

Board of Trustees
Village of Tarrytown
Regular Meeting No. 11
Via Zoom Video Conference
March 15, 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 Zalantis; Treasurer Hart and Village Clerk Booth

Trustee Hoyt arrived at 7:15 p.m.

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/33746> 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 6:00 p.m. and went directly into Executive Session to conduct police interviews.

County Executive George Latimer gave a quick update regarding the COVID pandemic in the County. He was joined with Ellen Hendrickx, Assistant Director of Intergovernmental Relations. He appreciates Ellen’s role as liaison and working with the local governments. They have seen a reduction in the extent of the infection in Westchester County. At one point in January, there was 11,500 active cases, they are down to 5,347 active cases today. This is a good sign. Recent hospitalizations are at 254, that’s down from a peak of 588 in the month of January. There’s nothing good about fatalities, we’ve lost 2,149 Westchester residents during the whole pandemic. But the weekly fatality numbers are down. We lost 21 people in the last week, which is less than half of what we were losing in January at the peak. On the other side of the coin, the vaccination numbers have been rising and that’s encouraging. The County Center has been opened up as a macro place for as much vaccinations as possible. We have almost issued 110,000 vaccinations at that location alone. We have a second type of vaccination center of the same magnitude in Yonkers at the Armory, which just opened a short bit of time and they issued slightly under 10,000 vaccinations so far, but that number is going to grow. We have two clinics, one at the Community College and another in downtown White Plains, where we have vaccinated in the aggregate of 22,000 individuals. County-wide, the percentage of people fully vaccinated is 13% of all Westchester residents have received either Moderna, Pfizer or Johnson & Johnson. An additional 11% received at least one shot of the two-shot vaccination. So the aggregate is 24% assuming everybody goes back to get their second shot. We have also had pop ups in a number of locations, including one at the Sleepy Hollow High School scheduled for next weekend. Open door and local pharmacies are doing vaccinations as well. The Governor opened up the eligibility level, now 60 years and older are eligible for a vaccine. We still suffer from not having enough vaccines to satisfy the demand as it exists today. We are hopeful that the more vaccines to get out there, the better we have a chance of putting this thing in rearview. With that in mind, the County is anticipating a better Spring than last year. Golf courses will be open like last year, we opened our beaches and pool last year, but did not open Playland last year, and they plan to open Playland this year. Summer concerts in the park will be allowed with social distancing. Summer camp programs will be allowed with social distancing. He noted that we are being joined by County Legislator Alfreda Williams. She has been a terrific partner to us in all of these things. We have allocated money in the last year for food insecurity for people who need food. We allocated money for small business assistance. We have been involved in preparing for what’s coming, which is a lifting of the ban on evictions. There is going to be a flood of eviction cases, both residential and commercial. The County budget was delivered to the Board of Legislators,

amended and was voted on and passed. The budget is slightly under \$2.1 billion. It funds all the basic services that we've had in the past. We also managed to cut spending by \$15 million and cut the property tax levy by a million. Last year, the impact of cutting, will probably be about a 3% reduction for your county portion of taxes.

Trustee Brown noted that the Housing Action Council located in Tarrytown, and our housing committee, are helping people pay their rent in Tarrytown. So, if any residents in Tarrytown are having problems paying their rent due to the pandemic, they've been actually given money to try and keep up on those payments.

Administrator Slingerland noted that he thinks that's through an anonymous donor through the Housing Action Council.

Assistant Administrator Ringel asked if we know what percentage of the senior population has been vaccinated in Westchester. County Executive Latimer noted that he doesn't have a number to answer that question, but he believes that a significant portion of that 24% of the total population are seniors.

Mayor Butler asked if the County is able to capture the residents who get vaccinated outside of the County, as he did. He got his vaccinations at the VA Hospital in the Bronx. County Executive Latimer noted that the vaccinated numbers come from the State. They go by the zip code of the individual who was vaccinated. So, those Westchester residents who received their vaccinations outside the County are included in the 24% of the Westchester population who were vaccinated.

Trustee Rinaldi noted that it was his understanding that the percentage of seniors who were fully vaccinated were higher than what the County Executive reported.

County Executive Latimer noted that he didn't have the exact numbers of seniors vaccinated and he doesn't know how the County compares with the nationwide numbers. The County has made an effort to also vaccinate people based on job affiliation whereby the age of the vaccinated residents would be skewed.

Trustee Rinaldi noted that the Westchester County Center has done a great job and it had a great flow. He wondered if there are any plans or thoughts of having mobile clinics.

