

Board of Trustees
Village of Tarrytown
Regular Meeting No. 19
November 2, 2015
8:00 p.m.

PRESENT: Mayor Fixell presiding; Trustees: Basher, Butler, Hoyt, McGee, McGovern and Zollo; Village Administrator Blau; Village Treasurer Hart; Village Attorney Silverberg and Village Clerk Booth

The meeting began with the Pledge to the Flag.

REPORTS

Mayor Fixell noted the following:

- Tomorrow is Election Day; the polls are open from 6 a.m. to 9 p.m.
- He thanked Mary Westerfield for the Halloween displays that she put together at the McKeel Avenue and South Broadway parking lots, which was funded by the Beautification Foundation.
- The Solarize Tarrytown Campaign, which is part of Solarize Westchester, is underway. There is a Solarize Tarrytown workshop on Sunday, November 8th at 1 p.m. at the Warner Library. This is an opportunity for residents and small businesses in the Village to consider going solarize by using a competitive contractor who is offering group discounts. The amount of the discount increases as more homeowners and small businesses participate. It's a great time to do this; there is a tax credit, which may expire. There is no obligation. They will come to your house to see if your house is a good candidate for solar panels, for example, if your house gets enough sun. It saves money. To get more information, go to their website, www.solarizewestchester.com/tarrytown.
- We are in the leaf season. Mayor Fixell wanted to remind residents about the Love them and Leave them Leaf Program. If you mulch your leaves into your lawn, it saves you and the Village time, work and money and it's good for your lawn. There's a "Love them and Leave them" effort throughout the County and information about the program can be found at LELENY.org. The website has lots of information.

Trustee Hoyt noted the following:

- He thanked everyone for coming out last week to the very successful Halloween Parade and Block Party. He thanked all of the sponsors, the Tarrytown Halloween Parade Committee, the Recreation Department, the Fire Department, the Police Department and the Department of Public Works for a great job and a successful parade.
- He read the following Halloween Parade costume winners:
 - Golden Jack-o-Lantern: Legends Zombies
 - Best Marching Band: The Marching Cobras
 - Best Float: Transfiguration School Girl Scouts
 - Best Group: King Tut
 - Best Costume: Bad Dentist

- The Pilgrim Run will be held this Sunday, November 8th at Hackley School at 10:30 a.m. For more information, please contact the Recreation Department at 631-8347.

ADMINISTRATORS REPORT

Administrator Blau reported on the following:

Pilot Program, Sanitation – Last week a mailer went out from the Department of Public Works concerning garbage and recycling collection, leaf collection, bulk material collection, e collection which includes computers and printers, as well as other Public Works related activities. The mailer has a tremendous amount of information for residents and I would strongly recommend that everyone read the mailer. One item in the mailer concerns a sanitation pilot program. The Village has purchased 95 gallon sanitation receptacles on wheels which will be delivered to residents who live on the streets noted in the mailer. The new receptacles should be delivered starting the week of November 16. In addition to the new receptacles, the Village has purchased two mechanical arms that will lift the garbage receptacles and dump the garbage inside into the sanitation truck. One mechanical arm has been installed and one will be installed next week. The households in the pilot program area will begin using the new garbage receptacles on Thursday, December 3 and the garbage will be collected once per week starting the week of December 7. An informational brochure will be provided to residents in the pilot program area with the receptacle delivery providing additional information about the pilot program. A robo call will also go out to those residents just before the program is scheduled to begin to provide a reminder about the program.

Veterans Day – Wednesday, November 11 is Veterans Day which is a Village government holiday. Village offices are closed as well as all other Village departments with the exception of the Police Department. Due to the fact that the Department of Public Works is closed, there will be no recycling collection on that Wednesday. A robo call will go out to remind residents that there will be no recycling pickup that week.

Trustee McGovern asked if the Village was planning an information meeting with the residents who are participating in the Sanitation Pilot Program. Administrator Blau noted that the Village will be sending another informational flyer to those residents; however, if the residents are still unclear, we can certainly schedule an information meeting.

CONTINUATION OF A PUBLIC HEARING – PARKS LEGISLATION

Mayor Fixell noted that this legislation would create the position Parks Commissioner, a Department Head level position. The intent of this new position is to have the ability to eventually hire somebody who would have an educational background and have expertise in the care and management of parks and natural resources. This position will be a working manager. At the same time, it will allow our Recreation Supervisor to focus on the recreation needs of the Village, which are expanding greatly with the new Recreation Center.

