

Board of Trustees
Village of Tarrytown
Regular Meeting No. 9
Via Zoom Video Conference
March 1, 2021
7:00 p.m.

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

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/33736> for instructions on how to join & participate.

Members of the public who wish to have an item “screen shared” (i.e. displayed during the meeting) during their public comment period, must submit their document(s) to Administrator@tarrytowngov.com no later than 12PM the day of the Board of Trustees Meeting.

The Board of Trustees held a Special Meeting tonight at 6:30 p.m. and went directly into Executive Session for Advice of Council regarding Agreements for development at 62 Main Street.

REGULAR MEETING: 7:00 P.M.

REPORTS

Deputy Mayor McGovern reported on the following:

- With the Village staff’s assistance, we were able to help 28 of our senior citizens to register for the COVID vaccination at the Pop-up vaccination site in Dobbs Ferry this weekend.
- She thanked everybody who filled out the COVID vaccination survey that we conducted along with the Village of Sleepy Hollow. We received a lot of good information and we hope that information will help the Village of Tarrytown to open a Pop-up vaccination site very soon. Once we get approval for this, we will let everyone know. The Pop-up site is only for people 65 and older.
- The Village will be opening the pool this year, probably Memorial Day weekend, if everything goes well.
- On March 8th, Bingo will start up again at the Senior Center. You will need to RSVP or register because there is a limit of 20 people.
- Softball season is getting ready to start up.
- The seniors had their Valentine’s luncheon and it went well. Seniors came to the Senior Center to pick up their lunch.

Trustee Zollo reported on the following:

- On Saturday, March 6th the Tarrytown Police Department will be sponsoring a free event called “Books and Badges” for children ages 2 – 12 from 10 a.m. to 1 p.m. It will take place in Lot A adjacent to Village Hall. One Depot Plaza. The children will receive

- The Police Chief will be speaking tonight about Hope not Handcuffs which is diversion program, which was discussed at the Police Reform meetings.

Trustee Brown noted that the TaSH Market is still operating under its winter farmer's market schedule and will be open for business on March 13 and March 27.

Trustee Kim noted he has a report from the Trails Committee. Scenic Hudson, who organizes this committee has released a Request for Proposal for a consultant team to produce a multi-modal commuter transportation study for the Villages of Tarrytown and Sleepy Hollow. The purpose of the study is to evaluate alternatives and provide recommendations to shift commuter trips between Edge on Hudson to the two commuter train stations, Phillipsburg Manor and the Tarrytown Train Station. They want to motivate people from taking their cars to short distances and ways to promote walking, biking and commuter shuttle a more attractive option.

Mayor Butler noted that at the last Planning Board meeting held on February 22, 2021, they discussed Hudson Harbor and the Village accepting their roads. The Village Engineer will speak tonight on why the Board of Trustees did not accept these roads based on the roads do not meet public standards.

Police Chief Barbelet noted the following:

- Today, we put all the information on the upcoming police exam on our website, tarrytowngov.com/police-department. In addition to what Trustee Zollo said about the cost of the cram session, the Police Department re-allocated funds from their training budget to help pay for the cost of the cram session for Tarrytown residents. The tutorial will take place by the Police Tutorial Services the third week in April and will be a five hour cram session, which he encourages our residents who qualify to take.
- The Tarrytown Police Department has collaborated with "Hope Not Handcuffs," a Hudson Valley community outreach program designed to reach people struggling with addiction issues and to encourage them to seek recovery and to regain control of their lives. We are sending a dozen police officers next month for training in the Hope Not Handcuffs program. This program works with volunteers they call "Angels." You can sign up to become an Angel volunteer on our website as well.

Trustee Rinaldi encouraged everyone to become a volunteer and asked if this primarily deals with the opioid crisis.

Police Chief Barbelet read their mission statement, "Reduce dependency with any substance including heroin, prescription drugs and alcohol." He believes it may have started with the opioid crisis.

ADMINISTRATOR'S REPORT

- Administrator Slingerland noted that he has been working with Treasurer Hart on the budget as to where things stand based on our economy, revenues and expenses. We know the Board of Trustees wants to comply with the 2% tax cap. We will be releasing the budget and having the budget hearing on Monday, March 15, 2021.
- We have had meetings with staff and with Trustees Zollo and Hoyt regarding a proposed development by National Resources. We have asked them to submit an application for the Boatel and Marina. This was presented to the Board of Trustees about a month ago at a work session. But to date, the Village has not received an application for this proposed development.

PROTESTS, DEMONSTRATIONS AND RALLIES AND RELATED PERMIT APPLICATIONS

Trustee Zollo moved, seconded by Trustee Hoyt, and unanimously carried, to close the public hearing.

Trustee Brown noted that we are closing this hearing because we have decided to take out protest and demonstrations and work on special events and parades separately.

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

Trustee Hoyt 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 close and withdraw the item that is the subject of a public hearing relating to Protests, Demonstrations and Rallies and Permit Application.

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

Mayor Butler asked Village Engineer Pennella to explain the reason the Village has not accepted the Hudson Harbor roads from Mr. Cotter. Mr. Pennella noted that local roads have a minimum requirement of 50 feet, which is the right of way, and open space, including sidewalks on both side and curbing and then you have the thoroughfare road. Some of the roads at Hudson Harbor do not have the 50 feet right away. Rivers Edge and Orchard Drive do not meet this requirement. There are parking spaces and driveways in that right of way. Standard roads do not have driveways that encroach into the right of way other than entry point to parking areas. We are working with the developer to make the roads around the existing site at Hudson View Way and the Cooney Building, which is under site plan review, to be a road compliant width. Orchard Drive has potential to be road compliant. But, at the present state, the roads are non-compliant and that is why the Village has not accepted the roads.

Administrator Slingerland asked Village Engineer Pennella to give the Board an update on the bulkheads on top of the buildings at Hudson Harbor and the reason why that hasn't moved forward. Mr. Pennella noted that the bulkheads on top of the buildings at Hudson Harbor dates back a few years when they were built non-compliant with the permits that were issued. They were issued court appearance tickets. They were mandated to seek approval. They filed an application to the Board of Trustees and the Planning Board. The Board of Trustees and the Planning Board asked them to submit an application that would be compliant with the original building permits and the Village never got that application. The applicant withdrew their application. The bulkheads still exist at the current height that exceeds the approvals that were granted for the buildings. Trustee Hoyt asked where does the Village stand with the situation. Mr. Pennella noted that they have not been issued certificate of occupancies for the four units. They are still waiting to be issued until this matter is resolved.

