50 per hour effective October 20, 2020 and shall be subject to all applicable civil service rules and regulations.

Roll Call –Mayor Butler, Yes, Trustee Brown, Absent, Trustee Hoyt, Yes, Trustee Kim, Yes, Trustee McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

#### APPOINTMENT OF MEMBERS OF THE COMPREHENSIVE PLAN MANAGEMENT COMMITTEE (CPMC)

Trustee McGovern moved, seconded by Trustee Rinaldi, and unanimously carried, that the following resolution be approved: Approved: 6-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Tamar Bauer, Audrey Savage, and Victoria Weisel as members of the Comprehensive Plan Management Committee (CPMC) for a term to expire in December of 2022.

Roll Call –Mayor Butler, Yes, Trustee Brown, Absent, Trustee Hoyt, Yes, Trustee Kim, Yes, Trustee McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

#### VILLAGE OF TARRYTOWN UPDATED RULES AND REGULATIONS FOR TARRYTOWN FITNESS CENTER

Trustee Hoyt moved, seconded by Trustee McGovern, and unanimously carried, that the

following resolution be approved as amended: Approved: 6-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby adopt the updated Rules and Policy for the Tarrytown Fitness Center which will apply for the members and guests who use the Village of Tarrytown Fitness Center, which shall be attached to and made a part of this record of the Board Meeting of October 19, 2020, and are as follows:

Roll Call –Mayor Butler, Yes, Trustee Brown, Absent, Trustee Hoyt, Yes, Trustee Kim, Yes, Trustee McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

Tarrytown Fitness Center Rules and Policy

HOURS OF OPERATION

Mondays through Fridays	5:00am to 9:00pm
Saturdays	7:00am to 8:00pm
Sundays	7:00am to 4:00pm
Please Note:	Hours are subject to change on certain holidays.

MEMBERSHIP TYPE

Adult Membership	Ages 18 through 60 years old
Senior Membership	Any person 60 years of age or older
Family Membership	Consists of Two Adults and (any number of) Children/Dependents, living in the same household Ages 13 to 22 years of age:
College Membership	Persons aged 17 to 22 with proof of active student status
Guest Limit	Limit of 2 guests per visit

RULES AND POLICIES

- You must submit your membership ID card to enter the Fitness Center every time you use the facility. On the rare occasion that a member does not have their card, they may produce another form of identification to check the system for valid membership.
- The Village reserves the right to ask any person using the gym to provide proof of active membership or identification so such membership can be confirmed.
- Gym members must be a full-time resident of the Village of Tarrytown or a Village of Tarrytown Employee.
- If you wish to change a radio or television station, please alert the front desk and we can assist in the changing of the station or channel. Personal headsets or earbuds are welcome as long as the volume is not disruptive to others. No personal boom boxes, blue tooth speakers or stereos are allowed.
- Food is not allowed in the Fitness Center or in the Studio Room. Closed beverage containers are permitted. No glass containers are allowed.
- Please wipe down the equipment after each use.
- Taking or Making phone calls in the fitness center or studio is prohibited.
- If equipment is moved from a designated area, we ask that it is returned to its original place after you are done using it.
- We provide a towel service for you or you may bring your own towel. If you borrow a towel, you must leave your membership ID at the front desk. You then exchange the towel for your ID on your way out of the fitness center.
- Athletic attire and the proper footwear must be worn in the Fitness Center.

- Fitness Center members are not allowed to leave bags or backpacks in the workout area. All personal belongings should be left in the lockers. Jackets can be hung up on the rack outside of the Fitness Center.
- Weight plates are not to be leaned against equipment standards, mirrored walls or machines.
- After utilizing equipment, please remove weights from a bar and return plates and dumbbells to their proper storage areas.
- Fitness Center members should report all equipment malfunctions, personal injuries, and specific concerns immediately to the staff.
- A Fitness Center member is not permitted to use the Studio Room if the room is being occupied by a class or an instructor for a group of 5 or more persons.
- Studio schedule is subject to change whenever new programs are added.
- Programs that are taught and classes held in the Studio Room are not limited to Fitness Center members.
- Personal Training is limited to Fitness Center Members. All personal trainers must be contracted with the Village of Tarrytown (i.e. no outside personal trainers) or be fellow members of the fitness center.
- The Fitness Center hours maybe adjusted due to inclement weather, holiday or public health threat.
- Please adhere to 30 minutes of use on designated machines when other members are waiting to use said machine.
- The Fitness Center is not responsible for the storage of members' valuables.
- You are expected to act in a courteous and respectful manner. You are required to follow the instructions of the Fitness Center staff at all times. Profanity, yelling, rude or boisterous behavior will not be tolerated.
- Liability: Participation in any of the activities of the Village of Tarrytown Recreation Department is done so at the individual's own risk.
- Refund Policy: Refunds are issued only for the following reasons:
  1. A full refund will be issued for any program canceled by the Tarrytown Recreation Department.
  2. A refund request because of illness or an injury must be accompanied by doctor's note.
  3. All refunds will be prorated based on the date received with a \$10.00 processing fee attached.
  4. Please note that the participant assumes the risk of all changes in personal and business affairs.
- Individuals who do not comply with the established policies may be asked to leave and/or may have their membership suspended.

