

Board of Trustees
Village of Tarrytown
Regular Meeting No. 21
Via Zoom Video Conference
July 20, 2020
8:00 p.m.

PRESENT via Zoom Video Conference: Mayor Fixell presiding; Trustees: Brown, Butler, Hoyt, McGovern, Rinaldi and Zollo; Village Administrator Slingerland; Assistant Village Administrator Ringel; Village Attorney Kathy Zalanta; Village Treasurer Hart 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/29834> for instructions on how to join & participate.

MOMENT OF SILENCE – DANIEL RIZZI

Mayor Fixell requested a moment of silence for former Trustee Daniel Rizzi, who has recently passed away. He was a great guy, served as a Village Trustee in the 1970's and was also a member on the Zoning Board of Appeals.

MOMENT OF SILENCE – JOHN LEWIS

Mayor Fixell requested a moment of silence for John Lewis who has recently passed away. John Lewis was a national hero, a civil rights leader who served in the United States House of Representatives for Georgia from 1987 until his death in 2020.

RETIREMENT OF POLICE SERGEANT FRANK GIAMPICCOLO

Congratulations to Police Sergeant Frank Giampiccolo, who has retired after 36 years of dedicated service in the Police Department. Frank is a life-long resident of the Village and a volunteer member of the Tarrytown Fire Department for many years, an all-around terrific person and he thanked Frank for his service and wished him the best.

POLICE DEPARTMENT PROMOTION AND SWEARING IN CEREMONY OF SERGEANT HUGO MEDINA

Trustee Hoyt moved, seconded by Trustee Butler, 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 promote Police Officer Hugo Medina to the position of Police Sergeant effective July 21, 2020 at an annual salary of \$139,465. This appointment is subject to the provisions of

Civil Service, including a probationary period of not less than twelve weeks and not more than fifty-two weeks as mandated by Civil Service Law.

BE IT FURTHER RESOLVED that this appointment is being made from the promotional list for Police Sergeant, Certification #77-705.

The Mayor and Board of Trustees congratulated Sergeant Hugo Medina.

LETTER OF SUPPORT BY THE BOARD OF TRUSTEES FOR THE TARRYTOWN POLICE DEPARTMENT

“To all the good men and women officers of the Tarrytown Police Department

The Mayor and the Village Board of Trustees and I wish to express our gratitude for and continued support of your outstanding efforts serving the people of our Village. We recognize that the Tarrytown Police Department (TPD) has responded to over 60,000 calls over the past five years, an average of over 12,000 calls per year, and during that 5-year time frame the Village has received only seven complaints. This is an impressive record. Under the leadership of Chief John Barbelet and his trusted lieutenants, sergeants and officers our TPD continually strives for community mindedness, with creative outreach programs and interaction with the diverse members of our community. We are proud to have had some part in the Department’s recruitment efforts which have resulted in increased diversity and a multicultural workplace that mirrors the community it serves.

The events of the past month have thrust law enforcement in general and TPD in particular into sensitive, sometimes volatile situations where they must protect and serve the community while at times bearing the brunt of public outrage. We have watched in awe as you have handled the recent demonstrations with grace and professionalism. We look forward to working with the department as we follow the Governor's directive on Police Reform. There is no question in our minds that the department already performs at the highest level of professionalism however, we are all being asked to do better. We thank you in advance for your willingness to look inward and for your perspective and input as we move forward. We are committed to keeping these talks productive, fair and uplifting for the public and law enforcement alike.

Again, we thank you all for your dedication and service. Your presence in our community improves the quality of life for all residents of Tarrytown. We stand behind our Police Department knowing its members reflect Tarrytown’s most cherished values of liberty and justice for all people.”

PRESENTATION (15 MIN.) – SUSTAINABLE WESTCHESTER – WESTCHESTER POWER PROGRAM – Jasmine Graham, Sustainable Westchester and Westchester Power

(Presentation of the Sustainable Westchester Community Choice Aggregation Program Renewal will be affixed to the official minutes of this meeting)

Question on Zoom – How do we make sure we are not switched to this option? Ms. Graham noted that you can check your bill, usually on the third page you will see “electricity supply details.” If you are with the CCA, you will see “Constellation New Energy.” You can also give the office a call at 914-242-4725 and they will be happy to check your status to see if you are in the program or you can also do it on their website at westchesterpower.org. Ms. Graham noted if you have your account number readily available, it’s a very quick process.

Mayor Fixell thanked Ms. Graham for the very informative presentation and noted that anyone can switch out freely and painlessly to any program you want.

Peter Bartolacci, 67 Miller Avenue, thanked Ms. Graham for the presentation. Mr. Bartolacci asked for explanation if you opt out of the selected program that the Village selected, “Green Energy,” would you be automatically switched back after a certain time period to the “Brown Energy” and then you have to re-opt out of it again if you choose the “Brown Energy Program.” Also, would that happen if a municipality selected the “Brown Energy Program.” Ms. Graham noted that options would need to be renewed only in between renewals. Once the municipality chooses a program, everyone in the municipality will receive a letter with the Village’s choice and it will explain how to switch to the “Basic Supply.” She understood that if you switch into the “Basic Supply,” and when the renewal occurs, she believes you would stay in the “Basic Supply.” But she can look into Mr. Bartolacci’s particular account. Mr. Bartolacci assured that it does happen and a little more research needs to be done on that. He would like to understand why it happens. He asked Ms. Graham how her organization is funded. Ms. Graham noted that they are funded through the programs, their fee is \$.001 per kilowatt hour. Mr. Bartolacci asked what their overhead is at Westchester Power. She noted that there is a financial report online as part of their annual report. Most of the overhead is salaries, there are about 12 employees. Westchester Power Program in a large part funds all the other programs that we offer. Mr. Bartolacci noted regarding the CO2 that we had saved, did Tarrytown have bad air before we went onto this program and has it improved under this program and do you have measurements on that. Administrator Slingerland noted that question is more of a regional air quality question. Tarrytown’s air quality is dependent upon our ambient environment, vehicles going through the Village and along the 287 Corridor certainly affect the air quality in our area. Overall, regional air quality may be less because there is less consumption of energy. Ms. Graham noted that their program Community Solar does improve our local air quality. Putting up community solar projects in Westchester, is one of the few ways that they actually can green our local grid. Their long term goal is to be able to build renewables and get that energy directly to Westchester because we don’t right now have the space to put community solar everywhere to meet everyone’s needs. In order to improve our local air quality, power needs to be brought down from other areas of the state where they have the room to build renewables. Mr. Bartolacci asked if a resident switched to Basic Energy, as soon as the Con Edison rates came down, where would they be today as terms of savings with Con Edison. Ms. Graham noted that it was on one of her charts at a savings of \$6 per month in this current contract. She noted that if anyone wants to opt in or out of a program at any time, they would be happy to help by calling their office or going to their website.

PRESENTATION (15 MIN.) –SCENIC HUDSON, INC. – SLEEPY HOLLOW-TARRYTOWN TRAILS STRATEGY UPDATE – Amy Kacala and Jeffrey Anzevino

(Presentation of the Trail Strategy Implementation Update for Sleepy Hollow and Tarrytown will be affixed to the official minutes of this meeting)

There was no public comment. Administrator Slingerland noted that the Village can follow up with both of them if there are any further comments or questions. The Mayor and Board of Trustees thanked Ms. Kacala and Mr. Anzevino for a very informative presentation.

REPORTS

Trustee McGovern noted the following:

- This coming Saturday, July 25th, at 8:30 p.m., the Recreation Department is hosting its second Drive-In Movie, "E.T." She encouraged everyone to come down and bring your own popcorn.
- Now that the Village Pool is open, she wanted to let the Tarrytown Senior residents know that they are allowed to come to the pool everyday between 9:30 a.m. and 11:00 a.m. and during that time, Kelly Murphy, Assistant Pool Director, is holding a water aerobics class, which is free. The fee for the remainder of the pool season for a senior citizen is \$65.00 and the water aerobics classes are free. If you have any questions, please contact the Recreation Department.
- Reminded everybody about filling out the 2020 Census form. It can be done very easily. Go to Census2020 and they will walk you through it. You don't need the "code," you can do it with just your address. This coming week, they will be sending out a reminder postcard. If you don't fill out the 2020 census form, personal visits will start at the end of August. The Village has access to Census 2020 computers and wants to put them around the Village to help residents to complete the 2020 census forms. The Village really needs everyone to fill out the census form.

Trustee Rinaldi noted that he heard that the pool opening went very smoothly and heard great things. He thanked all the staff including the Lifeguards at the Recreation Department for doing a great job.

Administrator Slingerland gave credit and thanks to Mike Wisniewski, Sr. Recreation Leader who committed a major amount of time getting the equipment, the pool and the water up and running with assistance from Joe Arduino, Recreation Supervisor, Kelly Murphy, Assistant Pool Director and the staff at the Engineering and Water Departments to help with the water filter system. He also thanked the lifeguard staff who came in to get everything ready for the pool opening. It was a full team effort.