County Executive Latimer noted that they have asked the State for a steady supply so we could put mobile teams out there on a regular basis. There are organizations like Empress, which has a contract with a lot of communities who has the capacity to facilitate a mobile vaccination unit. The biggest reason why it isn't happening yet and may not happen in the short term is that we don't have the commitment of vaccines yet. He thinks that we are going to see many vaccination sites in different places. At that point in time, we will forget how hard it was in the beginning of this process to get a vaccine because it'll be easily gained by anybody who needs it.

Mayor Butler thanked County Executive George Latimer for the County's COVID update tonight and noted that he is invited back anytime.

Alfreda Williams, Westchester County Legislator noted that she had some good news from Senator Schumer earlier today, he informed us that the COVID bill that was just signed a couple of days ago in Congress will mean some revenue for the County of Westchester. She doesn't know how much, but this is to reimburse the Village for your losses and the need to cover essential personnel like firefighters and police officers etc. For more information, you can contact Megan Glander, the constituent person and the number is 212-486-4430 and they will be able to explain the COVID legislation that was just passed. This is welcoming news for all of us. It may not reimburse us entirely, but it will mean a great deal of assistance for us and for the communities in Westchester County.

Mayor Butler and Administrator Slingerland thanked County Legislator Alfreda Williams for coming by and giving us the good news.

REPORTS

Deputy Mayor McGovern noted that she is going to let Assistant Administrator Ringel give the COVID update tonight. The Recreation Department is cautiously preparing an Easter Egg Hunt. If it moves forward, it will be held at Pierson Park, not at Patriots Park. Gym memberships are ongoing and pool memberships are not online yet. The Seniors are back to playing Bingo. Next Wednesday, the Seniors are having a Saint Patrick's luncheon. The seniors will pick up the prepared lunches at the senior center.

Trustee Brown noted that TaSH Farmers Market uses EBT, food assistance programs. People who get vouchers can use their vouchers at TaSH and they will actually double them.

Trustee Zollo noted the following:

- On Saturday, March 6th, the Tarrytown Police Department held their "Books and Badges" event at the Police Department. Over 150 children participated in the event.
- There is still two weeks to register for the Westchester County's Police Exam. He encouraged every young adult who might consider a career in law enforcement to take the test. Last day to register is March 29th. The test will take place on May 15 and May 16. You can get information on this on the Police Department's homepage at the Tarrytown's website. The Tarrytown Police Department is holding a prep course for the police test sometime in April.

Mayor Butler noted the following:

- The "Books and Badges" police event was an outstanding event. He wanted to also mention that there were police officers from Mount Vernon at the event who also helped with the event.
- The Westchester County Police Exam will be held on May 15 and May 16 and the Mount Vernon Police Exam is also being given on the same days. He understands that if you register for both exams, you only have to sit for the one exam, but your grade will be considered for both Westchester and Mount Vernon.

Assistant Administrator Ringel noted that this Saturday there will be a pop up vaccination site through a four-way partnership with the Villages of Tarrytown and Sleepy Hollow, the Public Schools of the Tarrytowns and Rite Aid at the Sleepy Hollow High School to any resident of New York. So far, we have 650 people scheduled to receive the vaccine. We have received many cancellations and sent out many emails through our head volunteers, Loretta and Roger London, who setup about 30 volunteers for each shift. This is a very large task and thankfully we have received help by many volunteers and staff.

Deputy Mayor McGovern asked how many people are on the waiting list. Assistant Administrator Ringel noted that right now there are 420 people on the waitlist. The waitlist or the registration period closed at 9 a.m. today. Deputy Mayor McGovern thanked Assistant Administrator Ringel for all his work on the pop up vaccination site, you're doing a great job.

Assistant Administrator Ringel thanked Rite Aid for providing the vaccine. He thanked the Village of Sleepy Hollow and the Tarrytown Recreation Department for helping call over 650 people to let people know of their appointment. He was handling the backend component. He thanked Loretta and Roger London who helped with the volunteer component and thanked the school district for lending us the space. There were two seniors who helped making calls in the Recreation Department and Kathy has been very helpful at Village Hall. Everyone has been extremely cooperative.

CHANGES AND/OR ADDITIONS TO THE AGENDA

- Amendment to the appointment of Kristine Gilligan as Village Clerk, with a start date of April 15, 2021.
- Addition to the agenda: Authorizing the Village of Tarrytown to continue to Act as the Funding Recipient and Transferor accepting Fund Disbursements from the CB Warner Library Endowment Fund and processing the payment to the Warner Library.
- Addition to the agenda: Schedule a Special Meeting on March 24, 2021 at 6 p.m.