CONTINUATION OF A PUBLIC HEARING – CHAPTER 305 ZONING – NEW ARTICLE FOR THE STATION AREA OVERLAY (SAO) ZONE

Note: The Board of Trustees has advised that public comment period for this public hearing

elevation of 56.6 ft. However, if you go up to Main Street, it has steep slopes, and you take the average grade elevation, the building would be a lot higher on Main Street than if you were on S. Depot Plaza, because it is flat there. In this same area, with a B.F.E or base flood elevation from flood FEMA maps, Zone AE is a 1% chance that it occurs every year. They set elevations, currently what's been adopted is elevation of 9.0 and it is set to change to a higher height. So, you start with an elevation of 9, you add 48 ft. and you get 57 ft. So, you can potentially get a much higher building, if you build it to the BFE. However, the SAO is not going to be based on the BFE, it is going to follow the existing zoning code which is the average grade, which is based on a pre-development grade and not the BFE.

Village Attorney Zalantis gave a recap of other changes that were made to the proposed SAO zoning as a result of the public process. Originally, the SAO areas spanned from an area both west and east of the tracks and now it's only an area east of the tracks. The maximum height was reduced from a maximum height of 120 ft. to 60 ft. to the current allowable building height of four stories or 48 ft., whichever is less. The BFE language was removed. So the current version conforms to the code and does not allow height increases based on the base flood elevation. It increased or made more stringent requirements. A Zero in any category results in an automatic failure of the project. And the SAO still scores or analyzes impacts to public view corridors, it just dropped the analysis with respect to view sheds. There's still a section under the open space criteria to score public view corridors and the difference between a view corridor and a view shed is not defined, but generally the view shed is something large and corridor could be something quite small. The view down the street to the public water or palisades, for instance, as written, the text discourages a long line of buildings, which even if they are not tall would keep people from seeing views to the water. The text encourages breaking up a building so the view corridor in the SAO are preserved.

Mayor Butler noted that the Board of Trustees has the final say, so if a project is not beneficial to the Village, it may never get to the Planning Board.

Trustee Brown noted that there is currently no projects seeking the SAO zoning. The 29 S. Depot Plaza project is now before the Planning Board. The statement that we are working on projects to allow development of many hundreds of units is not truthful.

Administrator Slingerland noted that the Village has done numerous traffic studies related to Edge on Hudson. We looked at rotaries in the downtown area at White Street and over Central Avenue and Willey Street. One of the comments is that the Village should do a traffic study of the SAO. But the point is that if we did it now the taxpayers would pay for that study. At this time, we are going to recommend if a developer wanted to come forward with a potential project, we would make them responsible for the cost to do the traffic study, not the tax payers.

Peter Bartolacci, Miller Avenue, noted that the Village needs a comprehensive traffic study that takes into account Edge on Hudson plus all of the potential development that would happen within the SAO. If you calculate the acreage in the SAO and then you use the density that was allowed at 29 South Depot Plaza, you end up with upwards of 600 – 700 residential units. He thanked Dan for the explanation of the base measurement for the building and then you go up 48 ft. from there. He thinks it would also be helpful for an explanation on what the roofline impact is. He hears average height of the roofline and eaves and it is unclear to him what that means. He thinks the Board should make the height limit lower than 48 ft. throughout the SAO and perhaps allow exceptions through a variance. He thinks the SAO is too complicated and has too many criteria. The view shed practically has no value right now in the overall criteria. There's not enough properties there to warrant this massive change in

Mayor Butler asked Mr. Beil to explain graywater. Mr. Beil noted that he defines graywater as non-toilet sewage. In the SAO, you want to evaluate graywater retention systems with twice the weight of view sheds.

Trustee Brown noted that she believes in a development, dealing with dirty water is important. Village Attorney Zalantis noted that she believes that there is a misstep with the way Mr. Beil inputs numbers into the scorecard. The weight of the view shed is not less than the weight of the graywater.

Administrator Slingerland noted that view sheds were restricted only in the SAO, now we are working on adopting a Village-wide view shed code. Village Attorney Zalantis noted that the Village may be contemplating adopting restrictions on impacts on view sheds, just like it does for steep slopes or wetlands, for every property in the Village.

Trustee Kim noted that on the slide Mr. Beil presented of the parking garage at Edge on Hudson, which is an eyesore as it is right now. It is a 400 parking space garage that is required by the apartments that are going to be built around that parking garage. The apartment building is going to be around 5 stories and about 60 feet high. He just wanted to make it clear that it is not the parking garage that you will end up seeing.

Mark Fry, Ossining, New York resident, noted that he found out that graywater recycling is illegal in the state of New York and he doesn't believe it can be included in the SAO. He has found a letter from 2020, where it specifically states that the Boatel project be included in the SAO. He showed a map that read parcels from Village owned parking instead should read of Village owned parkland. Showed another map that labeled bright blue study area as potential development sites and that is a mistake, they are part of Losee Park and Pierson Park, which are designated as parkland.

Esmelda Gomez, noted that she lives at Franklin Court for 32 years and she doesn't want rezoning to happen and thinks it will make a negative impact on the Village in the community she lives in.

Paul Gomez, Franklin Court resident and son of Esmelda Gomez. As long time residents of Franklin Courts, noted that they don't want to see rezoning happen. If there are no pending projects, then what is the purpose of the rezoning? Why are we discussing to allow 48 feet height for the buildings? There is a lot of concern. We love the community the way it is and its character and we don't want to see it change.

Trustee Brown noted that we are dealing with this zoning now because our comprehensive plan management committee thought that this type of zoning will be a tool in our planning toolbox and will help us get the best kind of development we could when people come to us and ask for zoning because eventually, developers will want to change what is there. This is not changing the existing zoning. The existing zoning is still in place. The SAO is an overlay form of zoning that people can apply for and it has to be in place before a project comes before us.

Mayor Butler asked Village Attorney Zalantis to respond to Mark Fry's comment regarding restricted land on the west side after the public comment. We already know those properties are restricted land.

David Barnett, Main Street, noted that we are all on the same page, we all want what is best for the Village. Tarrytown is very unique and special and has been voted one of the most beautiful

rented to artists, galleries, or small businesses, which would probably be far less expensive to build than residential apartments. Until an impact study and survey of our Village is undertaken, how can we feel confident that any of this makes sense? There are so many unanswered questions and until they are examined, and we have a rational smart overview of a vision for the future of our town, he doesn't see how we can move forward with any new development, including the SAO.

Craig Allan, Warner Avenue, noted that he finds it difficult to find information regarding this development. You seem to have to click on a hyperlink and that is difficult when you are sitting on the train and you are not getting a signal. As one of the speakers noted tonight, the density could possibly have from 600 to 700 units, how many families is that, how many children is that in our school system. Has the Village studies an impact analysis to the cost to the taxpayer over a 5 or 10 year plan? It was mentioned earlier tonight that the certificate of occupancy wasn't given to 4 units, why was it given to any of the others, you are dealing with a company.

