

Board of Trustees
Village of Tarrytown
Regular Meeting No. 32
April 3, 2017
8:00 p.m.

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

ABSENT: Trustee McGee

REPORTS

Mayor Fixell noted the following:

- Tonight is Administrator Blau's last Board meeting. We wish him the best with his retirement and also tonight is Administrator Slingerland's first Board meeting.
- The Friends of the Tarrytown Lakes Annual Clean-up Day will take place on Saturday, April 15th from 10 a.m. – 3 p.m. The meeting locations are at the Neperan Road Parking Lot and at Wilson Park.

Trustee McGovern noted the following:

- The Spring/Summer Recreation brochure is available on our website at tarrytowngov.com. The brochure includes a complete listing of all the events scheduled for the spring and summer including applications and registration forms.
- Our new Village Swimming Pool will be opening on Saturday, May 27th. You can register online or in person at the Recreation Center.
- The Easter Egg Hunt will be held this Saturday, April 8th at Patriots Park at 10:30 a.m. for children ages 1 through 8. In case of inclement weather, there will be a message on the Recreation Office phone number (631-8347) that the Easter Egg Hunt will be re-scheduled to the following Saturday, April 15th.
- The TNT Baseball and Softball Annual Kickoff Parade will be held this Saturday, April 8th at 12:45 p.m. The parade will begin at Neperan Park and will proceed down Main Street.
- Registration started today for the Summer Day Camp program.

Trustee Hoyt noted the following:

- Welcomed and congratulated Administrator Slingerland.
- It has been an honor and a pleasure working with Administrator Blau and wished him and his wife the best in their retirement.

Trustee Brown noted that the Rotary's Rubber Ducky Derby Day along with the YMCA Healthy Kids Day will take place on Saturday, April 29th at Patriots Park from 11 a.m. to 3 p.m. They are celebrating their 10th year and encouraged everyone to come out and enjoy the event.

ADMINISTRATORS REPORT

Administrator Slingerland noted the following:

- On his first day as Administrator for the Village of Tarrytown, he has been very busy. He held a staff meeting with the department heads to get an update on all the activities going on in the Village. Earlier this evening, he attended a steering committee meeting regarding the comprehensive plan/station area study along with Trustees Butler, McGovern and Zollo. He will stay on top of this project to keep it moving forward.
- He thanked Mayor Fixell and all of the Board of Trustees for their confidence in selecting him as the new Village Administrator. He is very excited and happy to be here.

Administrator Blau thanked the Mayor and the Board of Trustees for a great working relationship over the past nine years. He thanked all the residents of Tarrytown; "it has been truly an honor and a pleasure to serve the Tarrytown residents for the past 17 ½

years.” Mr. Blau presented Administrator Slingerland the official Village Administrator’s pointer.

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

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

PUBLIC HEARING – ZONING TEXT AMENDMENT (adopted)

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 3rd day of April, 2017, at 8 PM, in the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear, discuss and to act upon an amendment to Chapter 305 entitled "Zoning". A summary of the legislation is available at Village Hall. The complete text of this legislation follows:

A LOCAL LAW to amend Chapter 305 of the Code of the Village of Tarrytown as to bulk regulations for residential structures in the General Business zoning district

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

Section 1: Purpose.

The Village of Tarrytown Zoning Code § 305-40 establishes the General Business GB Zone. The bulk regulations for properties located within the GB Zone are set forth in Zoning Code § 305-40(C) as well as 305 Attachment 10. It has recently come to the attention of the Village Board that in both sections there are only bulk regulations for business structures and one-family dwellings in the GB Zone. As a result, there are no applicable bulk regulations for permitted and/or preexisting, legal nonconforming residential uses in the GB zone other than single-family homes. The Village Board wishes to remedy this omission by amending these provisions of the Code, specifically Zoning Code § 305-40(C) and 305 Attachment 10, to apply the bulk requirements for single-family dwellings to all residential uses within the GB zone.

Section 2: Amendments to Zoning Code

- A. Zoning Code § 305-40 is hereby amended to remove the (parenthesis) language and insert the **bold** language in its place while retaining all other provisions:

(C) Minimum lot area and other provisions

(1) Minimum lot area for (one-family dwellings) **residential structures**:
20,000 square feet.

- B. Zoning Code (parenthesis) language and insert the **bold** language in its place while retaining all other provisions:

GB (1-family dwelling) **residential structures**

Section 3: Severability

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

Section 4: Effective Date

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

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

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

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

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

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby amend the Code of the Village of Tarrytown, Chapter 305 entitled "Zoning," Bulk Regulations; and

WHEREAS, a public hearing was held for the proposed action on April 3, 2017; and

WHEREAS, a notice of public hearing was published in the Journal News on March 23, 2017; and

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

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

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

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby adopt Local Law No. 3 of 2017.

AMEND THE MASTER FEE SCHEDULE – FILMING FEES

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

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby amend the Master Fee Schedule relating to Filming fees as follows:

Public Property - \$2,500 for the first day, \$2,000 each day thereafter
Private Property - \$1,500 for the first day, \$1,000 each day thereafter

TARRYTOWN BOAT CLUB LEASE AMENDMENT

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

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize and direct the Village Administrator to execute a lease agreement amendment

with the Tarrytown Boat Club for property owned by the Village and utilized by the Tarrytown Boat Club Inc. and the Tarrytown Marina.

TAX CERTIORARI – 17 - 19 NORTH BROADWAY

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

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the settlement of the tax certiorari case with U.S. Potential Inc., 17 - 19 North Broadway, as outlined in the Village's Tax Certiorari Attorney's memorandum dated March 21, 2017; and

BE IT FURTHER RESOLVED that the Board of Trustees may fund this tax certiorari from a future financing resolution.

SCHEDULE A SPECIAL MEETING OF THE BOARD OF TRUSTEES

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

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby schedule a special meeting on Friday, April 7, 2017 at 8:30 a.m. at Village Hall, One Depot Plaza, Tarrytown, New York to confirm the actions taken at the Fire Chief's Convention.

SCHEDULE BUDGET WORK SESSION

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

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby schedule a Budget Work Session on the Tentative Budget for Fiscal Year 2017-2018 on Wednesday, April 5, 2017 at 7:30 p.m. at Village Hall, One Depot Plaza, Tarrytown, New York.

SCHEDULE A PUBLIC HEARING – TENTATIVE BUDGET FOR FISCAL YEAR 2017-2018

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

BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown does hereby schedule a public hearing for Wednesday, April 12, 2017 at 7:00 p.m. in the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and discuss the Tentative Budget for Fiscal Year 2017-2018.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON MARCH 20, 2017

Trustee Brown moved, seconded by Trustee Zollo, that the following resolution be approved. Motion carried, all voting "aye" with the exception of Trustee Butler who abstained. Approval: 5-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the minutes of the regular meeting of the Board of Trustees held on March 20, 2017 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS

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

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No. 18 of Audited Vouchers to be paid in the following amounts:

General	\$	139,427.96
Water		7,309.57
Sewer Fund		0.00
Capital		1,961.90
Library		4,535.13
Trust & Agency		<u>55,191.76</u>
Total	\$	208,426.32

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

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

ADJOURNMENT

Trustee Hoyt moved, seconded by Trustee Butler, and unanimously carried, that the meeting be adjourned at 8:13 p.m.

Carol A. Booth
Village Clerk