ADMINISTRATOR'S REPORT - Administrator Slingerland reported on the budget.

PUBLIC HEARING – TENTATIVE BUDGET FOR FISCAL YEAR 2021 - 2022

Public Hearing on the Village of Tarrytown's Tentative Budget for Fiscal Year 2021-2022, to be opened this evening, and continued through to the next meeting of the Board of Trustees on April 5, 2021, with the adoption of the Budget scheduled to take place on April 19, 2021. The Village Administrator will make the annual Budget Presentation tonight and then the Budget Hearing will be opened up for public comment.

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

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

Administrator Slingerland presented the Village of Tarrytown's Tentative Budget for Fiscal Year 6/1/2021 to 5/31/2022 and noted that the public has the tentative budget available to them on our website:

General Fund Budget:	\$27,005,544
Library Fund Budget:	\$ 1,790,065
Water Fund Budget:	\$ 6,019,959
Sewer Fund Budget:	<u>\$ 220,057</u>
TOTAL All Budgets:	\$35,035,626

Administrator Slingerland noted that this has been a difficult year being the second year that we are going into the pandemic. Budget Highlights 2021-2022 – Tentative General Fund budget overall spending increase is 2.23%. Largest increases are in pension costs by \$351,455 (a 20.8% increase) and Medical benefits by \$143,501 (a 4.63% increase). Due to refinancing, we are saving \$359,464 (a 9.33% decrease). Other areas where significant changes were experienced are: Police Department salaries increased by 2.6% per their adopted contract. Loss in revenue in the "Transportation" lines, which includes hotel tax by approximately \$1.3 million. To offset that, appropriation of \$1.2 million in General Fund Fund-Balance, and \$800,000 in Water Fund Fund-Balance.

Trustee Brown asked regarding the two pension funds, the budget shows the impact of the market volatility on the investments. So, in a year when the market has done so well, why aren't we doing well?

Administrator Slingerland noted that the pension fund is under the control of the New York State Comptroller. Village Treasurer Hart noted that they usually change their rates every four or five years. It was based on the market base, but currently they change the rate every couple of years, so it's a more solid number.

Administrator Slingerland noted regarding Tax Rate and Tax Levy, the tax rate this year is 8.5588 per \$1,000 of value, that's an increase of 26 cents per \$1,000 of value or 3.175% increase. The total Village Tax Levy is \$18,432,859, which is an increase \$564,396 over last year. The total levy increases by 3.162% (1.31% for Villages, plus Tarrytown's "growth factor" percentage). The Village is carrying over an unused total available levy dollar amount of \$276,902, for future years. The tentative levy increase is 3.162%. Budget Highlights for the other funds: Library fund is about 1.8 million, increasing 4.37%. It sounds like a lot, but it's actually slightly over where we were two years ago. The Water fund totals \$6,019,959, which is actually a projected decrease of \$27,900 or half a percent. Total pension costs account for 7.5% of the total budget, which makes up a larger percentage of the total budget for this year. The medical costs for the budget for this year account for approximately 12% of the total budget. Non property tax revenues includes sales tax, mortgage tax, building permits, parking and parking meter fees and hotel tax. The Village is projecting a loss in revenue, including hotel tax and parking fees by a total of \$1,335,440. We have increased some revenues, from the Building Department fees and sales tax went up quite a bit. That has been a big help that gave us another \$300,000 from revenue. Then, as he mentioned before, the additional \$600,000 from fund balance and the additional \$300,000 from water fund balance are helping us balance the budget.

Trustee Brown noted that in the past, mortgage tax had gone up and it would make sense since so much real estate has changed hands, but not only did it go down, it's significantly down from just a couple years ago.

Administrator Slingerland noted that we did not receive the second mortgage tax payment, but the first payment was a lot lower than we expected. There has been a lot of home sales, but he believes that there may not be a lot of larger mortgages happening and there may not be a lot of commercial property sales. We expect the second payment in August.

Administrator Slingerland noted the American Rescue Plan is the information provided to us through the New York Conference of Mayors and also some of the discussions we had with federal U.S. Senator Schumer. The Town of Greenburgh is being allocated \$9.98 million. If it's based on being distributed by population and Tarrytown is almost exactly 12% of the town's population, our share would be \$1.25 million. We have heard that it's going to be split up over two years. So the Village would get \$623,000 one year and \$623,000 the second year. This can be used for loss revenue and restore the revenues that would normally be paid to us through parking fees/street parking fees and hotel tax. The Fund Balance Status – At the end of last year, we really clamped down on spending. We had a total fund balance of \$7.8 million, we used \$1.2 million for fiscal year 2020-2021. We expect we will have approximately \$6.6 million fund balance. And then we will be able to restore money back into that.