Trustee Brown noted that if people are still having trouble paying their rent due to the pandemic and fit a certain income criteria, there's a program for residents of Tarrytown by Rose Noonan's group, Housing Action Council, located in Tarrytown, New York. She

noted if you are a landlord and know of tenants having problems paying their rent, point them in the direction of the program.

Assistant Administrator Ringel noted that if people are having trouble paying their rent, they can also contact him at jringel@tarrytowngov.com. There is also a New York State Housing Rental Assistance Program and he can forward that information for anyone interested.

CHANGES AND/OR ADDITIONS TO THE AGENDA – The Board of Trustees added a resolution regarding the Lease Agreement with United States Postal Service for Parking Permits and tabled Agenda Item No. 19, Resolution asking the Village of Tarrytown Planning Board to encourage and support environmentally friendly construction materials and methods until further review by the Planning Board, Architectural Review Board, Comprehensive Plan Management Committee (CPMC) and Tarrytown Environmental Advisory Committee (TEAC).

ADMINISTRATOR'S REPORT

Administrator Slingerland noted the following:

- The Village is still working on the ongoing concerns on the pandemic. As part of that, we are gradually re-opening. The Village had Main Street closed for Outside Dining for several weekends. It's been very successful.
- There will be a Food Distribution this Friday, from 12 noon to 2 p.m. in Commuter Parking Lot F by the group named Joining Forces. Joining Forces is an organization from restaurants around the Village who provide prepared hot meals to those in need. If any seniors or residents are in need of meals, the food distribution is this Friday, from 12 noon to 2 p.m.

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

Robert Wingate, North Broadway, commented on the presentation by Sustainable Westchester. As Manager of the Catskill Hudson Area Health Education Center, they are a sub-contractor to the U.S. Department of Health and Human Services. Regarding local air quality, to add on a data point, there are ways to look at local air quality in terms of tracking effects on local residents. One of the mechanisms that has been developed in recent years is to look at asthma related rates of emergency room intake. Public Health researchers study what the rates of people going to the emergency room because of asthma that is affected by pollution or by air quality. Sometimes this data may be accessible through hospitals. In theory, if there would be a study done, you can look at, for example, Beekman Avenue, which is a highly traffic road and higher density of population, so within that you could look at emergency room intake relative to air pollution. Mayor Fixell clarified his comment that the particular program in Sustainable Westchester, because of the nature of it, makes it difficult to look at local impacts, such as that because the CCA

doesn't actually replace local power. He appreciated Mr. Wingate's comments because it is an important issue.

Peter Bartolacci, 67 Miller Avenue, asked if this is the right time to ask a question about the resolution regarding recommendations for building materials. He wanted to know what the purpose of this would be because an application could be viewed less favorably if it doesn't use environmentally friendly materials. He thinks it is a slippery slope. What exactly is the Planning Board supposed to do with it? He is not sure what a recommendation means to the Planning Board. If it is not mandatory and just a recommendation, then it becomes a judgement call on the Planning Board's part, which they could theoretically deny an application because they are not using environmentally friendly materials. He hopes that the Village does not get to the point that says that people have to use environmentally friendly materials.

Trustee Butler noted that he doesn't disagree with Mr. Bartolacci's point of view, which is why we are tabling this resolution to have further discussion with the Comp Plan Management Committee and other Boards, along with Engineers and Architects who could shed a light to better understand this resolution.

Administrator Slingerland noted that this resolution was brought up by members of TEAC. The Village of Hastings adopted a resolution seeking to encourage the use of low-carbon concrete mixes for building projects in the Village of Hastings. On a broader standpoint, the Village looked in what ways can construction be adjusted to be made more environmentally responsible. So this resolution ended up with a proposal that the Board would encourage and promote construction methods and materials that don't significantly increase the cost, but that are more environmentally friendly.

Administrator Slingerland also noted that the Village discussed this resolution with the Comp Plan Management Committee and also with members of the Planning Board and if the Mayor and Board of Trustees have no objection, at this time, he would like to table that resolution. He would like the Board to have a chance to review some of the concerns raised in the resolution. The Village can put the resolution back on the agenda at a future board meeting after we have members of the Comp Plan Management Committee, the Planning Board, ARB and TEAC to have a chance to review it.

PUBLIC HEARING ON A PROPOSED LOCAL LAW TO AMEND VILLAGE CODE
CHAPTER 259 REGARDING STREETS AND SIDEWALKS (adopted)

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 20th day of July, 2020, at 8:00 p.m. in the Municipal Building, One Depot Plaza, Tarrytown, New York 10591, 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 enacting a local law, Chapter 259, Streets and Sidewalks to add additional requirements to Chapter 259.

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 Provision. Chapter 259, Section 1 Entitled "Permit Required" is hereby amended as follows:

No person shall open up **the surface pavement or soil in any portion of public right of way, or** alter the grade of, dig or excavate in the roadbed, pavement or gutters of any street whatever except upon compliance with the provisions herein, and no person shall tunnel under the roadbed of any street, in whole or in part, for any purpose.

Section 3. . New Subsections to Existing Provision. Chapter 259, Section 5 Entitled "Obligations of permittees" is hereby amended to add the following new subsections to Subsection A:

- (6) **The permittee is responsible for the temporary repair of the trench. Temporary trench repair is to consist of two inches of asphalt concrete placed on top of the K-Crete backfill and level with the existing road surface. Temporary trenches shall be widened a minimum of one foot beyond the original cut or any crack developed from the adjacent pavement settling because of the excavation.**
- (7) **The permittee is responsible for the permanent repair of the trench. All final pavement restoration limits shall follow the guidelines depicted in the minimum pavement restoration limits diagram attached to this Chapter. Any road or row disturbance not specified in the guidelines depicted in the minimum pavement restoration limits diagram attached to this Chapter, shall be at the discretion of the Village Engineer or Superintendent of Public Works or their designees and be in accordance with Village of Tarrytown construction specifications and details. Asphalt thickness and materials shall conform to the standard construction details maintained by the Village Engineer and/or the Superintendent of Public Works. The edges of all trenches shall receive a liberal application of asphaltic emulsion to seal edges.**

Section 4: 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 5: 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 Butler and unanimously carried, that the hearing be opened.

Kai Yamamoto, Browning Lane, asked if this proposed law would address curb repair on Front Street because he has a lot of water running through his backyard due to erosion. Assistant Administrator Ringel noted that a curb repair and storm water issue would not fall under the purview of this proposed law. He suggested Mr. Yamamoto call the Administrator's office tomorrow and we can have the Village Engineer on the call as well.

Dolf Beil, 108 Main Street, noted that he fully supports this proposal. He recently had work done in front of his house at 108 Main Street and the repairs were done right. At the same time, Con Edison was doing work about 100 feet north on the northeast side of Main Street and if you take a look at the condition of the road, you will see when the work is not done right.

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

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

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

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve "A LOCAL LAW" to amend the Code of the Village of Tarrytown, Chapter 259 entitled Streets and Sidewalks, to add additional requirements to Chapter 259, Section 5, entitled "Obligations of permittees."

WHEREAS, a public hearing was held for the proposed action on July 20, 2020; and

WHEREAS, a notice of public hearing was published in the Journal News on June 26, 2020; 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 FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby adopt Local Law No. 6 of 2020.

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

Administrator Slingerland noted that this is an updated proposed local law that makes a number of changes, some of the key changes are as follows:

- The maximum building height will now be 60 feet.
- The scorecard would be amended so that applications that score a zero (0) in any given category, would automatically fail.
- The SAO map would be changed to cover only east of the train tracks and not west of the tracks.
- Applications could not be for a bait and switch project, it would be project specific.

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

Village Attorney Zalantis noted that the intention is to put a view shed regulation in the Village Code, not only in the SAO section of the code. It would be a provision that would be applicable throughout the Village in every zone. The Village's Planning Consultant is still developing that language to put it in a special section of the Code that would be applicable to every district in the Village.

David Barnett, 104 Main Street, noted regarding the view shed regulations, he reminded the Board of the importance of the public views that Tarrytown is so fortunate to possess, especially of the views walking west on Main Street toward the Hudson River. Specifically beginning at the corner of Washington Street and Main Street and the view just past 108 Main Street. These sights are critical to preserve our community and visitors alike. The scenic Hudson River with the incredible views of the Palisades is a real asset for Tarrytown. He believes it is one of the things that contributes to the charm and the unique quality of our Village. We don't want to lose it, because once it is gone, it is gone forever.

Barbara Barnett, 104 Main Street, noted that she believes that everyone would agree that never before have we experienced an event with such monumental proportions as the COVID-19 virus. There are still so many unanswered questions. When will this pandemic end and how will it financially impact Tarrytown. This unprecedented time will, no doubt, impact the future of Tarrytown and more than likely put a slant on this project. We owe it to our residents to proceed with caution. We should hold off on any decisions until we can realistically assess what will benefit our Village and not hastily move ahead and then regret it later.