Ann Barshall, Benedict Avenue, noted that this is her very first Board meeting and she was summoned here by an email telling her that there was going to be 700 units down by the train station. She hears that maybe that's a distortion. But she was concerned about the traffic. I tried not to have a car when she first moved from the city, but that's just not realistic. She hopes that we can somehow not make it possible for someone to build 700 units down there. Even if no project is currently planned. It would be nice if whatever zoning there is, wouldn't allow it to be possible.

Deputy Mayor McGovern asked Assistant Administrator Ringel to reach out to Craig Allan to help him with getting the documents off of the website.

Administrator Slingerland noted that the reason Craig couldn't find any developer documents is because there is none. There is no proposal on the table for 700 units or anything right now. The Board is not apply the station area overlay west of the tracks. So nothing in the Hudson Harbor area or the parkland area is even on the table for consideration for the station area overlay. The number that's come up with 600 to 700 units is really an exaggeration based on the amount of property that's available. We will contact Craig and anybody else who needs help to get agendas and proposed local laws on the website.

Katy Krider, N. Washington Street, noted that she appreciates everything that the Board has done so far on the SAO and listening to the public comments. She thinks there's a way to go. She believes the scorecard is a bad idea, it's geared toward developers, not toward the town. Even if it's not 700 units, but even 200 or 300 units she has concerns with the extra traffic. She also tried to live in Tarrytown without a car and it is impossible. The Village residents don't want more big development. She asked the Board to wait to approve this until after COVID is over and she supports the Village for paying for a traffic study for all our downtown area including the station area. If a developer pays for the study, it will be skewed.

Laura Burke, North Washington Street, noted that they have reopened the Tarrytown entrance to the bridge. She believes that while it was closed, there was less traffic through the town. Now that it is open, we will see more traffic in Tarrytown. If there is little potential developable land around the station area, she doesn't understand the urgency to do this. She understands what Trustee Brown said about being prepared, but given COVID, the fact that Edge isn't finished yet and we only have their say on what the traffic is going to be like and we did try to fight Sleepy Hollow based on traffic, it is not going to be good. Given the amount of

Trustee Kim noted that the 400 parking space parking lot is not going away, but what he was saying is that what you see right now is not what you're going to see into the future because the parking garage is going to be hidden from view.

Assistant Administrator Ringel noted that just for the record, technically within the Village boundaries there are three hotels. There's a couple more outside of Tarrytown, but only three inside the Village boundaries.

Administrator Slingerland noted, exactly right. The three hotels within the Village of Tarrytown is DoubleTree Hotel, the Tarrytown House, and the Castle. The Marriott, the Sheraton, Spring Hill Suites and the Courtyard are all located in the Town of Greenburgh, not Tarrytown.

Colin Vanderhorn, LeGrande Avenue, thanked the Board for addressing some of the height concerns. He still thinks the language in the code will be abused by developers to increase heights beyond 48 feet by using that average of the gable height. He thinks that some people got to a 700 unit number, which was calculated by using the density precedent set by the approval of 29 S. Depot Plaza and applying that density to the acreage of lots that are ripe for development, and will most likely be developed in the SAO. The density precedent was set so high that he doesn't believe that's an unrealistic number at all. He doesn't believe the infrastructure in Tarrytown allows for the flexibility of all this development. He is concerned about the traffic in Tarrytown and believes an independent traffic study should be conducted. He believes that residents are not aware that this is going on and encourages the Village to send out a survey to get an immediate gauge of support or lack thereof.

Mayor Butler asked the Village Attorney to address Mr. Fry's comment about development on the west side of the tracks. Village Attorney Zalantis noted that the Board of Trustees decided not to apply the SAO to anything west of the railroad tracks. It is correct that a lot of the land west of the tracks is Village-owned parkland and will remain Village-owned parkland.

Trustee Brown requested to continue this public hearing to the Board meeting after the Budget Hearing on March 15th.

(NOTE: THERE WAS A MOTION TO CLOSE THE PUBLIC HEARING AND FOR THE MATTER TO BE WITHDRAWN)– CHAPTER 305 ZONING – NEW ARTICLE FOR THE STATION AREA OVERLAY (SAO) ZONE

Trustee Zollo made a motion to close the public hearing relating to the Station Area Overlay (SAO) Zone and for the matter to be withdrawn, seconded by Trustee Hoyt. Mayor Butler, Deputy Mayor McGovern and Trustees Brown, Kim and Rinaldi voted no and Trustees Hoyt and Zollo voted yes. Not approved: 2-5

Trustees Brown and Rinaldi and Deputy Mayor McGovern and Mayor Butler voted no because they wanted to send the final version of the SAO back to the Comp Plan Management Committee for their input.

Trustee Kim voted no because he has questions whether this current form accomplishes the reasons why it was originally started, what is its purpose and benefit to the Village and what was the initial goal. He'd like to get those answers before closing the hearing.

Roll Call –Mayor Butler, No, Trustee Brown, No, Trustee Hoyt, Yes, Deputy Mayor

April 5, 2021, Regular Meeting of the Board of Trustees at 7:00 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 gatherings under NY on Pause.

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

Mayor Butler asked Village Administrator Slingerland to ask Village Engineer Pennella to present at the next Board meeting an explanation of the height variation when you use a gable or hip roof in terms of the 50% and perhaps have an illustration to explain what this means.

Village Engineer Pennella noted that right now he doesn't have a schematic or sketch, but he can generally explain. If you have a mansard roof, which is similar to what is on Hudson Harbor that is considered a flat roof. You are measuring to the average height of the mansard roof. If you are doing a sloped roof, that's measured to the average height, which is measured from the eave to the ridge and then you take the mean based on slope, so it is measured generically to the midpoint. He doesn't believe you are going to see a sloped roof for this type of development. It's cost prohibitive. These roofs would be so tall and it's not beneficial to them, they want to maximize the space. Mr. Pennella offered to present a sketch at the next Board of Trustees meeting.

Village Engineer Pennella noted that in reference to graywater that was brought up doesn't seem correct. If it wasn't allowed, then why is it included in the plumbing code? There's a whole chapter on what's called non potable or reclaimed water, not necessarily called graywater. Graywater is something he refers to as from wastewater treatment plant is treated water. In this case, it is basically non potable for irrigation purposes, washing cars, stuff like that, but it is not true graywater that comes from a treatment plant.

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

Peter Bartolacci, Miller Avenue, asked if the universal solar permit is on the agenda tonight. Administrator Slingerland noted that it is not on the agenda tonight, it requires a local law amendment.