Mayor Butler asked Legislator Alfreda Williams when the Village can expect the money. Legislator Alfreda Williams noted within the next 60 days.

Trustee Brown asked if we should consider the closure of Main Street given how much it costs. How was that budgeted and to what department. Administrator Slingerland noted that the overtime and things like that regarding the closure of Main Street would be funded by the contingency. It is not funded in any direct line. But, if restaurants are reopening, allowing people to have dining inside, maybe we don't need to spend that much money.

Trustee Hoyt thanked Administrator Slingerland and Treasurer Hart and all the Department Heads for a very good job on the budget, especially during the pandemic. The budget shows that you all worked together to try to tighten the purse strings a little more. As a resident, thank you very much.

There were no speakers.

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 continue the public hearing to the next regular Board Meeting on Monday, April 5, 2021.

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

Administrator Slingerland asked if we can move the following resolution up to appoint the new Village Clerk since Kristine Gilligan is on the Zoom call.

APPOINTMENT OF VILLAGE CLERK

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 hereby appoint Kristine Gilligan of Croton, New York, to the position of Village Clerk, at an annual salary of \$95,000, to fill the unexpired portion of the term that shall expire in December of 2022, and with a starting date of Thursday, April 15, 2021, subject to the provisions of Civil Service and other applicable local and State law.

Kristine Gilligan thanked everybody very much. She is very excited and she is looking forward to working for the Village of Tarrytown. She is happy to be here. The Board of Trustees congratulated her on her new appointment as Village Clerk.

PUBLIC HEARING ON A PROPOSED LOCAL LAW TO AMEND THE VILLAGE CODE REGARDING SPECIAL EVENTS, PARADES AND RELATED PERMIT APPLICATIONS (adopted)

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

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

Village Attorney Zalantis noted that this proposed law has been pared down, removing protests and demonstrations. This only regulates parades and special events as defined as Village space or Village public land to the exclusion of other members of the general public. Trustee Brown asked if there will be a fee with this application. Village Attorney Zalantis noted that there will be a fee. Administrator Slingerland noted that we will be working on a fee structure for this permit.

There were no speakers.

Trustee McGovern moved, seconded by Trustee Zollo and unanimously carried, that the hearing be closed.

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will hold a public hearing on Monday, the 15th day of March, 2021, at 7:00 p.m. 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 hear and consider a proposed amendment to Chapter 218 of the Code of the Village of Tarrytown, entitled "Parades."

A local law to amend Chapter 218 of the Code of the Village of Tarrytown, entitled "Parades" Be it enacted by the Board of Trustees of the Village of Tarrytown as follows:

Section 1. Be it enacted by the Board of Trustees of the Village of Tarrytown as follows (Language in **Bold and Underlined** to be added, language in ~~**Strikethrough and bold and underlined**~~ to be deleted):

Section 2. Amending Existing Chapter Heading. The title of Chapter 218 entitled "Parades" shall be amended to read as follows: "Parades **and Special Events**"

Section 3. Existing Provisions Repealed. Chapter 218, Section 1 entitled "Authorization required" and Chapter 218, Section 2 entitled "Penalties for offenses" are repealed.

Section 4. Amended Existing Chapter. Chapter 218, Sections 1 and 2 shall be replaced and Chapter 218 further amended as follows:

§ 218-1 Definitions

For purposes of this Chapter, the following terms shall have the following meanings:

(a) A "parade" is any procession or race, which consists of a recognizable group of 50 or more pedestrians, vehicles, bicycles or other devices moved by human power, or ridden or herded animals or combination of the foregoing proceeding together upon any public street, roadway or public area.

(b) "Special event" shall mean "a group activity or congregation including, but not limited to, a performance, meeting, assembly, contest, exhibit, ceremony, parade, athletic competition, reading, or picnic involving more than 12 people for which specific public space is requested to be reserved by the Village for the special event to the exclusion of the general public, but shall not mean a demonstration or protest."

(d) "Applicant" shall mean the person or entity that applies for a permit under this Chapter to hold a parade or special event. Any person or entity responsible for organizing a parade or special event, or any person or entity that publicizes a parade or special event through advertisements or other means of mass communication, including but not limited to social media, is authorized to act as the Applicant.