Howard Smith, Rivercliff Condominium Association, Main Street, noted that his main concern is with the situation we find ourselves in terms of the implications of the virus both

short term and long term and also to put it in context as far as other priorities in the Village. If you walk along Broadway, you see a lot of vacant real estate and the potential impact of the virus on the businesses on Main Street. He thinks that is the heart of the Village and that should be the priority right now. Until we have a better sense of the implications in terms of the station area being used as a transit hub in the future and other considerations related to the long term effects of the virus, seems to him that the whole SAO legislation should be tabled. A lot of work needs to still be done with the SAO legislation before it should be considered again, including the scorecard. He is concerned about the Village setting itself up to be boxed in by something that appears to be objective, but could set them up with all kinds of litigation. For example, if a project meets the scorecard criteria, but doesn't get approval. It also implies equal weight to all of the criteria, which he doesn't think it reflects the public sentiment or values the way it is laid out right now. He feels that the SAO legislation is not ready to proceed with and there are more important and pressing issues that the Village should attend to and he hopes that is where the energies go to protect businesses on Main Street and Broadway and then on a future date, turn our attention to the riverfront.

Trustee Brown noted that even if we table the SAO legislation, we cannot stop projects that may be presented to the Village in that area going forward. If developers come to us with a project, without the SAO, the Village is left without the tools that the SAO would provide the Village.

Dolf Beil, 108 Main Street, noted that he has new concerns that were not raised before. He had not considered that we have federal land in the SAO area, where there is no control over development, not by any boards in the Village of Tarrytown. The density in that area including 29 S. Depot Plaza, could be 1,075 possible units. Currently, the school tax that is paid by the Franklin Towers, he is projecting a \$3.7 million a year increase to the tax payers. That's at 6.2%. He believes this needs to be looked at before it is presented to the public. There are 650 controllable new units within the SAO (Walgreen's, Village Hall, 29 S. Depot Plaza and American Paper) and 426 not controllable units in the SAO (Franklin Court). The total area is 15.4 acres. He is projecting that the 426 units at Franklin Courts would add 183 new students to the public school system at a cost of \$4,135,608, of which the federal government would only pay \$405,321. That means the school tax increase would be 6.2%. He does not account for anything else, such as police, fire, sanitation and municipal services. He asked the following questions and asked the Board to ask the same questions: "Who wants this? What will taxpayers think? Where will it stop? Does Comprehensive Plan Mean Anything? Unintended consequences?"

Trustee Butler noted that Mr. Beil's comments are opinions, not facts. Trustee Butler noted that he had a conversation with Sadie from the CPMC, who is a housing expert and she is also a member of the Tarrytown Municipal Housing Authority. She is working with the Housing Authority along with a HUD consultant and based on her information regarding Franklin Courts and Franklin Towers, the federal government had wanted to do a Phase III, which was never developed. Based on their walk through the property, there's a possibility to provide up to 100 affordable housing units and it would have little impact on density and traffic. This housing development would not be developed by the federal government, but done by a RAD conversion (Rental Assistance Demonstration). So, based on Mr. Beil's

projected numbers, the reality is that people that understand housing are not saying the same thing. They are saying that there is a possibility of doing 100 affordable housing units for seniors and for people who can't afford maximum rents and who could also enjoy being on the riverfront. He believes that this has to be looked at very carefully. This is about the whole Village. He is concerned about not understanding the history of urban renewal and how Franklin Towers and Franklin Courts were actually developed and who they were developed for.

Mayor Fixell noted that it doesn't seem to him that this property is relevant to the SAO. Other than ancillary connections, the Village wouldn't be governing the land that is owned by the federal government and controlled by the federal government.

Trustee Brown asked the Village Attorney if it is true that if the federal government builds on federal lands within a municipality, they are not subject to any of the local zoning or building laws. Village Attorney Zalantis, noted that yes, that is her understanding and it is a condition that existed before consideration of the SAO and it is going to exist after the SAO. Trustee Brown noted that Mr. Biel asks "Who wants this?" with regard to the SAO. She believes that the idea of the SAO came out of years and years of meetings with Tarrytown residents who said they want something like this.

Village Attorney Zalantis noted that if the Village never adopts the SAO, it doesn't preclude a developer to ask for a rezoning. That's been the experience and we have seen that in this Village. This is an attempt by the Village to set some kind of guidelines for developers.

Howard Smith, Rivercliff Condominium Association, Main Street, noted that his concern about adopting something that has a scorecard with specific numbers on it, he feels that people will live to regret having to restrict themselves by that kind of a frame work. He thinks it would be much more appropriate to have the kinds of criteria that are reflected in the scorecard be referred to as advisory guidelines, but not to box yourselves into the scorecard. That said, given all of the uncertainties around us, he doesn't think it is advisable to be pursuing anything close to adoption of the SAO at this time.

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

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

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby continue the public hearing on the draft proposed Station Area Overlay (SAO) Zone law to the August 17, 2020, Regular Meeting of the Board of Trustees at 8 p.m. for ongoing consideration and public discussion to be held either via in-person meeting, or Zoom Video Conference, depending on the State's directives about gatherings under NY on Pause.

APPOINTMENT OF MOTOR EQUIPMENT OPERATOR (MEO) IN THE DEPARTMENT OF PUBLIC WORKS

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 appoint Jason Mauguin to the position of Motor Equipment Operator (MEO), Step 6, in the Department of Public Works at an annual salary of \$79,366, effective August 3, 2020 and shall be subject to a probationary period and to all applicable Civil Service rules and regulations.

APPOINTMENT OF LABORER IN DEPARTMENT OF PUBLIC WORKS

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 appoint John Foreman to the position of Laborer, Step 1, in the Department of Public Works at an annual salary of \$50,355, effective Tuesday, July 21, 2020 and shall be subject to a probationary period and to all applicable Civil Service rules and regulations.

SWIMMING POOL EMPLOYMENT - ADDITIONAL STAFF

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 does hereby authorize the following additional appointments of the 2020 Summer seasonal employees to work at the Tarrytown Pool:

<u>NAME</u>	<u>POSITION</u>	<u>WAGES/HR.</u>
Loriann Zekus	Pool Gate	\$13.25
Lindsay Zekus	Pool Gate	\$13.25
Samantha Yuqui	Lifeguard	\$13.50
Jose A. Collado	Head Lifeguard	\$16.25
Ann O'Hara	Lifeguard	\$13.50
Ian Schwam	Lifeguard	\$13.75

ADOPTION OF A BYLAW CHANGE FOR THE TARRYTOWN FIRE DEPARTMENT

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 hereby adopts and enacts the bylaw(s) voted on and recommended by the Tarrytown Board of Fire Wardens, which will establish a new area within which to accept applications as members of the Tarrytown Fire Department, who reside in New York State within a radius of five (5) miles from the Tarrytown Fire Department Headquarters at 50 Main Street; and

BE IT FURTHER RESOLVED that the Village Administrator and Village Clerk shall take all necessary and appropriate actions to enact this bylaw and communicate such approval by the Board to the Fire Chiefs and the Board of Fire Wardens.

COCO REALTY 39-51 NORTH BROADWAY PROJECT APPLICATION

Trustee Brown noted that this is a plan for development on Broadway, from CVS to almost the corner of Broadway and Central Avenue (not including the Lyceum Building). She encouraged everyone to listen in to the Planning Board meeting on Monday, July 27, 2020, because this is a project that could affect the look and the feel of the Village.

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

Motion to refer the Coco Realty 39-51 North Broadway Project Application to the Housing Affordability Task Force for a report and recommendation.

BIKE PARKING IN THE DOWNTOWN

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

WHEREAS, the Shared Use Path (SUP) across the Governor Mario M. Cuomo Bridge recently opened at the end of the month of June, 2020; and

WHERE, the Village is experiencing a significant increase in bicycle traffic; and

WHEREAS, in order to manage and accommodate that traffic, the Board has discussed setting up locations in or near the downtown for bicycle parking.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown does hereby establish a temporary Pilot Program to provide bicycle parking at two various locations in the downtown area. The temporary Pilot Program will begin by providing bike parking on Main Street, beginning with Parking Space No. 299 (In front of Coffee Labs), and Parking Spaces in the mini parking lot (compact spaces) off of Main Street.

RESOLUTION SEEKING STATE FUNDING FOR THE DESIGN OF THE ROUTE 119 BIKE LANES

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

WHEREAS, the New York State "New NY Bridge Community Benefit Fund" provided a grant to fund a study of the implementation of a bike lane or bike lanes on Route 119, and

WHEREAS, this study was completed on October, 2019, by Nelson\Nygaard Consulting Associates which provided a recommendation for permanent dedicated bike lanes on Route 119 between Route 9 in Tarrytown, and proceeding through Greenburgh into White Plains, and

WHEREAS, the study was accepted by all the communities who participated and assisted the group during its study phase, and

WHEREAS, since the New York State Thruway Authority has opened the Shared Use Path (SUP) in late June and there is a significant increase in bike traffic into Tarrytown and nearby areas,

NOW, THEREFORE BE IT RESOLVED, that the Village of Tarrytown in cooperation with the Town of Greenburgh and the Village of Elmsford hereby asks the State of New York, including the Governor's Office, the Department of Transportation, the New York State Thruway Authority, and our elected representatives, Assemblyman Thomas Abinanti, Senator and Majority Leader Andrea Stewart Cousins, (with an informational referral to Westchester County Executive George Latimer and Westchester County Legislator Alfreda Williams) to ask the State to move forward and provide funding for the design of these permanent bike lanes along Route 119, at an estimated cost for design between \$500,000 and \$600,000, and

BE IT FURTHER RESOLVED that the Village Administrator and the Village Clerk are hereby directed to transmit a copy of this resolution to the Town of Greenburgh and the Village of Elmsford and all the State and County agencies and representatives listed above.