FIRE DEPARTMENT MEMBERSHIP CHANGES

Trustee Zollo moved, seconded by Trustee McGovern that the following resolution be approved: Motion carried, all voting "aye" with the exception of Trustee Hoyt who recused himself.

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the following Fire Department membership changes recommended at the February 16, 2021 Board of Fire Wardens meeting. Members: Sawyer Hershman has been approved for active membership at Hope Hose and Justin Sims has been approved for out-of-town active membership at Hope Hose. The following members have been removed from the Phenix Hose Active Rolls: Ryan Lucia, Joseph A. Arduino, Ronald Bucci, Sr., Ronald Bucci, Jr., Scott Nilsson, John Joe Minella, Tim Arduino, Nick Ranieri and Robert Errico Jr. The following members have been removed from the Hope Hose Active Rolls: Shawn Holmes, Chris McNally, Amada Reimundez, Ricardo Reimundez, Luis Soriano and Max Lopez. Drivers: [The following names are listed as drivers for Washington Engine]

achieved by respective members of the Fire Department for qualification for Village contribution to the Fire Department members service award program, which report shall be posted for public inspection and comment for 30 days prior to Board of Trustees' consideration of approving submission of the report to the pension fund underwriter, subject to final sign-off by the Mayor.

Roll Call –Mayor Butler, Yes, Trustee Brown, Yes, Trustee Hoyt, Recusal, Deputy Mayor McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

APPOINTMENT OF INTERMEDIATE CLERK – TREASURER AND CLERKS DEPARTMENT

Trustee Hoyt 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 appoint Benjamin McCoy on a provisional basis to the position of Intermediate Clerk, Step 1, shared on roughly a 60/40% basis between the Treasurer's and Clerk's Department at an annual salary of \$49,849 effective Tuesday, March 2, 2021 and shall be subject to a probationary period and to all applicable Civil Service Rules and Regulations.

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

APPOINTMENT OF RECREATION ATTENDANT

Trustee McGovern moved, seconded by Trustee Brown, 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 appoint Kathryn Morales as Recreation Attendant to work at the Front Desk at the Fitness Center at a salary of \$13.50 per hour effective March 2, 2021 and shall be subject to all applicable civil service rules and regulations.

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

TWO APPOINTMENTS TO THE TRANSPORTATION AND MOBILITY COUNCIL

Trustee Zollo moved, seconded by Trustee Hoyt, 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 appoint Salvatore Denise and Kerry Steib as members of the Transportation and Mobility Council for a term to expire in December, 2022.

APPOINTMENT OF CHAIRWOMAN TO THE ETHICS BOARD

Trustee Rinaldi thanked Fred Mauhs for over 15 years of service on the Ethics Board and as Chairman of the Ethics Board since its inception.

APPOINTMENT OF A MEMBER OF THE ETHICS COMMITTEE

Trustee Zollo moved, seconded by Trustee Rinaldi, 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 hereby appoints Steve Kasoff as a member of the Ethics Board, for a term that will expire in December, 2021.

APPOINTMENT TO THE FIRE SPRINKLERS BOARD OF APPEALS

Trustee Kim 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 appoint Albert Collado, P.E. as member of the Fire Sprinklers Board of Appeals for a term to expire in December of 2022.

RESOLUTION TO AUTHORIZE A LICENSE AGREEMENT FOR CONSTRUCTION PURPOSES, A DEVELOPMENT AGREEMENT FOR CONSTRUCTION OF APPROXIMATELY 69 MUNICIPAL PARKING SPACES AND PUBLIC WALKWAY TO BE CONVEYED TO THE VILLAGE BETWEEN THE VILLAGE OF TARRYTOWN AND THE DEVELOPERS OF 62 MAIN STREET (CURRENTLY OWNED BY THE FAMILY YMCA OF TARRYTOWN) AND AN OFFEREE AFFIDAVIT

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

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

WHEREAS, pursuant to a certain Declaration of Interest and Nominee Agreement to be entered into on or about March 2021, the HDFC will become the bare legal or record owner, and the Partnership will be the beneficial and equitable owner, of certain real property located in the Village of Tarrytown, County of Westchester, State of New York, and identified on the Tax Map of the Town of Greenburgh as Section 1.70, Block 33, Lots 23.1 and 23.2) (the "Property");

WHEREAS, the HDFC is the co-general partner of the Partnership, and HDFC and the Partnership have been formed for the purpose of providing residential rental accommodations for persons of low income, and in particular to develop, own, construct, maintain and operate the Project (as defined herein); and

WHEREAS, the Village is the fee owner of the adjacent property known as South Washington Street West Lot, located at S. Washington Street, Tarrytown, New York, also known and designated on the tax assessment map of the Town of Greenburgh as Section 1.70, Block 33,

parking spaces on a portion of the ground floor level and two below-ground levels will be for building residents (collectively, the “Project”).

NOW, THEREFORE, BE IT RESOLVED that in furtherance of the development of the Project, the Board of Trustees of the Village of Tarrytown does hereby authorize the Village of Tarrytown to enter into a Development Agreement and for the Village Administrator to execute such agreement for construction of approximately 69 parking spaces and walkway and a License Agreement for use of a portion of the Municipal Lot for construction purposes with HDFC and the Partnership, in form to the satisfaction of the Village Attorney and the Village Administrator, upon the conveyance of the Property to HDFC as bare legal/record owner and the Partnership as beneficial and equitable owner, and authorizes the Village Administrator to take the necessary and appropriate actions to effect and execute such agreements; and

BE IT FURTHER RESOLVED, that the Village Administrator is hereby authorized to execute an Offeree Affidavit on behalf of the Village of Tarrytown in support of the application of Wilder Balter Partners, Inc. to the New York State Attorney General's Office for a “No-Action Letter” for the creation of a commercial condominium at the Property (Tax Parcels Section 1.70, Block 33, Lots 23.1 and 23.2), whereby Unit 2 will consist of the residential apartments, amenity spaces and resident parking, and Unit 1 will consist of approximately 69 municipal parking spaces and walkway and will be conveyed to the Village in accordance with the Development Agreement; and

BE IT FURTHER RESOLVED, that the Village Administrator is hereby authorized to execute any and all documents, agreements, instruments and certificates, necessary and proper to carry out the purposes and intent of this resolution and to do such acts as may be reasonable and necessary to effectuate and consummate the transactions authorized hereby, including approving such changes thereto as determined reasonable by the Village Administrator and Village Attorney and consistent with the approved terms as set forth in this resolution.