Roll Call –Mayor Butler, Yes, Trustee Brown, Absent, Trustee Hoyt, Yes, Trustee Kim, Yes, Trustee McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

CALL FOR A PUBLIC HEARING ON A PROPOSED LOCAL LAW TO AMEND THE VILLAGE CODE RELATING TO PROTESTS, DEMONSTRATIONS AND RALLIES AND PERMIT APPLICATION



Trustee Rinaldi noted in response to Mr. Wingate’s comment, that this is just scheduling the Public Hearing to hear comments. The Board can choose to close the hearing at the next meeting or the Board can choose to continue the hearing. The process does allow for us to hear public comments.

Trustee Zollo moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 6-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby schedule a public hearing to be held on Monday, November 2, 2020, at 8:00 p.m., at the Regular Tarrytown Village Board Meeting to be held either via in-person meeting, or Zoom Video Conference, depending on the State’s directives about gatherings under NY on Pause, to add a Section to the Code of the Village of Tarrytown relating to Protests, Demonstrations and Rallies and Permit Application.

Roll Call –Mayor Butler, Yes, Trustee Brown, Absent, Trustee Hoyt, Yes, Trustee Kim, Yes, Trustee McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON OCTOBER 5, 2020

Trustee Kim moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 6-0-1

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, October 5, 2020 as submitted by the Village Clerk.

Roll Call –Mayor Butler, Yes, Trustee Brown, Absent, Trustee Hoyt, Yes, Trustee Kim, Yes, Trustee McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

APPROVAL OF AUDITED VOUCHERS

Trustee McGovern moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 6-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No. 7 of Audited Vouchers in the total amount of \$751,735.20 to be paid in the following amounts:

General	\$ 383,472.04
Water	\$ 27,267.81
Sewer Fund	\$ 1,077.37
Capital	\$ 305,645.21
Library	\$ 20,604.27
Trust & Agency	\$ 13,668.50
Total	\$ 751,735.20

Roll Call –Mayor Butler, Yes, Trustee Brown, Absent, Trustee Hoyt, Yes, Trustee Kim, Yes, Trustee McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD ON ITEMS NOT INCLUDED ON THE AGENDA. SPEAKERS HAVE FIVE (5) MINUTES BEFORE YIELDING TO THE NEXT SPEAKER; THEN THREE (3) MINUTES FOR ADDITIONAL COMMENTS UNLESS THERE ARE TEN (10) OR MORE POTENTIAL SPEAKERS, THEREBY, SPEAKERS HAVE THREE (3) MINUTES BEFORE YIELDING TO THE NEXT SPEAKER; THEN ONE AND A HALF (1.5) MINUTES FOR ADDITIONAL COMMENTS

Mike Love, 88 Main Street and owner of Coffee Labs at 7 Main Street, noted that he believes the Village Administration did not inform the businesses on how the September event actually happened.

Barbara Goodman Barnett, 104 Main Street, noted that John Lennon said, “Life is what happens when you are busy making other plans.” At the inception of the Village Comprehensive plan, no one imagined that we would be swept up in a life altering pandemic. One thing for sure is that our lives will be changed. Working habits, socializing, appreciation of the outdoors and housing are going to change. It was clear to her after being at the last Planning Board meeting that many residents are not on board with the SAO plan. It is irresponsible to move forward on the SAO until we have an accurate vision of the future for the residents of Tarrytown.