VEHICLE AND TRAFFIC AMENDMENT – PARKING ON WHITE STREET

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 amend the Vehicle and Traffic Code to update the Village Code of the Village of Tarrytown, Section 291- 77, Schedule XII: Parking Prohibited at All Times on the south side of White Street in the area of Franklin Street to allow fire trucks to safely turn up White Street from Franklin Street.

All new material is set forth in **bold** letters.

<u>Street</u>	<u>Side</u>	<u>Location</u>
---------------	-------------	-----------------

**White Street South From Franklin Street easterly for a distance of
70 feet.**

SURPLUS EQUIPMENT – MORPHO FINGERPRINT SCANNER

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 declare the Morpho Fingerprint Scanner in the Police Department as surplus and to be auctioned off for sale.

RESOLUTION AUTHORIZING TAX CERTIORARIS

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

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

BE IT HEREBY RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve settlement of the following tax certiorari cases as outlined in the Village Tax Certiorari Attorney's correspondences dated June 22, 2020, in the total amount of \$128,907.82:

Address	Property ID Numbers	Amount of Refund
Citibank, N.A. (former) 2 South Broadway	Tax ID: 1.80-46-8	\$18,350.45
DCD Realty Holdings, 480 South Broadway	Section 1.180, Block 102, Lot 11	\$39,627.59
JB Realty Enterprises, LLC 21 North Broadway	Section 1.40, Block 18, Lot 4	\$5,840.75
M. Kelly, 90 North Broadway	Section 1.50, Block 20, Lot 10	\$4,404.24
Tarrytown Hall Care Center 20 Wood Court	Section 1.40, Block 7, Lot 10	\$38,558.04
J. and C. Vilanova 50 North Washington Street	Section 1.40, Block 14, Lot 15	\$11,387.60
Willey Group, LLC 132-140 Willey Street	Section 1.40, Block 9, Lots 11 and 13	\$10,739.15
	Total Refunds	\$128,907.82

and, BE IT FURTHER RESOLVED, that the Board of Trustees hereby authorizes the Village Treasurer and the Village Administrator to make payment of these Tax Certiorari

Refunds through the use of operating funds, appropriated fund balance, or the future issuance of debt.

RESOLUTION TO SCHEDULE A PUBLIC HEARING ON A PROPOSED LOCAL LAW TO AMEND THE ZONING CODE OF THE VILLAGE OF TARRYTOWN, CHAPTER 305-5(B), §305-6, §305-33-1 REGARDING A PROPOSED SENIOR COMMUNITY FLOATING/OVERLAY ZONE

Trustee Butler 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 public hearing to be held on Monday, August 17, 2020, at 8:00 p.m., at the Regular Tarrytown Village Board Meeting to be held either via in-person meeting, or Zoom Video Conference, depending on the State's directives about gatherings under NY on Pause, with regard to a proposed local law to amend the Zoning Code of the Village of Tarrytown, to add "Senior Community" as a new definition in Chapter 305-5(B), to add "Senior Community Floating/Overlay" to proposed districts in §305-33-1 and to add a new Section entitled "SC Floating/Overlay Zone in Chapter 305-6 in order to allow a proposed development at 62 Main Street, (YMCA).

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON JUNE 15, 2020

Trustee Zollo moved, seconded by Trustee Butler, 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 June 15, 2020 as submitted by the Village Clerk.

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF THE BOARD OF TRUSTEES HELD ON JUNE 22, 2020

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 approve the minutes of the special meeting of the Board of Trustees held on June 22, 2020 as submitted by the Village Administrator.

APPROVAL OF AUDITED VOUCHERS

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

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

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No. 2, which includes the July 6, 2020 and the July 20, 2020, Audited Vouchers in the total amount of \$1,493,900.78 to be paid in the following amounts:

General	\$ 728,215.20
Water	\$ 146,329.72
Sewer Fund	\$ 4,985.88
Capital	\$ 519,128.06
Library	\$ 63,839.08
Trust & Agency	\$ 31,402.84
Total	\$1,493,900.78

LEASE AGREEMENT WITH UNITED STATES POSTAL SERVICE FOR PARKING PERMITS

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 authorize and direct the Village Administrator to execute a renewal agreement with the United States Postal Service for parking permits, known as a ground lease, in the amount of \$12,480 annually with an annual 2% increase on June 1st of each year for up to 39 parking permits, which shall be effective retro-active to June 1, 2020 with an expiration date of May 31, 2025, for a total of 5 years.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD ON ITEMS NOT INCLUDED ON THE AGENDA. SPEAKERS HAVE FIVE (5) MINUTES BEFORE YIELDING TO THE NEXT SPEAKER; THEN THREE (3) MINUTES FOR ADDITIONAL COMMENTS

Peter Bartolacci, 67 Miller Avenue, noted that Con Edison did some work in the Miller Park neighborhood recently. None of our neighbors were notified that this was happening. They shut down traffic in both directions, it his understanding that the Police Department didn't know about it. They replaced a normal size telephone poles with poles that are close to twice the size of the original telephone poles. Not only did they put in much bigger poles, but, in his case, they moved the pole further south by a few feet, so that it now sits directly in his line of sight of his front door. Had he been notified that the work was going to be happening, he would have made sure he was home. The new pole is damaged, it has shredded wood at the bottom. The new pole is 8 inches from the sidewalk, the old pole was at least 21 inches from the sidewalk. When his kids ride their bikes on the sidewalk, there was no danger of them clipping their handlebars on the pole. He noted that the Village makes it pretty hard for residents to obtain permits and it seems like Con Edison

obtained a permit fairly easily. Is there any way to get in touch with Con Edison to have the new pole moved to the other side of the old pole? Administrator Slingerland noted that the Village will have to look into this with Con Edison and the Department of Public Works. Administrator Slingerland asked Mr. Bartolacci to email him his concerns with the pole and he will pass that along to them and ask for a formal response.

ADJOURNMENT

On the motion of Trustee Hoyt, seconded by Trustee Brown, the meeting was adjourned at approximately 10:34 p.m. by vote of seven in favor, none opposed.

Carol A. Booth
Village Clerk



TRAIL STRATEGY IMPLEMENTATION UPDATE

Sleepy Hollow & Tarrytown

Village Board

Project Team

• Steering Committee

- Tarrytown
 - Tarrytown Environmental Advisory Council
 - Tarrytown Lakes Committee
 - Planning Board
 - Lyndhurst
- Sleepy Hollow
 - Sleepy Hollow Environmental Advisory Council
 - Friends of Kingsland Point Park
 - Village Board
 - Sleepy Hollow Cemetery

• County/Region

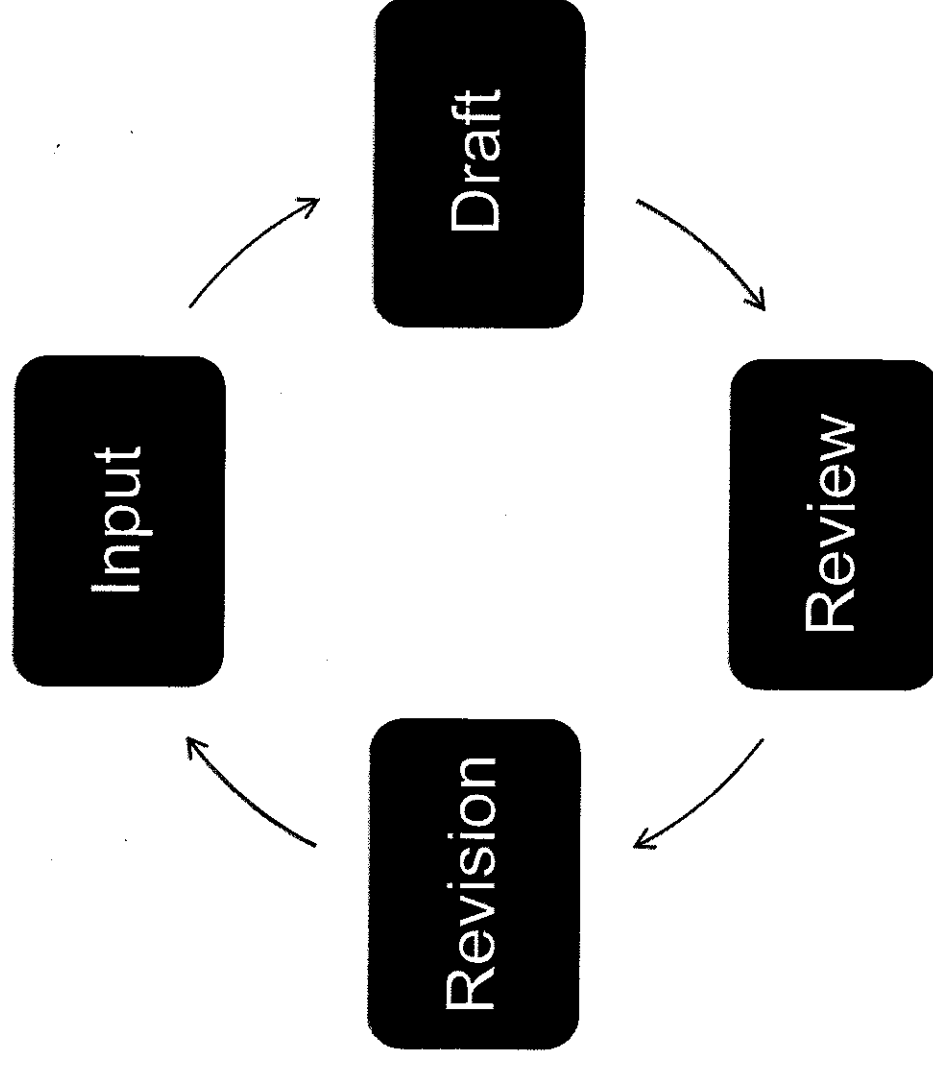
- Westchester County Planning
- Metro North Railroad
- Old Croton Aqueduct State Park
- Friends of Old Croton Aqueduct State Park
- NYS OPRHP
- Pocantico Watershed Association