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

ADOPTION OF THE FINALIZED POLICE REFORM AND REINVENTION REPORT

Trustee Brown, member of the Police Reform and Reinvention Committee thought the process was a very uplifting effort and we are going to send this great report to Albany and it is going to make Tarrytown look good because it is a great report. She wants to make sure we have a plan to move forward, specifically with a human rights committee or a kind of social action committee, which was one of the recommendations and the only one that doesn't fall on the Police Chief's shoulders.

Trustee Rinaldi noted that in the appendices, there are a lot of email communications, of which, some of the communications doesn't really seem to be about police reform and reinvention. He's not sure that all the communications should be in the report because they are not specific to the process.

Mayor Butler thanked the Police Reform and Reinvention Committee Chairman, Trustee Zollo and members Trustees Brown and Rinaldi, all the members of the Steering Committee and the Stakeholders Committee for all the time and effort you have all put into completing this report. He thanked Police Chief Barbelet and his senior staff for the great work that they have done during this process.

A. Review and maintain training to remain current with the times and the needs of our community.	To continue to train and evaluate these topics on an annual basis in addition to past topics. Having a Lieutenant trained as trainer in Procedural Justice allowing for the Department to address changing trends in this area of policing.	Approved
B. New de-escalation, anti-bias and antiracist training and continuing education for all police personnel - on an annual or biannual basis	Board and/or Staff to work together to determine whether this will be annual vs biannual (every other year) training.	Approved
C. Pursue and finish up the Tarrytown Police Department accreditation process	Assign the Staff Services Lieutenant as our designated NYS Accreditation Manager to allow us to achieve this goal and stay in compliance for years to come with the standards as they are updated and established by NY State.	Approved
D. Complete installation and implementation of body-worn cameras by Police Officers	To maintain the program, continue training and to post the policy of the Department regarding body worn cameras on the Village website.	Approved
E. Expand outreach from current “passive” level at retail/restaurant establishments to “active” meetings with HOAs or tenant associations, the Chamber of Commerce, and other groups	The Department is open to new forms of community outreach. Officers have been encouraged to enhance their involvement with the community during routine activities. The Department will investigate the feasibility (monetary, manpower) on instituting such policies as foot patrol and assigning on duty officers to attend community meetings. Chief will also reach out to existing HOAs and neighborhood associations.	Approved
F. Actively reach out to young people in the community to encourage their participation in youth education efforts and encourage them to pursue law enforcement careers.	To continue to expand on this program so it becomes an ongoing approach. To work with the schools, post COVID and allow different officers to attend meetings with the involved youth. The Department will continue to explore and listen to ideas outside of the box that will allow us to accomplish this goal. One such example is our event, “Books and Badges” allowing young people to have a positive interaction with law enforcement.	Approved
G. Either appoint an in-house staff person or request County and State action to create/restore funding for mental health support in substance abuse, domestic violence, identified persons with histories of mental health issues.	Work with Town, County and State government to find an economically feasible way of incorporating mental health professionals into calls for service where their expertise will be utilized to assist law enforcement. Specific suggestions 1. Restore the County’s mobile crisis mental health response team through County Government or 2. Partner with the Town of Greenburgh and its incorporated Villages to explore the possibility of a “fly car” system with a qualified professional in the Town to assist those in need of mental health support services.	Approved
H. Review and examine the department’s DARE	The Village is open to coordinate with the school district on continuing the program, researching an	Approved

subduing violent offenders to ensure the safest non-lethal means and methods are being utilized locally. (Note: This is also part of the accreditation process.)	for any irregularities or patterns. We can also post this general order on our departmental website/public information portal. Institute yearly internal review of any uses of force from the prior year with the Village Administrator's office.	
J. Advocate for changes in the Civil Service process, related to the hiring and discipline of persons as police officers. Encourage changes to civil service to expand educational requirements for new hires, allow flexibility in the use of lists to promote diversity, make it easier to discipline or remove an officer for willful misconduct, and amend the "rule of three" to allow more candidates to be considered.	Police agencies and municipalities across Westchester County who operate under the jurisdiction of the Westchester County Civil Service should elevate these concerns for consideration by our County and State officials.	Approved
K. Advocate at the NYS level to de-criminalize minor Vehicle and Traffic Law (VTL 511) violations. Note: This is a recommendation from the representative of the District Attorney's Office.	This issue can only be changed or modified on the State level. The Village officials and police department officials will coordinate with other governments to advocate for this change with our state officials, including through the New York Conference Of Mayors (NYCOM).	Approved
L. Issue an annual or biennial (meaning every two years) survey to the community seeking input and feedback on the Police Department	The concept of performing regular surveys holds value in obtaining information from the community. This is a venture that warrants further discussion, survey refinement and goal setting.	Approved
M. Create a long-term Police Advisory Committee, or a Policing Committee for ongoing discussions and listening sessions with the community.	The establishment of a police advisory committee is one the Village is discussing. A thought would be to create an advisory committee that would assist residents in different areas of concern not just focused on the police department. A group of appointed citizens could help those in need navigate housing issues, educational concerns or law enforcement concerns.	Approved
N. Create a separate	The establishment of a dedicated citizens' advisory or	Not Approved

arrests, for Tarrytown to review and post for public view at least on an annual basis.	policy, body camera policy, how to submit a compliment/complaint, etc.	
P. Initiate new programs to enhance and maintain officer wellness (including mental and behavioral health services)	The Department has begun to searching for new initiatives to address these issues. One such program we will be starting soon deals with “First Responder Wellness and Suicide Awareness”. We have also begun to a discussion with NYS Office of Mental Health for an in service program to work with individuals in distress and increase officer wellness.	Approved

Trustee Rinaldi asked Village Attorney Zalantis if there is any issue with people’s names on emails who may not want their names in a report that is being sent to the Governor’s office.

Village Attorney Zalantis noted that if that is an issue for someone, the Village could redact names on the emails before sending the report to the Governor’s office, if the Board of Trustees agrees to do that.

Administrator Slingerland noted that he will take care of that and make sure the names get redacted.

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

BE IT RESOLVED, that pursuant to the Governor’s Executive Order #203 of 2020 to review the Village of Tarrytown’s Police Department and how it provides public safety and law enforcement services to our community, and upon completion of that process and the production of a report on Police Reform and Reinvention for the Village of Tarrytown, the Board of Trustees of the Village of Tarrytown does hereby adopt the final report and enacts the Board’s recommendations as enumerated in the Report under Board Actions, to complete the Police Reform and Reinvention process, and will include public comment from public meetings held on January 26, 2021, February 9, 2021, February 17, 2021, and other written communications received by the Village on this topic in January and February, 2021; and

BE IT FURTHER RESOLVED, that the Police Chief, the Village Clerk and the Village Administrator are hereby directed to take the necessary and appropriate actions to file this report as set forth in the Governor’s Executive Order by the deadline of April 1, 2021.