Howard Smith, 87 Main Street, noted that as more community members are learning about some of the development proposals requiring significant variances on existing zoning regulations that are currently under review by Village officials, the common reaction is “where is this coming from” or “who do they think wants them to do this.” There is a growing sense of concern that the Village appears to be jumping from the conceptual framework represented by the 2018 Village’s Comprehensive Plan considering proposals from developers that reflect new and historically unprecedented standards for projects and never engaging the public on what those standards should be. This has sparked the emergence of citizens for responsible development movement under the heading of “Tarrytown Legacy Connection,” a website and Facebook page will be up and running later this week. The contact email address is [tarrytownlegacy@gmail.com](mailto:tarrytownlegacy@gmail.com). Its mission is to engage the public in supporting responsible approaches to development that are respectful of Tarrytown’s distinctive Rivertown legacy. He would like a commitment by the Board of Trustees to conduct a study of what the cumulative impact might be of different building heights, occupancy, density and design scenarios for future development. Results from that study can then serve as a basis for engaging the public in a discussion as to what kind of changes and zoning standards would make sense for the future of the community. Only then should project proposals for redeveloping property such as 29 S. Depot Plaza and 39-51 N. Broadway that require major zoning variances, be considered.

Colin Vanderhorn, 52 LeGrande Avenue, asked how he can move forward to oppose the proposed development project at 39-51 S. Broadway. Would the Village Board accept petitions with signatures as valid community input to be considered? At the last Planning Board meeting, there was so much opposition, they ran out of time and had to adjourn. He enjoys his rivers views from LeGrande Avenue and the development on Broadway would replace that view with a row of balconies and a roof. He finds it unbelievable that a group of unelected board members can consider passing variances that affect the community in such a dramatic way. He will continue to attend the Planning Board meetings and work sessions, but he would appreciate any long term avenue for community opposition.

Mark Fry, Ossining, NY, noted that he would like Dr. Howard Smith’s letter included in the official minutes of this meeting and he finds not being able to share his screen at this Zoom meeting undemocratic. He prepared a summary of proposed rezoning, showing 5 projects on the Planning Board agenda and the total number of units is 426, Artis Senior Living, 153 White Plains Road (64 units), Sunrise Development, 99 White Plains Road (85 units), Wilder Balter Partners, YMCA property (109 units), Lexington 202 Group, 29 S. Depot Plaza (88 units), 39-51 N. Broadway (80 units). All of which are extremely high density.

Trustee Hoyt noted that he takes his responsibility on the Board very seriously and values every person’s input, residents and visitors.

Dolf Beil, 108 Main Street, presented slides regarding Concerns on development surge, traffic and the environment, COVID-19 paradigm shift, financial impact, misrepresentation of the comprehensive plan and unintended consequences. Housing Units at Planning Board or Approved total 456 units or 10%, verbally with no documentation total 166 units or 4% and the SAO at 29 S. Depot Plaza total 887 at 19%, totaling 1,509 units at 32%

increase in the number of housing units and nobody is paying any attention. There was a traffic study done in 2016 that showed at that density 560 trips per hour would be increased. The proposals currently under consideration are vastly more, that traffic study needs to be updated. The Village needs to look into traffic and environmental impacts before they allow this kind of development to increase. The coronavirus pandemic is affecting public transit and is totally a game changer and needs to be considered. The Comprehensive Plan makes no reference to height and/or stories and no hint of height change.

Mayor Butler noted that some of the information that Mr. Beil presented and the picture of the last slide is sort of disingenuous. When that proposal came to the Board of Trustees over a year ago, it was rejected immediately, so he doesn't understand why he referenced it. Mayor Butler thanked all the volunteers on all the boards and committees who spend numerous hours of their time without pay for many, many years to make Tarrytown what it is. Tarrytown has worked very hard with the development of the Village's Comprehensive Plan, which has been updated twice. The Village published Tarrytown Connected where the Village brought in professionals to help Tarrytown with new development. Many meetings concerning the waterfront, the RiverWalk and Pierson Park have taken place. The members of the Board of Trustees also have worked very hard and the Village Board does watch very closely on what is going on in the Village.

Attorney Zalantas noted that she would like to clear up a speaker's reference that unelected officials can make law changes, meaning the Planning Board. That is not accurate. The only Board that can adopt re-zoning or a zoning amendment is the Board of Trustees. For example, the property at 29 S. Depot Plaza, 39-51 N. Broadway, they are before the Planning Board to do a SEQRA environmental review for recommendation only. It is ultimately up to the Board of Trustees to consider the request for rezoning. At that time, there will be further input where the public can participate. Public hearings will be required for all of those projects to consider the proposed rezoning. Out of all of the proposed projects mentioned tonight, only 2 projects were previously granted a re-zoning, Artis and the Wilder Balter project at the YMCA property. Those two projects are currently before the Planning Board for site plan approval. Again, there is an opportunity for the public to participate in that public process in the Planning Board's site plan review. There was a reference to proposed projects by Hudson Harbor, Phase 3; to her knowledge, there has been no such applications filed with any Village Department. With respect to the SAO, the SAO is not a TOD development. The only proposed TOD development is 29 S. Depot Plaza. She wanted to clarify that people do have opportunities to participate in public comment.