- (e) "Large Event" is a special event with anticipated attendance over 500 people or a special event with 500 people or more.
- (f) "Medium Event" is a special event with anticipated attendance of between 101 and 499 people or a special event of between 101 and 499 participants.
- (g) "Small Event" is a special event with anticipated attendance of less than 100 participants or a special event with 100 people or less

§ 218-2. Parades

A. Applications.

- (1) Applications for parade permits must be received by the Village Clerk at least 30 days prior to the requested date for the parade.
- (2) Applications must be submitted to the Village Clerk by completing the form available at the Village Clerk's office and on the Village's website in writing either by mail or email and will be considered in the order in which they are received.

B. Permits.

A parade shall be permitted upon any street or in any public place in the Village of Tarrytown only after a written permit therefor has been obtained from the Village Administrator. The Village Administrator shall, after due investigation of such application, including but not limited to consultation with the Police Department, Fire Department and Department of Public Works, grant such permit subject to the following restrictions:

- 1. The Village Administrator shall not grant a permit where the Village Administrator has objective reason to believe that the proposed parade will be disorderly in character, will disturb the public peace or will be a detriment to public health, safety and welfare;
- 2. Except as otherwise provided herein, the Village Administrator shall not grant a permit for the use of any street or any public place, or material portion thereof, which is ordinarily subject to substantial congestion or traffic or is chiefly of a business or mercantile character, except, upon those federal holidays or when places of business along the proposed route are closed, or on other days between the hours of 6:30 and 9:00 PM, except if such street which is subject to substantial congestion or traffic is fully shut down to motor vehicles.
- 3. Each such permit shall designate specifically the route through which the parade shall move and include such conditions, rules and regulations as the Village Administrator deems reasonably necessary, if any;
- 4. Permits for parades for occasions of extraordinary public interest, not annual or customary, or not so intended to be, may be granted by the Village Administrator for any street or public place, and for any day or hour, with the written approval of the mayor;
- 5. The Applicant of a parade for which a permit is granted by the Village Administrator shall be responsible for the strict observance of all rules and regulations included in said permit by all participants.
- 6. The granting of a parade permit by the Village does not absolve the applicant from any additional permitting requirements from State or Federal agencies, including but not limited to obtaining permits from the New York State Department of Transportation.

C. Exemptions. This section shall not apply:

- 1. To the ordinary and necessary movements of the United States army, United States navy, national guard, Village or other municipal police department and Village or other municipal fire department; or
- 2. To funeral processions where no streets are sought to be fully or partially closed.

§218-3. Special Events.

A. Applications.

- (1) Applications for special event permits must be received by the Village Clerk at least 30 days prior to the requested date for the special event.
- (2)) Applications for special event to take place in Pierson Park, Patriots' Park and Losee Park must be received by the Village Clerk no less than two (2) months nor more than nine months before the date of the proposed event.
- (3) Applications must be submitted to the Village Clerk by completing the form

available at the Village Clerk's office and on the Village's website in writing either by mail or email and will be considered in the order in which they are received.

B. Permits and Timing

(1) Permits. A special event on any street, sidewalk or in any public place in the Village of Tarrytown may only be held after a written permit has been issued by the Village Administrator, which permit may include such conditions, rules and regulations as the Village Administrator deems reasonably necessary, if any;

C. Denial of Permit; Alternative.

(1) The Village Administrator, after consultation with the Police Department and any other Village Departments, may deny a permit if:

- (a) the location sought is not suitable because of landscaping, planting, or other environmental conditions reasonably likely to be harmed by the proposed event;
- (b) the location sought is not suitable because it is a specialized area including, but not limited to, proximity to the Hudson River or other environmentally sensitive area, to public recreation areas, including but not limited to, tennis courts and a swimming pool, or because the proposed event is of such nature or duration that it cannot reasonably be accommodated in that location;
- (c) the date and time requested have previously been allotted by permit;
- (d) within the preceding two years, the applicant had been granted a permit and did, on that prior occasion, violate a material term or condition of the permit, or any applicable law, ordinance, statute or regulation;
- (e) the event would interfere unreasonably with the enjoyment of the public space by other users;
- (f) the Village Administrator has objective reason to believe that the proposed special event will be disorderly in character, will disturb the public peace or will be a detriment to public health, safety and welfare;
- (g) the limitations contained in subsection (G) of this section are not complied with.

(2) If the permit has been denied pursuant to subsection (C)(1) of this section, the Village Administrator shall state the reasons for the denial in writing and, to the extent practicable, employ reasonable efforts to offer the applicant suitable alternative locations and/or times and/or dates for the proposed event.