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

SCHEDULE A PUBLIC HEARING ON A PROPOSED LOCAL LAW TO AMEND THE VILLAGE CODE REGARDING SPECIAL EVENTS AND PARADES AND RELATED PERMIT APPLICATIONS.

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

OF FEBRUARY 16, 2021

Trustee McGovern moved, seconded by Trustee Kim, and unanimously carried, that the following resolution be approved as amended: 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 Tuesday, February 16, 2021 as submitted by the Village Clerk.

APPROVAL OF THE MINUTES OF THE BOARD OF TRUSTEES SPECIAL MEETING REGARDING THE POLICE REFORM PUBLIC HEARING #2

Trustee Zollo moved, seconded by Trustee Kim, 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 special meeting regarding the Police Reform and Reinvention Public Hearing #2 held on Tuesday, February 9, 2021 as submitted by the Village Clerk.

APPROVAL OF THE MINUTES OF THE BOARD OF TRUSTEES SPECIAL MEETING WITH THE POLICE REFORM AND REINVENTION COMMITTEE

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 approve the minutes of the special meeting with the Police Reform and Reinvention Committee to finalize the Police Reform Report held on Wednesday, February 17, 2021 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS

Trustee McGovern moved, seconded by Trustee Rinaldi, 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. 16 of Audited Vouchers in the total amount of \$317,258.87 to be paid in the following amounts:

General	\$ 183,769.80
Water	\$ 17,031.79
Sewer Fund	\$ 143.33
Capital	\$ 88,247.48
Library	\$ 10,254.26
Trust & Agency	\$ 17,812.21
Total	\$ 317,258.87

Roll Call –Mayor Butler, Yes, Trustee Brown, Yes, Trustee Hoyt, Yes, Deputy Mayor 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 THREE (3) MINUTES

Mayor Butler noted that he believes they are proposing parking in the actual hotel. He believes this was a preliminary, conceptual plan, so at this time, he doesn't believe a decision has been made. The Village has not given the applicant any indication that he can use Village property.

Village Attorney Zalantis noted that the applicants have been directed to submit a formal plan. At this time, we don't know what the plan is yet until a formal plan is submitted to the Village.

Craig Allan, Warner Avenue, noted regarding the Hudson Harbor roads that the Village can't adopt, he asked why Hudson Harbor got Planning Board approval if the roads did not meet the Village standard. If the roads were not adopted by the Village, do the roads fall to the original developer or to the current residents of Hudson Harbor to pay for repairs of those roads and did the Fire Department sign off on those plans.

Village Attorney Zalantis noted that the Village did not say we were not taking the roads, the point was that they weren't developed to Village standards. We are trying to rectify that situation with the Planning Board so they can potentially be accepted by the Village.

Frank Giampiccolo, Hamilton Place, noted that he was very fortunate to be a member of the Police Reform Committee with the Village. As a retired Police Sergeant with over 36 years with this wonderful Village, it was a great pleasure and he learned a lot on the committee. Most important, after 36 years of service where he has worked with a few Police Chiefs over the years, he has never seen as much positive changes in the last three months under Police Chief Barbelet's leadership. It was a pleasure being on this committee and working with people with transparency and honesty. We are very fortunate to have John Barbelet as the Village's Police Chief. He is going to make our great police department even better.

Mike Love, Main Street, noted that there are many hotels that are listed as Tarrytown hotels, why do you want another hotel when in the past, the Planning Board and the Board of Trustees has denied Bed and Breakfasts within Tarrytown. Affordable housing, transient housing and artist/craft space makes sense. But to take waterfront public space away from what is known as a river town and give it to a private entities as developers, doesn't make sense. It doesn't make sense to put something on the river that's only going to be privately owned and limited access.

ADJOURNMENT

On the motion of Trustee Hoyt, seconded by Trustee Zollo, the meeting was adjourned at approximately 9:35 p.m. by vote of seven in favor, none opposed.