Project Coordinator,
Scenic Hudson

How were the recommendations developed?

- Steering Committee
- Field Verification
- Public Workshop
- On-line Survey
- Village Board Presentations
- Stakeholder Meetings



10 INITIATIVE AREAS

For a Connected Bike-Ped Environment in the Two Villages

1. Build a Trail-Friendly Community

- Form a Village Trail Committee
- Organize and Promote Trail-Centered Community Events
- Trail Safety and Maintenance Plan
- Trail Sharing Etiquette Education



1. Build a Trail-Friendly Community

✓ Form a Village Trail Committee

- Organize and Promote Trail-Centered Community Events

- Trail Safety and Maintenance Plan

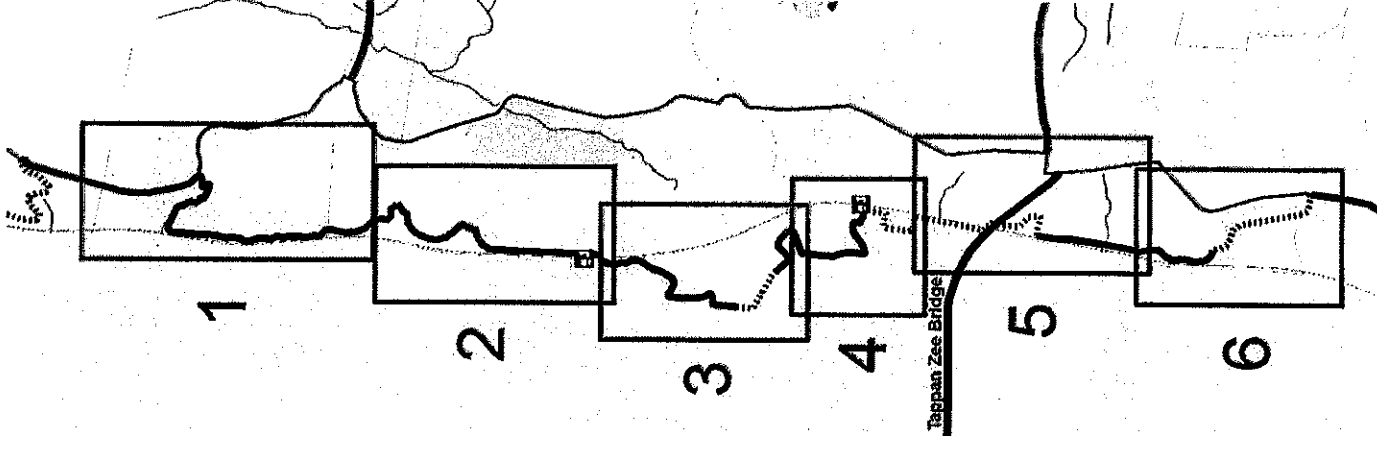
- Trail Sharing Etiquette Education



2. Complete and Improve RiverWalk to Design Guide Standards

- In Project Area: 6 Distinct
Zones

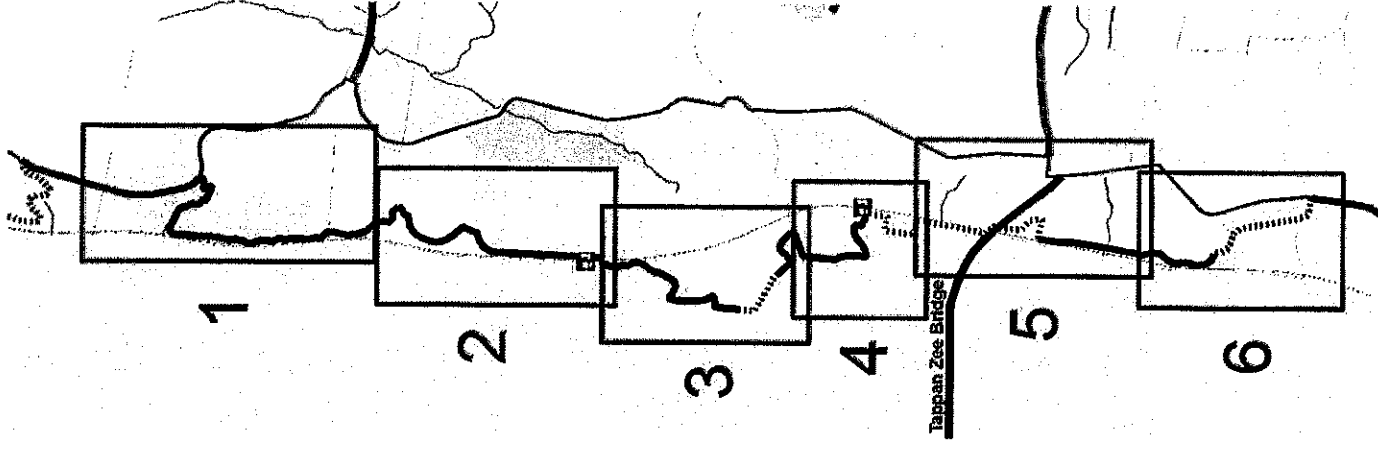
1. Rockefeller-Kendal
2. Manor Neighborhoods
3. Kingsland Point Park
4. Tarrytown Station
5. Ledge Trail
6. Rural Historic



2. Complete and Improve RiverWalk to Design Guide Standards

- In Project Area: 6 Distinct
Zones

1. Rockefeller-Kendal
2. Manor Neighborhoods (V-SH)
3. Kingsland Point Park (Edge)
4. Tarrytown Station (V-TT)
5. Ledge Trail (SH+)
6. Rural Historic (Lyndhurst, WC)



Trail Connection Options

Option A Water and Land Trail Connection

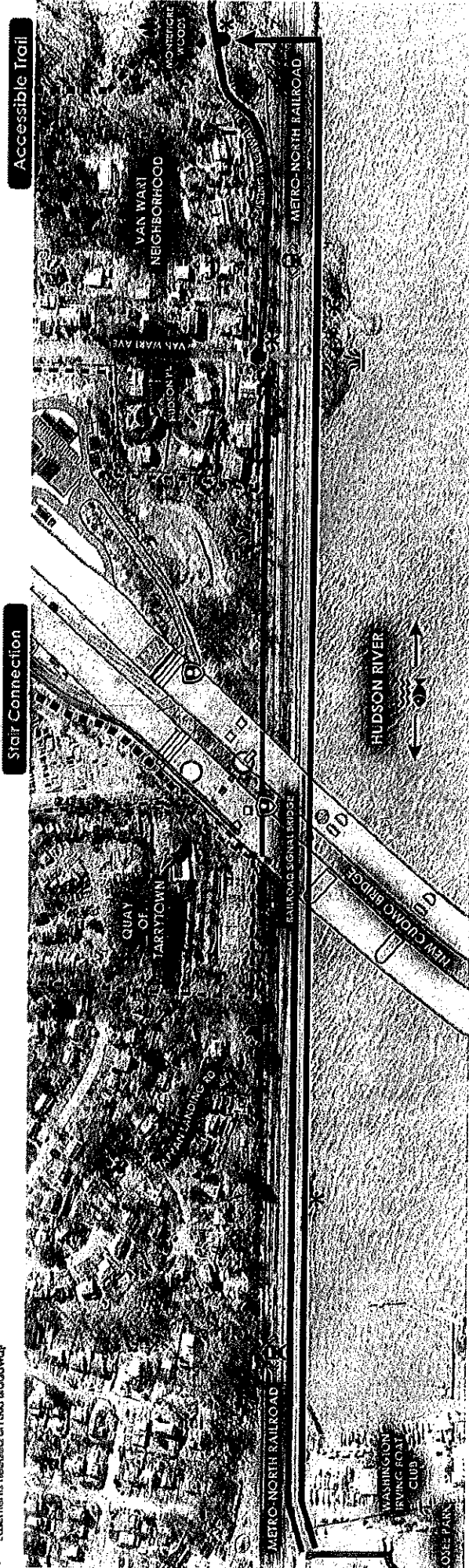
- 1,325' long waterfront esplanade along river
- One new Metro-North Railroad crossing at former signal bridge
- Ramp connects to Van Wari neighborhood using existing retaining wall
- Path connects to Montefiore property and JCC on the Hudson
- One wetland crossing
- No path access waterfront peninsula
- Three waterfront overlooks / fishing piers
- Impacts three residents directly at Van Wari Node
- Easements needed on 303 Broadway