D. Appeals

- (1) After a permit application is denied or approved with conditions objected to by the Applicant, the applicant may appeal the determination in writing to the Village Clerk.
- (2) The designated appeals officer shall be the Mayor who may reverse, affirm, or modify the original determination and provide a written explanation of his or her finding.
- (3) Timing of Appeal. An appeal must be submitted in writing to the Village Clerk within ten days of the Applicant's receipt of the determination or if there is less than ten days between the date the Applicant receives the determination and the proposed special event, at least two business days before the event.

E. Revocation or Suspension of Permit

- (1) After notice and an opportunity for the Applicant to be heard, the Village Administrator may alter or add terms and conditions to a permit, or revoke a permit, based upon the criteria set forth in subsection (C)(1)(a) through (g) of this section.
- (2) If the Village Administrator revokes or alters a permit prior to the date of the event, the permittee may appeal the revocation or alteration, subject to the time limitations set forth in subsection (D)(3) of this section.
- (3) During the course of an event, the Village Administrator may suspend a permit where exigent circumstances exist in the vicinity of the location for which such permit has been issued or circumstances have changed such that the criteria set forth in subsection (C)(1)(a) through (g) of this section apply.

F. Limitations on Permits

- (1) The granting of a permit does not give the permittee the right to sell or offer for sale any articles, tickets, or refreshments within or adjacent to any park area or to operate motor vehicle in any park areas. To do this requires a separate Peddler Permit issued by the Village.
- (2) Permits are not transferable.

G. Pierson Park, Patriots Park and Losee Park.

(1) The following conditions apply to applications for permits for special events in Pierson Park, Patriots Park and Losee Park:

(a) Large Events. In any calendar year, there will be a maximum of **two** permits granted for Large Events in each of Pierson Park, Patriots Park and Losee Park.

(b) Small Events and Medium Events. Small Events in Pierson Park, Patriots Park and Losee Park are not subject to the limitation contained in paragraph (1) of this section. Medium Events are subject to subparagraphs (d) and (g) below.

(c) Attendance at Large Events may not exceed **3,000** persons.

(d) Permitted special events in Pierson Park, Patriots Park and Losee Park are subject to cancellation or postponement by the Village Administrator due to inclement weather and/or soil and turf conditions. Factors the Village Administrator will take into consideration in determining whether to cancel or postpone an event in Pierson Park, Patriots Park and Losee Park shall include: (i) the possibility of lightning or other extreme weather condition; (ii) rainfall (including forecasted, current, or cumulative rainfall); (iii) soil saturation levels or other risks to turf health; and (iv) any other field conditions that might lead to significant damage to Pierson Park or the surrounding landscapes or hazardous conditions for the attendees of the special event.

(e) The permit application for Large Events must include a plan acceptable to the Village Administrator and Police Chief to ensure (i) the orderly flow of attendees through park landscapes on appropriately designated areas; and (ii) the attendees will not damage adjacent landscapes. In addition, in the case of Large Events, the plan must ensure the maximum number of persons attending does not exceed **3,000** persons and is in compliance with all restrictions. In determining whether the Applicant's plan is acceptable such that a permit may be granted, the Village Administrator shall take into consideration, among other relevant factors, any evidence that the applicant has efficiently and safely executed event productions and audience management in the past.

(f) An applicant seeking to hold a Large Event shall post a cash bond in an amount sufficient to pay for any anticipated damage to Pierson Park, Patriots' Park and Losee Park in connection with the scheduled event and made payable to the Village of Tarrytown. The amount of the bond will be determined by the Village Administrator based upon the following factors: (i) the length of the event; (ii) the time of year of the event; (iii) the nature of the event, including but not limited to, the type of equipment that will need to be brought into Pierson Park, Patriots Park or Losee Park, the location of such equipment, and the use of any vehicles in Pierson Park, Patriots Park or Losee Park; (iv) the number of people attending the event; (v) the Applicant's experience regarding any prior events of the same or a similar nature; and (vi) whether the event or any activities associated with the event present a high risk of property damage. In addition, for Large Events, the applicant must provide satisfactory proof of insurance naming the Village as an additional insured. However, the Village Administrator shall have the authority to waive the bond required by this subsection where the applicant is able to demonstrate that such bond cannot be obtained without imposing an unreasonable hardship on the applicant. Any request for a waiver of the bond required by this subsection shall be addressed in the permit application. The burden of demonstrating unreasonable hardship shall be on the applicant and may be demonstrated by a showing that the cost of obtaining the bond for the event exceeds twenty-five percent (25%) of the applicant's budget for the event. The budget for the event must include not only cash, but also the actual value of any materials and services to be used by the applicant for the event.