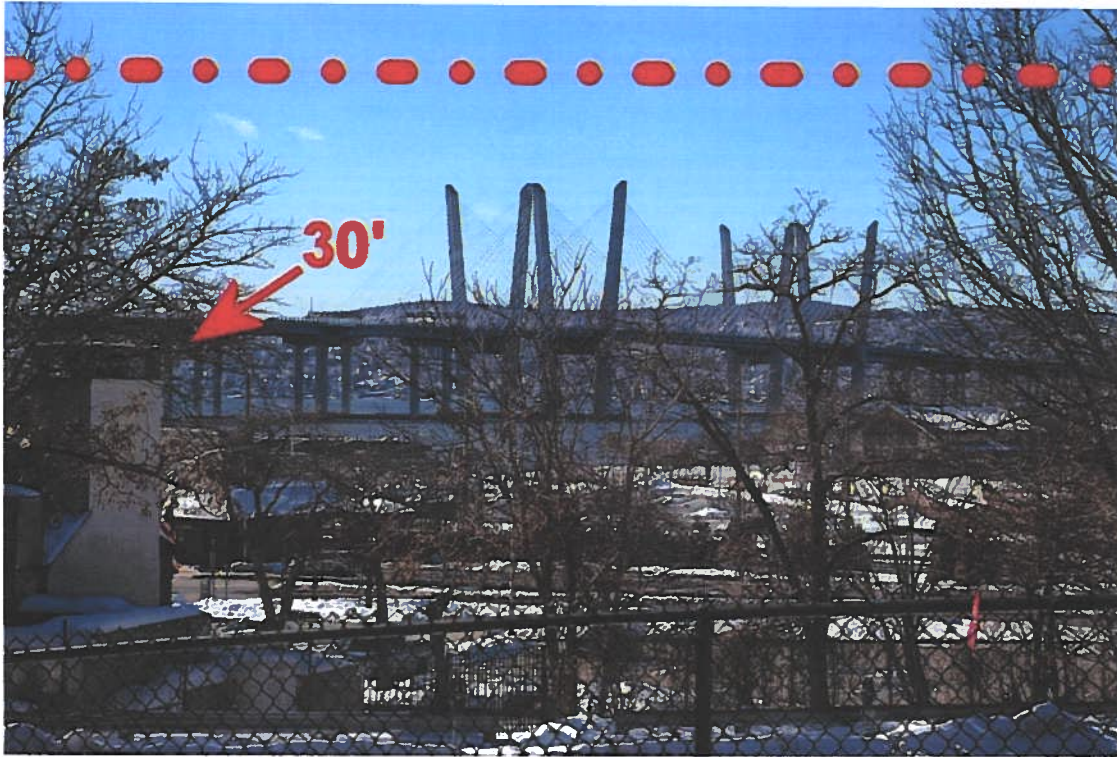
Scorecard Weight Comparison

3/1

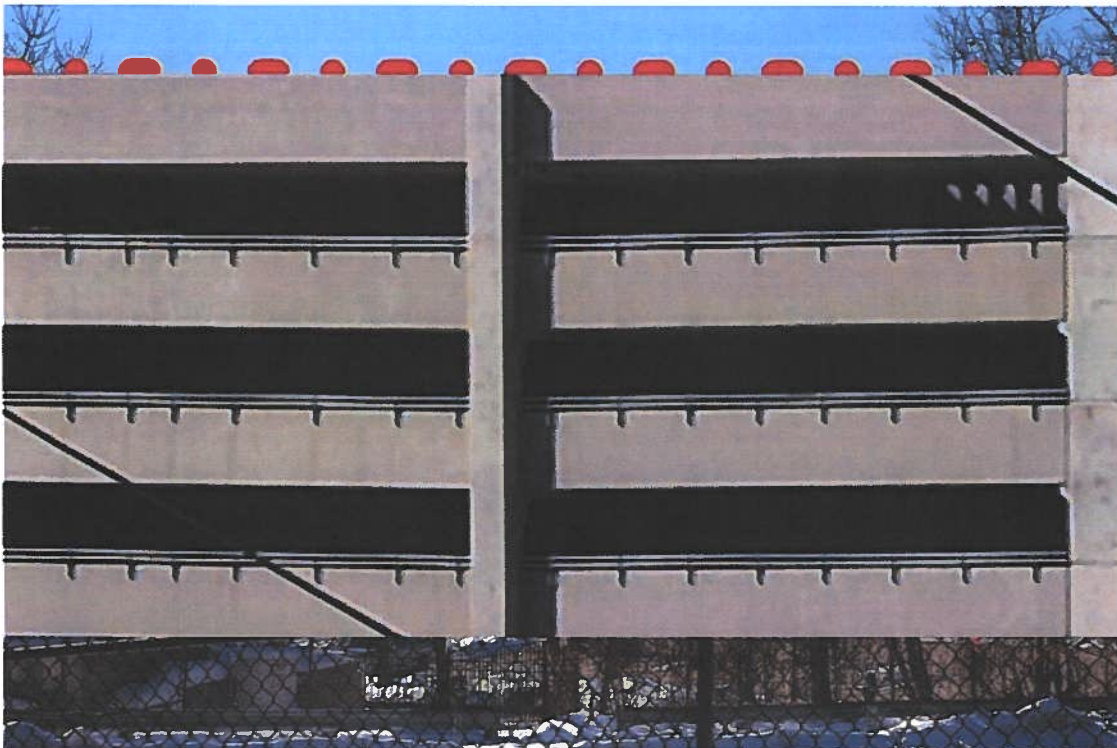
P. Peil

<u>Category</u>	<u>Item</u>	<u>2019</u>	<u>2021</u>	<u>Delta</u>
<u>Land Use</u>	Mix of Uses	3.3%	4.3%	1.0%
	Appropriateness	3.3%	1.4%	-1.9%
	Adverse Use	3.3%	4.3%	1.0%
<u>Mobility</u>	Complete Streets	2.0%	2.0%	
	Depot Plaza	2.0%	2.0%	
	Open Space	2.0%	2.0%	
	Congestion	2.0%	2.0%	
	Connect to Downtown	2.0%	2.0%	
<u>Parking</u>	Plan	2.5%	3.3%	0.8%
	Location	2.5%	3.3%	0.8%
	Modes	2.5%	3.3%	0.8%
	Commuters	2.5%		-2.5%
<u>Affordable Housing</u>	30% of Units	1.7%	2.1%	0.5%
	Level	1.7%	2.1%	0.5%
	Location	1.7%	2.1%	0.5%
	Mix	1.7%	2.1%	0.5%
	Ownership	1.7%	0.7%	-1.0%
	Senior	1.7%	0.7%	-1.0%
<u>Neighborhood Character</u>	Viewshed	1.7%	0.9%	-0.8%
	Legacy	1.7%	2.7%	1.1%
	Ground Floor	1.7%	1.8%	0.2%
	Design	1.7%	1.8%	0.2%
	Landscape	1.7%	1.8%	0.2%
	Uses	1.7%	0.9%	-0.8%
<u>Infrastructure</u>	Stormwater Runoff	1.7%	1.7%	
	Stormwater Capture	1.7%	1.7%	
	Water Cost	1.7%	1.7%	
	Sewer Cost	1.7%	1.7%	
	Design	1.7%	1.7%	
	Renewable Energy	1.7%	1.7%	
<u>Open Space</u>	Identified	1.7%	3.3%	1.7%
	Use	1.7%	3.3%	1.7%
	View Corridors	1.7%	3.3%	1.7%
	50' Buffer	1.7%		-1.7%
	Under 100' High	1.7%		-1.7%
	Water Access	1.7%		-1.7%
<u>Sustainability</u>	Passive	1.7%	1.7%	
	Greywater	1.7%	1.7%	
	Moderate Extremes	1.7%	1.7%	
	Sea-Level Rise	1.7%	1.7%	
	Flooding	1.7%	1.7%	
	Energy Performance	1.7%	1.7%	
<u>Bonus</u>	10% Project Cost	<u>20.0%</u>	<u>20.0%</u>	
<u>TOTAL</u>		100.0%	100.0%	0.0%

Greywater = 2 x Viewshed



Vs.



Ask: What is Important?

Ideals Promised

9/8/20 Minutes

The Village Board is working with the Village Attorney and the Village Consultant on the identification and definition under a separate provision in the Village Code that would cover the view sheds that we want to protect along the waterfront. The Village will be working on this and it could take a couple of weeks.

Current SAO Proposal

Development in the SAO will not impact public scenic views of the Hudson River and Palisades.

Current Environmental Proposal

A. Purpose. The purpose of this section is to define important public views of the Hudson River and to protect and preserve those views.

Cottage Place near Main Street

LWRP

Tarrytown is a true "River Town" with its history, its community identity, and its pride inexorably tied with Hudson River. Ensuring that views of the River are maintained is an important element of the LWRP.

the intersection of Main Street and Cottage Place

Comp Plan

requires the preservation of historically significant viewsheds.

expansive views solidifies its identity as a River Town.