Trustee Zollo moved, seconded by Trustee McGee and unanimously carried, that the public hearing be re-opened.

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 19th day of October, 2015, at 8 PM, in the Municipal Building, One Depot Plaza, Tarrytown, New York 10591, to hear, discuss and to act upon a proposed amendment to the Code of the Village of Tarrytown, by adding a new Chapter 36, “Officers” to enable the Village Board to create the office of Commissioner of Parks.

A local law to adopt Chapter 36 of the Code of the Village of Tarrytown entitled OFFICERS

Be it enacted by the Village Board of Trustees of the Village of Tarrytown as follows:

Section 1: Purpose.

Village Law section 3-301 sets forth the officers who may be appointed by a Village Board and provides further in subsection (2)(c) that a Village Board may create such other officers as it may approve by local law or resolution. The Village Board finds that for the efficient and economical operation of the Village's parks it is necessary and appropriate to create the office of Commissioner of Parks.

Section 2: Amendment Adding Chapter 36

- A. Chapter 36 of the Code of the Village of Tarrytown entitled "Officers" is hereby adopted and shall read as follows

§ 36-1: Creation of Village Officers:

In addition to such other officers as may be created pursuant to New York State Village Law and the laws of the Village of Tarrytown the following shall be officers of the Village of Tarrytown:

A. Commissioner of Parks

§ 36-2: Appointment, Term of Office and Duties of the Commissioner of Parks.

- A. The Commissioner of Parks shall be appointed by the mayor, upon consent of the Board of Trustees, for a term of office ending upon at the next Village organizational meeting, except that if the next organizational meeting is less than eleven (11) months after the appointment, such appointment shall be for a period until the date of the second organizational meeting following the appointment. In the event the Commissioner of Parks is not reappointed at the next organizational meeting and no replacement is appointed the person then holding the office of Commissioner of Parks shall hold over until such time as a replacement is appointment or the appointment of the then office holder is otherwise terminated by action of the Board of Trustees. In addition to such other duties as may be determined by the Village Administrator to be necessary and appropriate to the position and the proper functioning of the Village parks the following shall be the duties of the Commissioner of Parks:

1. To oversee the maintenance of parks, recreation areas, related structures and open space;
2. Supervise parks maintenance staff in all maintenance operations;
3. Perform such maintenance work as required to ensure timely completion of park maintenance;
4. Perform minor construction work in parks, recreation areas and related structures in conjunction with parks maintenance staff;
5. Oversee plowing and snow and ice removal operations in various parking lots and public sidewalks in winter months to ensure the safety of the public;

6. Make purchases necessary for the operation of parks maintenance;
7. Prepare an operating and capital budget for the maintenance of parks, recreation areas and related structures;
8. Accurately input expenditures into the village financial system to record purchases and maintain compliance with the approved department budget;
9. Maintain records of equipment, including maintenance and repair;
10. Propose equipment purchases in order to ensure that park operations are not hindered by obsolete equipment;
11. Coordinates work with the Recreation Supervisor to assure that play fields are operational for programmed recreation programs and activities;
12. Coordinates work with the Department of Public Works when necessary for the completion of projects;
13. Assist the Village Administrator in the budget process associated with parks;
14. Prepare reports as directed by Village Administrator.

Section 3: Severability

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

Section 4: Effective Date

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

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

Domenic Morabito, 26 Church Street, requested that this public hearing be continued for one more meeting for the purpose of acquiring more information. Mayor Fixell responded that the Board of Trustees will vote tonight to either close or continue the public hearing.

Patrick Derivan, 50 White Street, noted the following:

- He doesn't understand the title, "Parks Commissioner." He suggested the title, "Parks Foreman." He also stated that the Parks Foreman title would give an opportunity to promote from within the department.
- Joe Arduino, the Recreation Supervisor has always accommodated every organization of the Village and has done great work for the Village. He doesn't see a need to bring in a new person for the parks and snow and ice removal when you have a professional Highway Superintendent and a very qualified Recreation Staff. We also have a Beautification Committee that could work with the Recreation Staff.

He noted that the Village of Tarrytown was voted as one of “America’s Prettiest Towns.” He noted that the Village looks beautiful.

Mayor Fixell noted that we are stuck with the “Commissioner of Parks” title because the County did not approve the “Parks Manager” title.