Option B Van Wari Trail Connection

- 2,900' long waterfront esplanade along river
- Two Metro-North Railroad crossings at former signal bridge and Van Wari Node
- Path connects to Van Wari neighborhood
- One, possible wetland crossing
- Path access waterfront peninsula with overlooks
- Five waterfront overlooks / fishing piers
- Easements needed on 303 Broadway

Option C Montefiore Trail Connection

- 3,400' long waterfront esplanade
- Two Metro-North Railroad crossings at former signal bridge and Montefiore Node
- One, possible wetland crossing
- Path access to Montefiore peninsula with overlooks
- Five waterfront overlooks / fishing piers
- Minimal impact to Van Wari neighborhood
- Easements needed on 303 Broadway



LEGEND

	Balancing and Planned Trail		Proposed SUP Connection		Railroad Restrictions		Critical Wetland
	Option A: Water and Land Connection		Proposed Overlook / Rest Area		• 15' oak tree canopy clearance • 25' oak tree canopy clearance		Homeland Security Restrictions
	Option B: Van Wari Connection		Designated Parking		Woodland Corridor		Outlook Opportunities
	Option C: Montefiore Connection		Slope Slope		Sleep Rock Face		Bordering Neighborhood

TARRYTOWN RIVERWALK EXTENSION

OPEN HOUSE 06.24.2018

• \$650,000 of grant-funded feasibility study, outreach, moving towards environmental review

3. Support and Highlight Old Croton Aqueduct as Regional Linear Park Asset

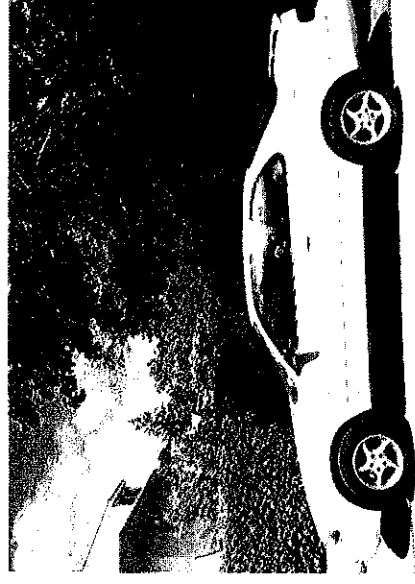
- Implement Local Policies to Support Old Croton Aqueduct