Maintain view sheds

densify but not hurt views

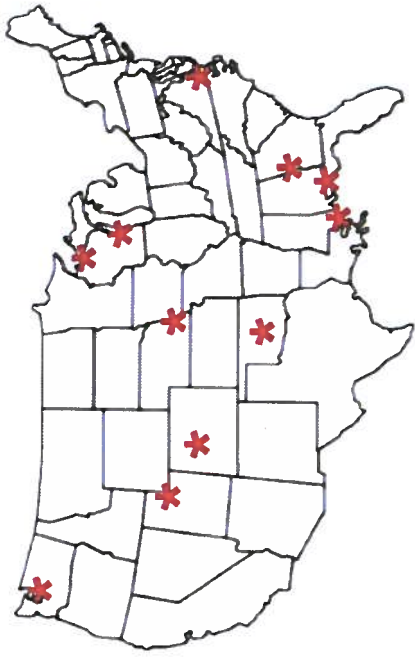
Ideals **NOT** Delivered - Why?

Unlimited Dialog w Developers

(Citizens get 3 Minutes & No Input on Score Factors)

Summary

- 1 Due Diligence Shows Poor Fit
- 2 Complex & Conflict Prone
- 3 Labor Needs Not Understood
- 4 Staff Feedback Not Sought
- 5 No Public Involvement in Weight Factors
- 6 Minimal (<1%) Weight for Viewsheds
- 7 Disregard for Stated Goals & Promises
- 8 No Dimensional or Financial Safeguards
- 9 Maximum Developer & Minimal Citizen Input



“Deaf” to Public Comment

GREAT Idea!

From: Tarrytown NY <cmsmailer@civicplus.com>

Date: February 26, 2021 at 12:18:42 PM EST

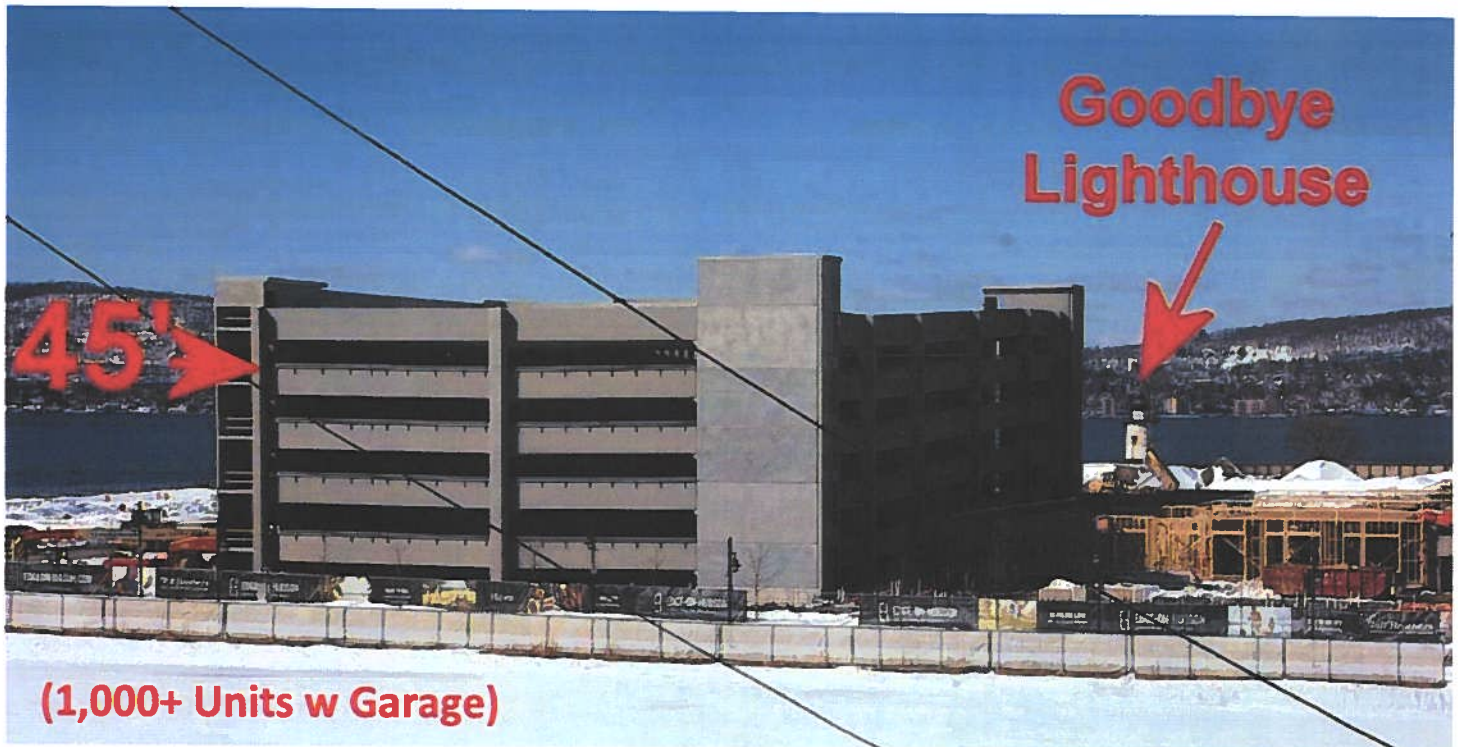
Can you tell we like surveys yet?

Since 60 Years of Zoning Practice is Being Overturned,

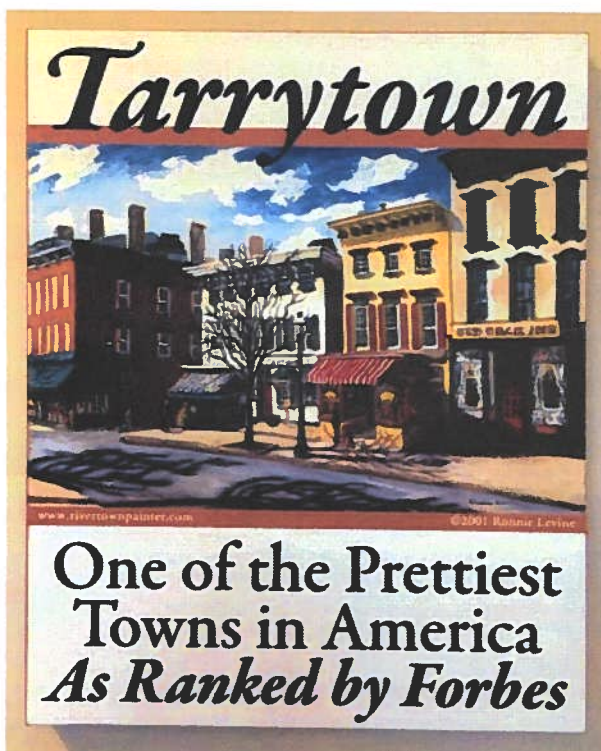
Why Not Send Out a Survey?

Technology is at Hand. Let's Use it!

View Our Future at Beekman!



Remember Our Past . . . Fondly



Forbes Ranks Tarrytown
Among Top 10 Prettiest
Towns in America.