Katy Krider, 22 N. Washington Street, noted that she has read Dr. Howard Smith's letter and believes it is a very good letter that represents some of the concerns that a lot of people will be talking about this evening. There's a concern about density and traffic. Especially that she lives in the heart of the Village, there are traffic problems all hours, every day and it is very difficult to get in and out of the town. She doesn't want to add more traffic in the town and she likes the size of the Village the way it is. She would like to know what residents can do who are concerned about density and changing the character of the Village that we chose to live in. She wants to make sure the Board of Trustees understands how very concerned and upset we are about hearing about all of the proposed development. We want to have a voice and make sure that our voices are heard to possibly not have projects pass onto another board or process to get further approval. This is no disrespect to all of work of the people who volunteer on boards and committees. We do appreciate all that the Board does. But she feels that we need to keep the eye on the ball now with all of the development being proposed.

David Barnett, 104 Main Street, noted that he agrees with everything that Katy said. People don't visit our town for more traffic and less open space. Residents don't want to

see more congestion and density. Before we take on new projects, he thinks the Village needs to solve its current problems. It took him ½ hour to drive from Main Street to the Sleepy Hollow cemetery, which is unacceptable. On google maps, it says it should take about 6 minutes. He believes that Tarrytown is at a tipping point, we can keep our reputation as one of the most beautiful towns in America, a special shared community with lots of open space and still some views left of the Hudson River and the Palisades or we can become just another generic place without dramatic views, with congested streets, difficult parking and empty storefronts where developers are making profits and then leaving town. Due to the pandemic, it seems short-sighted to plan a Train Station Revitalization until we know what the future looks like. Before we continue to finalize the SAO, he suggests to take a step back and re-examine what the new normal will actually look like. Our first concerns should be for the current tax paying residents and merchants of the Village of Tarrytown.

Laura Burke, 40 N. Washington Street, noted the traffic in Tarrytown is already a disaster. This meeting started with a discussion about speed bumps in a residential neighborhood, she knows what the traffic is like living on N. Washington Street, because everyone wants to stay off of Route 9 and she feels that this is just going to get worse and worse by adding more people to this Village.

Olivia Gerth, LeGrande Avenue, noted that regarding the 39-51 N. Broadway, large development, she believes that this project is making a lot of assumptions in the middle of a pandemic, where no one knows what the new normal will look like. She doesn't see this project responsive to what the community needs. She has attended many of the virtual Planning Board meetings and she has not heard from one community member who supports this project or any of the proposed high density developments.

Heather Haggerty, Kaldenberg Place, noted that living in the down town area, her street has an already insane amount of truck traffic and garbage. Her property is in the back of the restaurants. She would like the people who already live in the down town area to be considered when discussing the proposed development on Broadway. She appreciates all the volunteers who work on the Village Boards. She is not on a Board, but she goes out on her street and cleans up garbage and broken glass. She loves this town and she wants to see the Village keep getting better. She doesn't think the proposed development will improve her street and she is not sure whose area it will improve.

John Stiloski, Stiloski Automotive, Tarrytown, NY, asked in reference to the station area study by the train station, does the Village have an idea of what this has cost the Village so far. He believes it could have cost about \$300,000. There was a steering committee that held meetings and workshops about proposed development in the train station area. Now there is a developer who is proposing development at 29 S. Depot Plaza, which is in line with the Comprehensive Plan and all of sudden, this housing development is not good for this area. He doesn't understand that the Village spent money on a study on proposed development by the train station and now the public doesn't want it. The Village should have just had the public input instead of spending money on consultants. He believes that a study should be done on proposed developments on Main Street and Broadway.

Peter Bartolacci, 67 Miller Avenue, noted that we have been talking about development in Tarrytown and the impact on traffic, let's not forget that the GM site in Sleepy Hollow is proposing 1,750 residential units. A lot of that traffic will probably avoid Broadway and will be coming over the H-Bridge up Franklin Street and through the streets in Miller Park. We need to look at the totality of the potential density in Tarrytown and the Sleepy Hollow development. We should do the right thing for the Village not what developers want. He would like to see the Village's view shed study. He understood one of the areas looked at was the river view from the top of Benedict Avenue. He believes the view from Broadway in front of W.I. school is a more appropriate place to look at, where most people walk and

enjoy the river views. He would like to know what is being used as the criteria when conducting the view shed study.