(g) For Medium Events, the applicant must provide satisfactory proof of insurance naming the Village as an additional insured.

H. Other areas. Parking lots on the west side of the train station are available for Small Events, Medium Events or Large Events. The requirements of subsection (G)(1)(c) through

(f) apply to Large Events held on the west side of the train station.

I. Passive Recreation Areas only. Wilson Park and the Tarrytown Lakes Parks and Field are reserved solely for passive recreation and the Losee Park ballfields and Wilson Park Soccer Field are reserved solely for athletic events and passive recreation. The Village Administrator shall not grant any permits for special events in Wilson Park, the Tarrytown Lakes Parks, Losee Park ballfields or Wilson Park Soccer Field.

§ 218-4. Permittees' Obligations

For any permit issued under the Chapter:

- (1) Permittees are subject to the rules and regulations of the Village, the specific terms and conditions of the permit, and to all applicable Village, County, State, and Federal laws.
- (2) Permittees must have the permit in their possession at the time and site of the event, as well as any other permits or documentation for the event required by the Village or any other governmental agency.
- (3) Permittees must confine their activities to the locations and times specified on their permit. The Village Administrator may establish specific guidelines for certain designated parks or park locations.
- (4) Permittees are responsible for cleaning and restoring the site after the event. The cost of any employee overtime incurred because of a permittee's failure to clean and/or restore the site following the event will be borne by the permittee.
- (5) Permittees shall be held liable for any and all damages or injuries to persons or property that may occur or be caused by the use of the permit. By accepting a permit, permittees agree to indemnify and hold harmless the Village of Tarrytown and its officers and employees from any and all claims whatsoever that may result from such use.
- (6) Permittees shall be responsible for the procurement of and payment for any electrical energy used during the event. Permit applications must indicate whether electrical energy is required for the event.

§ 218-5 Violations and Penalties.

A, It shall be a violation of these rules to advertise any special event requiring a permit under this Chapter via posting, print media, radio, television, or the internet prior to obtaining a permit. There shall be a rebuttable presumption that any person or organization whose name, telephone number or other identifying information appears on any advertisement and who has not obtained a permit has violated this subdivision by either (1) illegally advertising an event or (2) directing or permitting a servant, agent, employee or other individual under such person's or organization's control to engage in such activity; provided, however, that such rebuttable presumption shall not apply with respect to criminal prosecutions brought pursuant to violations of this Chapter.

B. Violations.

1. Any person participating in any parade for which a permit has not been issued when required by this Chapter shall be subject to penalties as provided in Chapter 1, General Provisions, Article II.
2. Any person participating in any special event for which a permit has not been issued when required by this Chapter shall be subject to penalties as provided in Chapter 1, General Provisions, Article II.

Section 5: 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.

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

WHEREAS, a notice of public hearing was published in the Journal News on March 6, 2021; and

WHEREAS, a public hearing was held on the proposed action on March 15, 2021; 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 Proposed Action, the Village Board of Trustees hereby determines that the Proposed Action will not have a significant adverse impact on the environment, and hereby adopts a Negative Declaration.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the amendment to the Code of the Village of Tarrytown to add a Section to the Code regarding Special Events and Parades and related Permit Applications; and

BE IT FURTHER RESOLVED, that the Board of Trustees of the Village of Tarrytown does hereby adopt these changes as Local Law No. 5 of 2021.

Trustee Brown noted that if the police department thinks that they would like procedures to help them with planning demonstrations, she will support looking into that.

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 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

There were no speakers.

ACKNOWLEDGEMENT OF RECEIPT OF THE 2020 TARRYTOWN VOLUNTEER AMBULANCE CORPS SERVICE AWARD (PENSION) PROGRAM ANNUAL REPORT REGARDING QUALIFYING POINTS RECEIVED

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. Approved: 6-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby acknowledge receipt of the Tarrytown Volunteer Ambulance Corps 2020 annual report of points achieved by respective members of the Ambulance Corps for qualification for Village contribution to the Ambulance Corps 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 RECREATION ATTENDANT

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 appoint Nicole Jamate as Recreation Attendant to work at the Front Desk at the Fitness Center at a salary of \$13.50 per hour effective Tuesday, March 16, 2021 and shall be subject to all applicable civil service rules and regulations.

ADOPTION OF PUBLIC HEALTH EMERGENCY OPERATIONS PLAN FOR THE VILLAGE OF TARRYTOWN

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

WHEREAS, in accordance with New York State Labor Law §27-c, a Public Health Emergency Operations Plan Law was adopted following the passing of New York State legislation (Bill Numbers S8617B/A10832) signed by the Governor of the State of New York on September 7, 2020.