John Hill, 118 Leroy Avenue and Chairperson of the Parks and Recreation Advisory Council, noted that he spoke at the last meeting about possibly hiring an outside vendor, an Agriculture expert and he wanted to share some information with the Board. He was figuring the “Parks Commissioner” position’s salary would be approximately \$85,000 plus benefits and Village vehicle. He looked into an Agriculture expert to consult with the Parks and Recreation two times a month, sixteen hours per month at \$300/hour, which comes to \$4,800 per month x 12 totals \$57,600 per year. He stated that it is quite a savings as opposed to bringing in a full time Parks Commissioner. He noted that the savings could be used to hire another Parks Groundskeeper to keep up with the 11 parks in the Village. He stated that he still feels if we bring in a consultant, who can lay out a plan for each park to the Recreation Supervisor to implement, that would ultimately benefit the parks. He believes it can be done.

Mayor Fixell stated that he wouldn’t reject this idea, but what the Village is looking for is day-to-day management and someone who will know the best practices of parks management. One of the advantages of creating this position by local law is that if the position doesn’t work, it can be undone.

Trustee Butler noted that if this position doesn’t work out, we can eliminate the position.

Trustee Zollo moved, seconded by Trustee McGee, that the public hearing be closed. Motion carried, all voting “aye” with the exception of Trustee Basher and Trustee McGovern who voted “nay.” Approved: 5-2

Domenic Morabito, 26 Church Street, noted that he has petitions to keep this public hearing open to enable people to question this position and will turn in the petitions. He believes the Trustees who voted to close the public hearing don’t really care about the residents of Tarrytown and wished them good luck.

Trustee Zollo moved, seconded by Trustee Butler, that the following resolution be approved. Motion carried, all voting “aye” with the exception of Trustee McGovern who voted “nay” because she is not sure she wants to spend the money on creating a new position. She stated that her concerns are, although the expertise we would get for our parks would be great, it would also be increasing the budget. She also feels that the recreation staff should be given this job opportunity. Trustee Zollo asked if Village employees are excluded to apply for this position. Administrator Blau responded, no. Approved: 6-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby amend the Code of The Village of Tarrytown by adding a new Chapter 36, entitled “Officers” to allow the Village Board to create the office of Commissioner of Parks for the efficient and economical operation of the Village’s parks.

WHEREAS, a public hearing was held for the proposed action on October 19, 2015 and November 2, 2015; and

WHEREAS, a notice of public hearing was published in the Journal News on October 9, 2015; and

WHEREAS, the Board of Trustees of the Village of Tarrytown is the only agency which has approval authority over the Proposed Action, and is therefore the Lead Agency for the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

In accordance with Article 8 of the State Environmental Conservation Law and 6NYCRR Part 617, including without limitations the criteria set forth in 6 NYCRR Part 617.7(c) and based upon review of the Environmental Assessment Form and all other materials that were prepared for the Proposed Action, the Village Board of Trustees hereby determines that the Proposed Action is an Unlisted action that will not have a significant adverse impact on the environment, and hereby adopts a Negative Declaration.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby adopt Local Law No. 8 of 2015.

Trustee Butler noted that he envisions the two positions, Recreation Supervisor and Parks Commissioner to create a partnership and work together to make this Village even greater.

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.

FIRE DEPARTMENT MEMBERSHIP CHANGE

Trustee Zollo moved, seconded by Trustee Basher, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the following Fire Department membership change recommended at the October 20, 2015 Board of Fire Wardens meeting: Membership: Alfredo Vargas has been elected to active membership at Conqueror Hook & Ladder Company.

DECLARING THE DATE, POLLING HOURS, DESIGNATED POLLING PLACES WITH RESPECT TO THE VILLAGE ELECTION TO BE HELD ON MARCH 15, 2016

Trustee Basher moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED, that Election Law 4-106(2) requires all villages whose March elections are conducted by the County Board of Elections; submit to the County Board of Elections a list of polling places by November 15, 2015; and

BE IT RESOLVED, that the Village of Tarrytown has the following ten (10) election districts in the Village Election to be held on Tuesday, March 15, 2016; and

BE IT FURTHER RESOLVED that the following polling places be open from 6 a.m. to 9 p.m. on Election Day:

- District No. 1 - Riverside Hose Firehouse, 120 Franklin Street, Tarrytown, NY
- District No. 2 - Phenix Hose Firehouse, 2 Mechanics Avenue, Tarrytown, NY
- District No. 3 - Main Street Firehouse, 50 Main Street, Tarrytown, NY
- District No. 4 - First Baptist Church, 56 South Broadway, Tarrytown, NY
- District No. 5 - Temple Beth Abraham, 25 Leroy Avenue, Tarrytown, NY
- District No. 6 - Village Hall, One Depot Plaza, Tarrytown, NY
- District No. 7 - Consolidated Engine Firehouse, 177 Sheldon Avenue, Tarrytown, NY

- District No. 55 - Washington Engine Firehouse, 157 White Plains Road, Tarrytown, - District No. 74 - Village Hall, One Depot Plaza, Tarrytown, NY
- District No. 76 -Consolidated Engine Firehouse, 177 Sheldon Avenue, Tarrytown, NY

PARKING – SOUTH DEPOT PARKING LOT

Trustee Basher moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize the following changes to the Code of the Village, Chapter 291 entitled “Vehicles and Traffic” to eliminate inconsistencies between the Code and a leased agreement for a parking lot leased by the Village.

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

§ 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.

A. Resident parking permits: Depot Plaza Auto Park, McKeel Avenue Parking Lot, South Depot Plaza Parking Lot **with a valid handicapped parking permit**, South Broadway Parking Lot, South Washington Street Parking Lot East and South Washington Street Parking Lot West. Designated permit zones west of the railroad tracks, in the [municipal portion of the Windle Park Parking Lot and] West Elizabeth Street Parking Lot.

B. Nonresident parking permits. Designated permit zones west of the railroad tracks and [designated permit zones] in the South Depot Plaza Parking Lot **with a valid handicapped parking permit**.

§ 291-91. Schedule XXVI: Off-Street Metered Parking Lots

The areas described below shall constitute off-street metered parking lots. A full description of such lots is available in the office of the Village Clerk, where it may be examined during regular office hours.

Name of Lot

[Windle Park municipal parking lot]

HANDICAPPED PARKING SPACE – KALDENBERG PLACE

Trustee McGovern moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize the creation of a parking space reserved for handicapped persons on Kaldenberg Place.

All new material is set forth in CAPITAL letters. No material is to be deleted.

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, etc.</u>	<u>Side</u>	<u>Location</u>
KALDENBERG PLACE	WEST	1; THE 3 RD METERED PARKING SPACE SOUTH OF CENTRAL AVENUE, TUESDAY THROUGH SUNDAY FROM 9:00 A.M. TO 6:00 P.M. WITH A MAXIMUM TIME LIMIT OF 2 HOURS

CHANGE MEETING DATE FOR THE BOARD OF TRUSTEES WORK SESSION

Trustee Basher moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby change the Board of Trustees Work Session meeting date from Wednesday, November 11, 2015 to Tuesday, November 10, 2015.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON OCTOBER 19, 2015

Trustee McGovern moved, seconded by Trustee McGee, and unanimously carried, that the following resolution be approved: Approved: 7-0

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 October 19, 2015 as submitted by the Village Clerk.

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF THE BOARD OF TRUSTEES HELD ON OCTOBER 14, 2015

Trustee Basher moved, seconded by Trustee Butler, that the following resolution be approved. Motion carried, all voting “aye” with the exception of Mayor Fixell and Trustee Zollo who abstained. Approved: 5-0-2

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 October 14, 2015 as submitted by the Village Administrator.

APPROVAL OF THE MINUTES OF THE SPECIAL JOINT MEETING OF THE BOARD OF TRUSTEES AND PLANNING BOARD HELD ON MARCH 4, 2015

Trustee McGovern moved, seconded by Trustee Basher, that the following resolution be approved. Motion carried, all voting “aye” with the exception of Trustee McGee who abstained. Approved: 6-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the minutes of the special joint meeting of the Board of Trustees and the Planning Board held on March 4, 2015 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS

Trustee Basher moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No. 8 of Audited Vouchers to be paid in the following amounts:

General	\$	232,813.69
Water		262,354.63
Sewer Fund		0.00
Capital		29,652.82
Library		5,667.97
Trust & Agency		<u>5,717.50</u>
Total	\$	536,206.61

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

Trustee Hoyt moved, seconded by Trustee Basher, and unanimously carried, that the meeting be adjourned at 8:40 p.m.

Carol A. Booth
Village Clerk