Doug Fox, 42 N. Washington Street, noted, from his experience, as each of these developments have happened, a lot of promises have been made, some have been given, like a park, but we had lost some parking down by the station. When all of a sudden there was a tennis court built in a prime parking spot at the train station. The public didn't know about it until it happened. Then we see development on the water that has some sort of and look and feel of the Village and then every other building after that was basically just a modern glass box with parts falling off after a couple of years. The main problem with new development is traffic. The current traffic is lousy. This is a small Village and is not built for more development. All of the development on the water is very high-end housing. He believes that the Village residents don't want developers to come to our Village and tell us how we should change our Village. Irvington has developed to where there is no more middle class to speak of. He sees this kind of development coming to Tarrytown.

Colin Vanderhorn, 52 LeGrande Avenue, thanked the Mayor and all members of Boards for their time and effort. It is important for residents to have a voice to reinforce the public trust. He asked for the email where residents can send their resumes. He is a licensed architect in the state of New York and would be willing to volunteer many hours of his time to the Planning Board.

Assistant Administrator Ringel, noted that the Village will be very shortly, in about a week or so, launching a new website portal for both applicants and for general interest learning more about the volunteer boards and committees. You can also email your resume to [administrator@tarrytowngov.com](mailto:administrator@tarrytowngov.com) or call him at the office at 914-631-1785.

Mayor Butler thanked Colin and noted that the Village is always looking for people with solutions that can help the Village grow. He encouraged Mr. Vanderhorn to send in his resume for the Planning Board. There are other boards that you may also be interested in.

Mark Fry, Ossining, NY, noted that he wanted to clear up a misunderstanding regarding Trustee Hoyt. He respects Trustee Hoyt completely and he appreciates all of the work that the entire Board of Trustees does for the Village. He did not mean to be critical of any member of the Board and is sorry if that is how it came across. He finds there is a tremendous disconnect between two Village documents, both of which are called Tarrytown Connected. The first Tarrytown Connected (Framework for Station Area Waterfront Development) was published in October of 2016 and then the updated Comprehensive Plan-Tarrytown Connected comes to very different conclusions. He believes that is where the fundamental problem lies. He believes the scenarios found in the October 2016 Tarrytown Connected has found its way into the vision of two Planning Board members and it is clear that the vision is not shared by the residents of the Village of Tarrytown.

Mayor Butler noted for clarification, the Village only adopted two Comprehensive Plans; the one in 2007 and the one in 2018. Mr. Fry noted the following documents that were prepared for waterfront and station area development:

- 2007 Comprehensive Plan adopted, which was prepared by BFJ,
- 2007 LWRP, which is a comprehensive plan also prepared by BFJ.
- 2016 Tarrytown Connected (Framework for Station Area and Waterfront Development), prepared by Kevin Dwarka, LLC, Regional Plan Association, VHB and the Collaborative Planning Studio

- 2018 Comprehensive Plan-Tarrytown Connected prepared by WXY Architecture and Urban Design, George Janes and Associates, Regional Plan Association and Sam Schwartz Engineering

Dan Hanover, Park Avenue, noted that he read Dr. Howard Smith's report and he is concerned about the density and height changes. This reminded him of two years ago waking up one morning to a cell tower at the height of 180 ft. by the MTA, whereby no one was aware that this was happening. He suggests that when the Village is talking about big impact changes to the Village, we do a better job keeping the public informed and getting public input on all future proposed developments. He is concerned about the number of units proposed at 29 S. Depot Plaza along with the proposed development in the Village of Sleepy Hollow and how this will impact our area with more traffic.

Mayor Butler noted that the cell tower was put up by the MTA and the Village had no control over it. The former Mayor Drew Fixell was instrumental and successful with help from officials from Westchester County to have MTA move the cell tower to another location. Administrator Slingerland noted that the MTA provided the Village with a two-dimensional map of the cell tower, but did not provide the exact location where the cell tower was going to be placed. When the cell tower was put up with no notice to the Village, it was placed right next to homes and a playground. At that time, former Mayor Fixell contacted the MTA, officials from the state and county and they were successful to get the cell tower removed and the antennas on the tower were relocated to another state-owned facility.

Peter Bartolacci, 67 Miller Avenue, noted that it is disingenuous to suggest that former Mayor Fixell had the cell tower removed. It was brought up by residents in the community who came to Village Hall to ask for the tower to be removed and former Mayor Fixell came in very late in the process of having it removed.

#### ADJOURNMENT

On the motion of Trustee Hoyt, seconded by Trustee Butler, the meeting was adjourned at approximately 10:53 p.m. by vote of six in favor, none opposed.

Carol A. Booth  
Village Clerk