WHEREAS, this law requires public employers to adopt a plan for operations in the event of a declared public health emergency involving a communicable disease, which may impact the Village's operations. This plan was developed exclusively for and is applicable to the Village of Tarrytown.

NOW BE IT RESOLVED that in the interest of the health, welfare and safety of the Village's employees and contractors and help ensure the continuity of Village operations, the Village does hereby adopt the Public Health Emergency Operations Plan for the Village of Tarrytown.

BE IT FURTHER RESOLVED that the Village will provide a copy of this plan to all employees of the Village of Tarrytown and a copy of this plan will be affixed to the official minutes of this meeting and posted in a conspicuous location.

GREENBURGH DRUG AND ALCOHOL TASK FORCE LEASE AGREEMENT

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 and direct the Village Administrator to execute a one-year lease agreement renewal with the Greenburgh Drug and Alcohol Task Force for the rental of a portion of the former Police Headquarters building, subject to conditions included in the lease agreement, including payment of utility fees.

AUTHORIZATION TO SUBMIT A GRANT APPLICATION AND EXECUTE AN AGREEMENT WITH WESTCHESTER COUNTY BOARD OF LEGISLATORS (BOL) REGARDING A SUMMER CAMP GRANT

Trustee Zollo 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 to submit a grant application with the Westchester County Board of Legislators (BOL) through the Westchester County Youth Bureau for the 2021 Tarrytown/Sleepy Hollow Summer Camp Program.

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize the Village Administrator to complete, sign and file the application documents for this grant; and

BE IT FURTHER RESOLVED that Village Administrator Richard Slingerland is authorized to take the necessary and appropriate actions to execute and implement an agreement associated with this grant with Westchester County on behalf of the Village of Tarrytown.

AUTHORIZING THE VILLAGE OF TARRYTOWN TO CONTINUE TO ACT AS THE FUNDING RECIPIENT AND TRANSFEROR ACCEPTING FUND DISBURSEMENTS FROM THE CB WARNER LIBRARY ENDOWMENT FUND AND PROCESSING THE PAYMENT TO THE WARNER LIBRARY

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 Village of Tarrytown to continue to act as the funding recipient and transferor accepting WR and CB Warner Library Endowment Fund disbursements from the PNC Institutional Asset Management and disburse them to the Warner Library to be used for the

purchase of books for the Warner Library in accordance with the terms in the governing instrument of the trust. There will be no Village of Tarrytown funds expended nor other financial obligations committed through this financial partnership; and

BE IT FURTHER RESOLVED, that the Board of Trustees does hereby authorize the Village Administrator to sign the necessary and appropriate agreement to the satisfaction of the Village Attorney, and authorizes the Village Treasurer to accept these funds from the PNC Institutional Asset Management and disburse them to the Warner Library to be used in accordance with the endowment fund’s requirements.

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

SCHEDULE A SPECIAL MEETING OF THE BOARD OF TRUSTEES

Trustee Zollo moved, seconded by Trustee Brown that the following resolution be approved: Motion carried, all voting “aye” with the exception of Trustee Hoyt who recused himself. Approved: 6-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby schedule a special meeting on Friday, April 9, 2021 at 9:00 a.m. E.S.T. via Zoom Video Conference to confirm the actions taken at the Fire Chief’s Convention.

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

SCHEDULE A SPECIAL MEETING OF THE BOARD OF TRUSTEES

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 schedule a special meeting on Wednesday, March 24, 2021 at 6 p.m. and go directly into Executive Session to discuss Police employment and return to a regular open meeting to hold a budget review to be held via online Zoom Video Conference.

APPROVAL OF THE MINUTES OF THE BOARD OF TRUSTEES REGULAR MEETING OF MARCH 1, 2021

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 the minutes of the regular meeting of the Board of Trustees held on Monday, March 1, 2021 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS

Trustee Rinaldi 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. 17 of Audited Vouchers in the total amount of \$452,297.83 to be paid in the following amounts:

General	\$ 225,865.52
Water	\$ 76,007.96
Sewer Fund	\$ 33,673.06
Capital	\$ 60,753.26
Library	\$ 1,308.99
Trust & Agency	\$ 54,689.04
Total	\$ 452,297.83

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 BEFORE YIELDING TO THE NEXT SPEAKER

There were no speakers.

ADJOURNMENT

On the motion of Trustee Hoyt, seconded by Trustee Zollo, the meeting was adjourned at approximately 8:35 p.m. by vote of seven in favor, none opposed.

Carol A. Booth
Village Clerk