- Improve Road Crossings and Keep Route Clear

- Enforce Rules on Encroachment

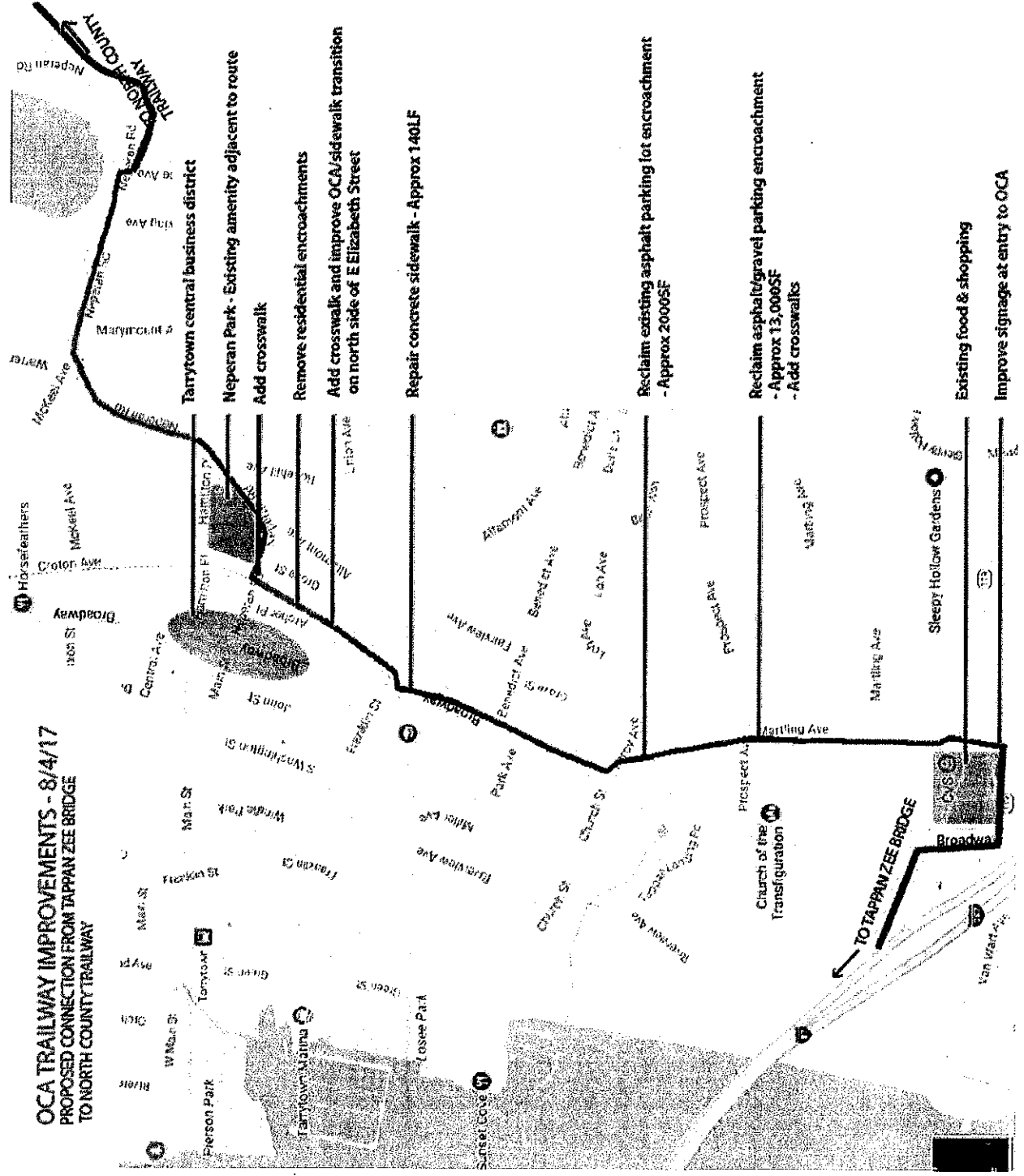
- Integrate the OCA into Local Plans



OCA Improvements

- \$300,000 of grant-funded improvements

OCA TRAILWAY IMPROVEMENTS - 8/4/17
PROPOSED CONNECTION FROM TAPPAN ZEE BRIDGE
TO NORTH COUNTY TRAILWAY



4. Highlight the Hudson River Greenway Water Trail

- Increase the User-Friendliness of Horan's Landing for Canoes and Kayaks

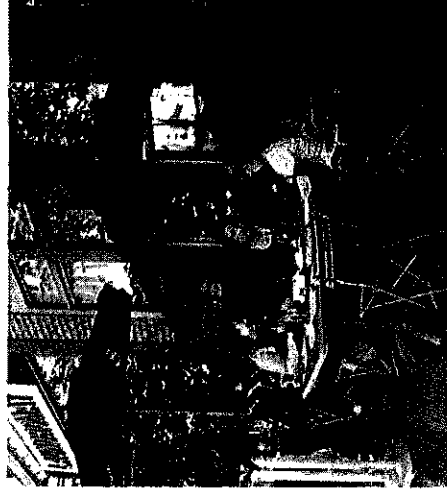


- Identify and Improve New Landing Sites for the Water Trail in the Two Villages



5. Walkable and Bikeable Downtowns

- Pedestrian and Bike Enhancements in the Core Business Districts



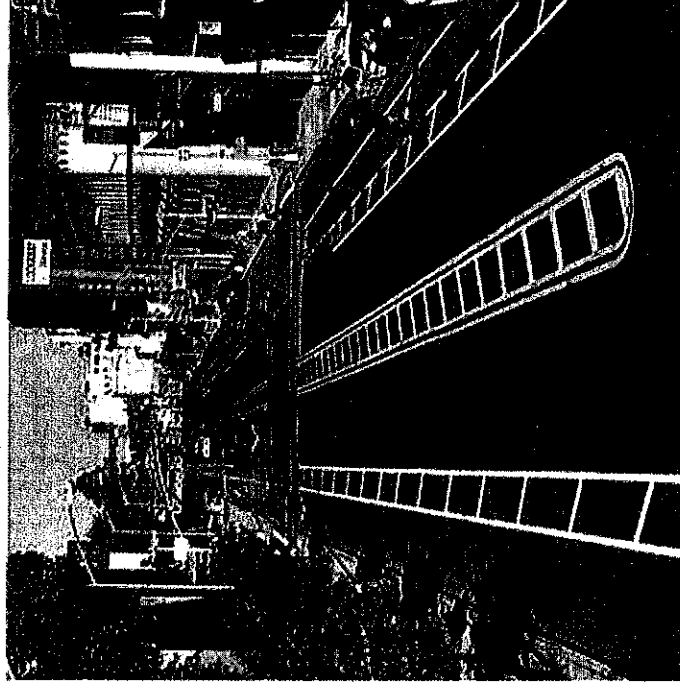
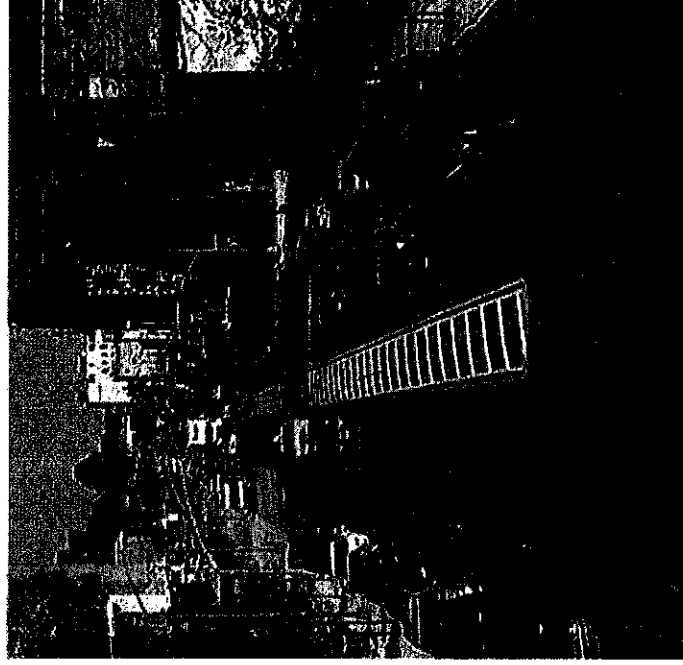
- Prioritize Bike and Pedestrian Improvements to Downtown Civic Sites, Especially Schools



5. Walkable and Bikeable Downtowns

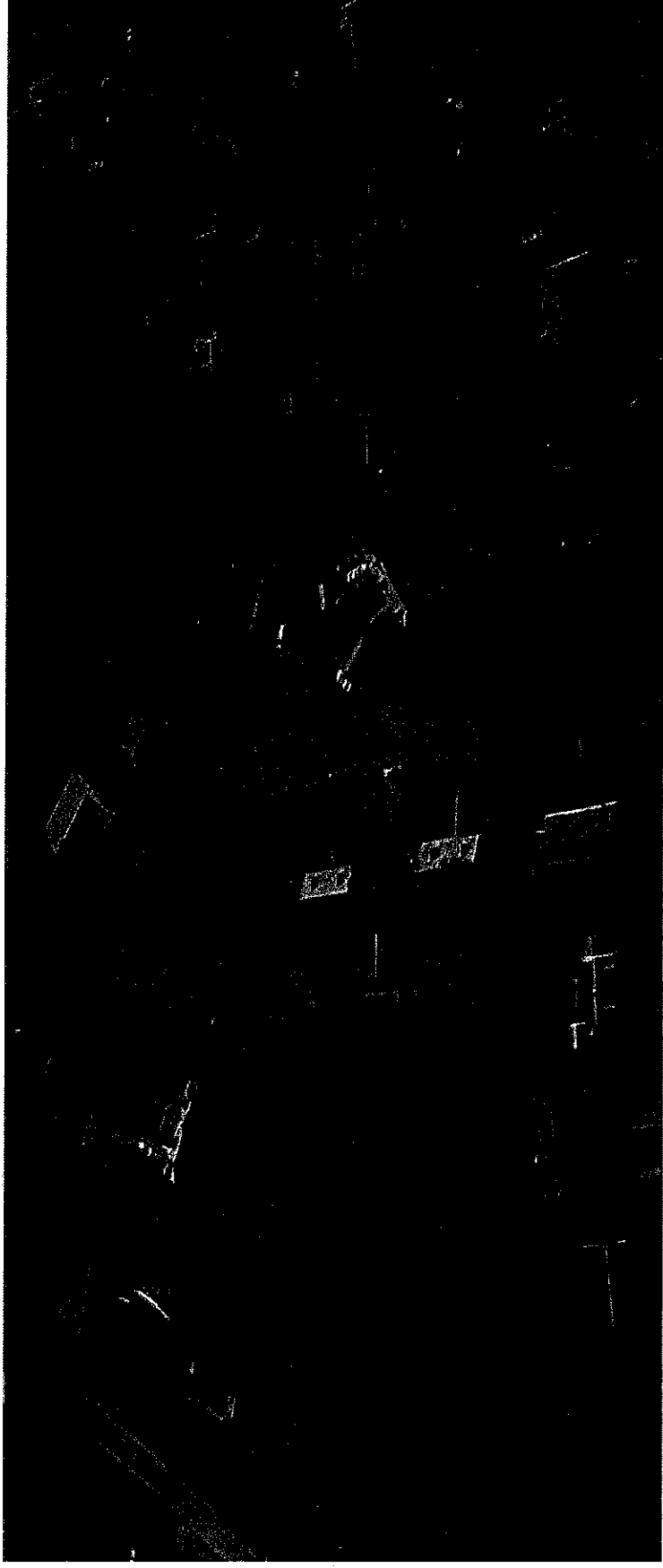
- Incorporate Multi-modal Improvements into Annual Village Budget and Work Plans

- Complete Streets Policy (V-SH)



5. Walkable and Bikeable Downtowns

- Conduct Additional Walkability Audits to Improve Conditions Community-wide



Gunpowder and Crest

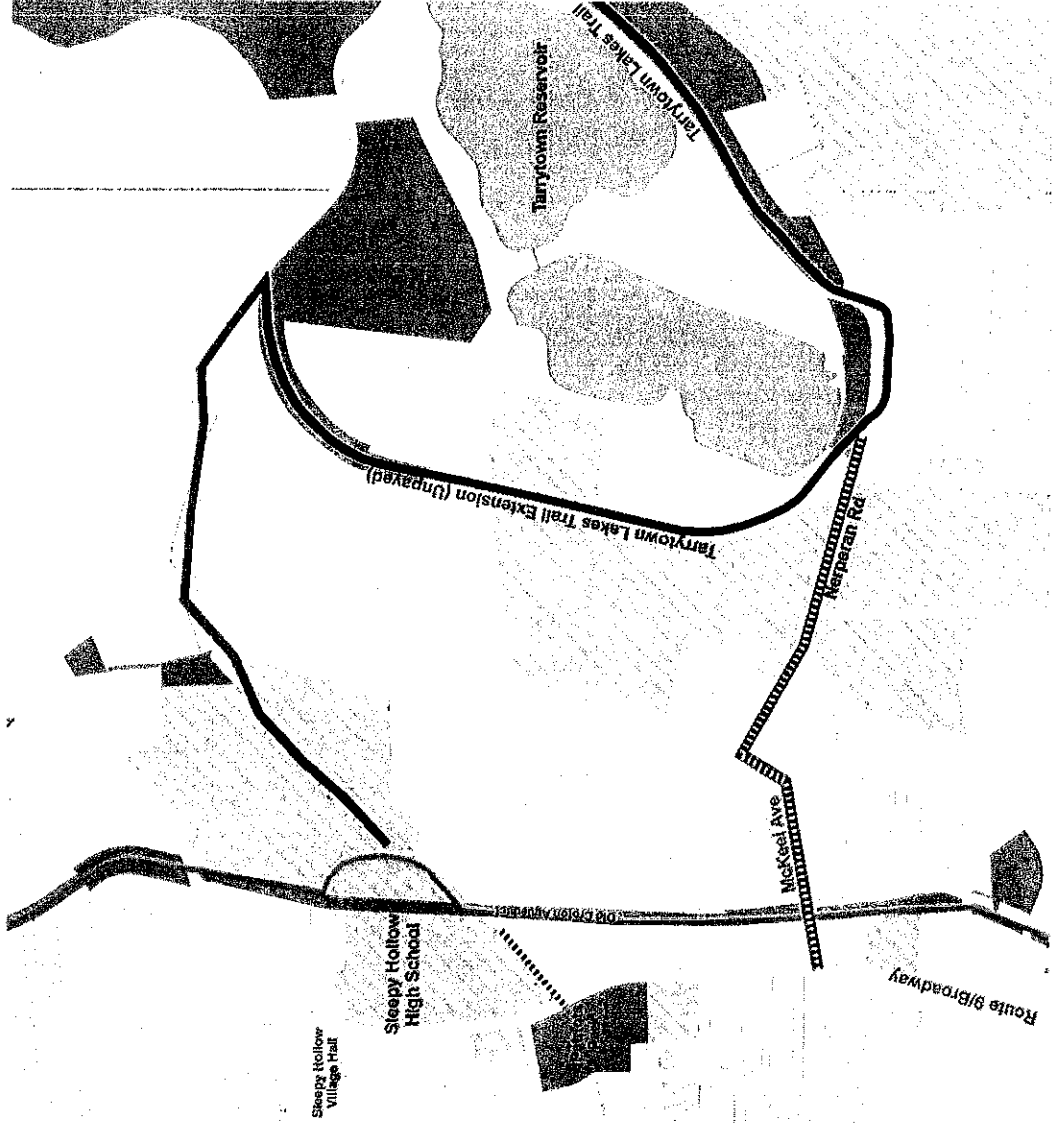
6. Link and Enjoy Rockefeller Park Preserve

- Route 9 Pedestrian Crossing Safety Improvements Near Old Dutch Church
- Route 9 Pedestrian Crossing Safety Improvements Near Phelps Hospital
- Bicycle Improvements to Route 117
- Invasive Vegetation Management



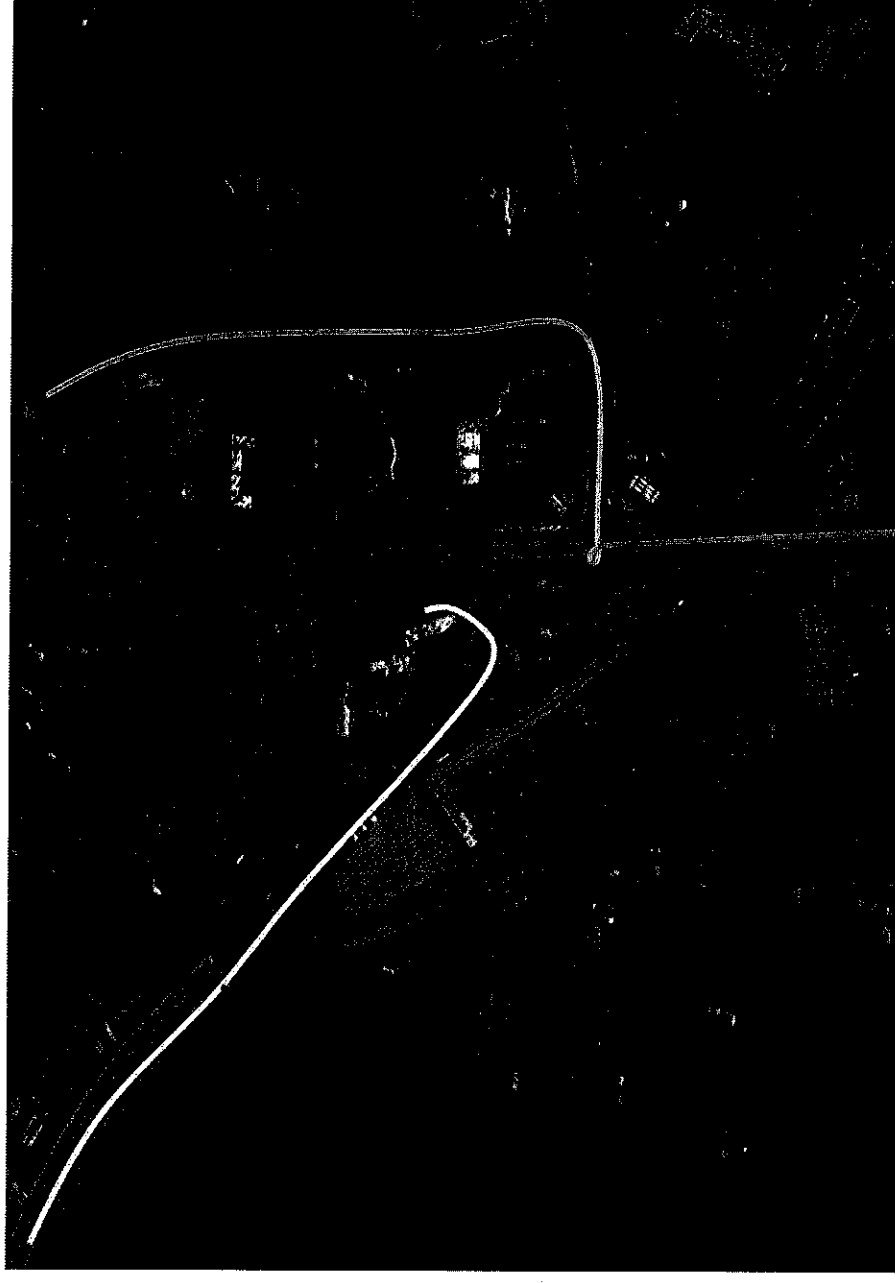
7. Kensico-Tarrytown Lakes Trail

- Create an On-Road Bike Connection Down Neperan Road and McKeel Avenue



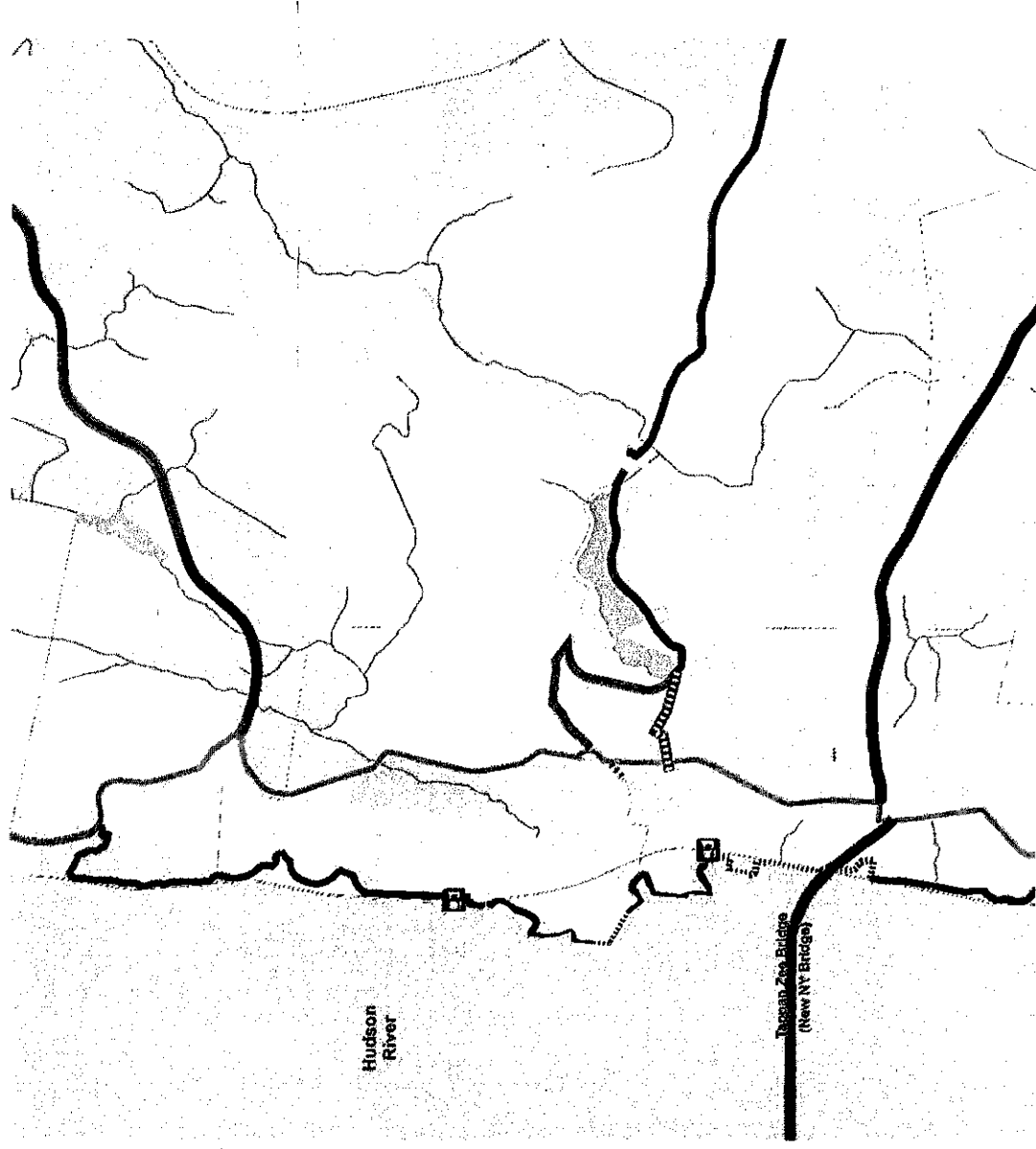
8. Bridge Area Trail Connections

- Ensure Trail Connections at Bridge Landing are Made Post-Construction



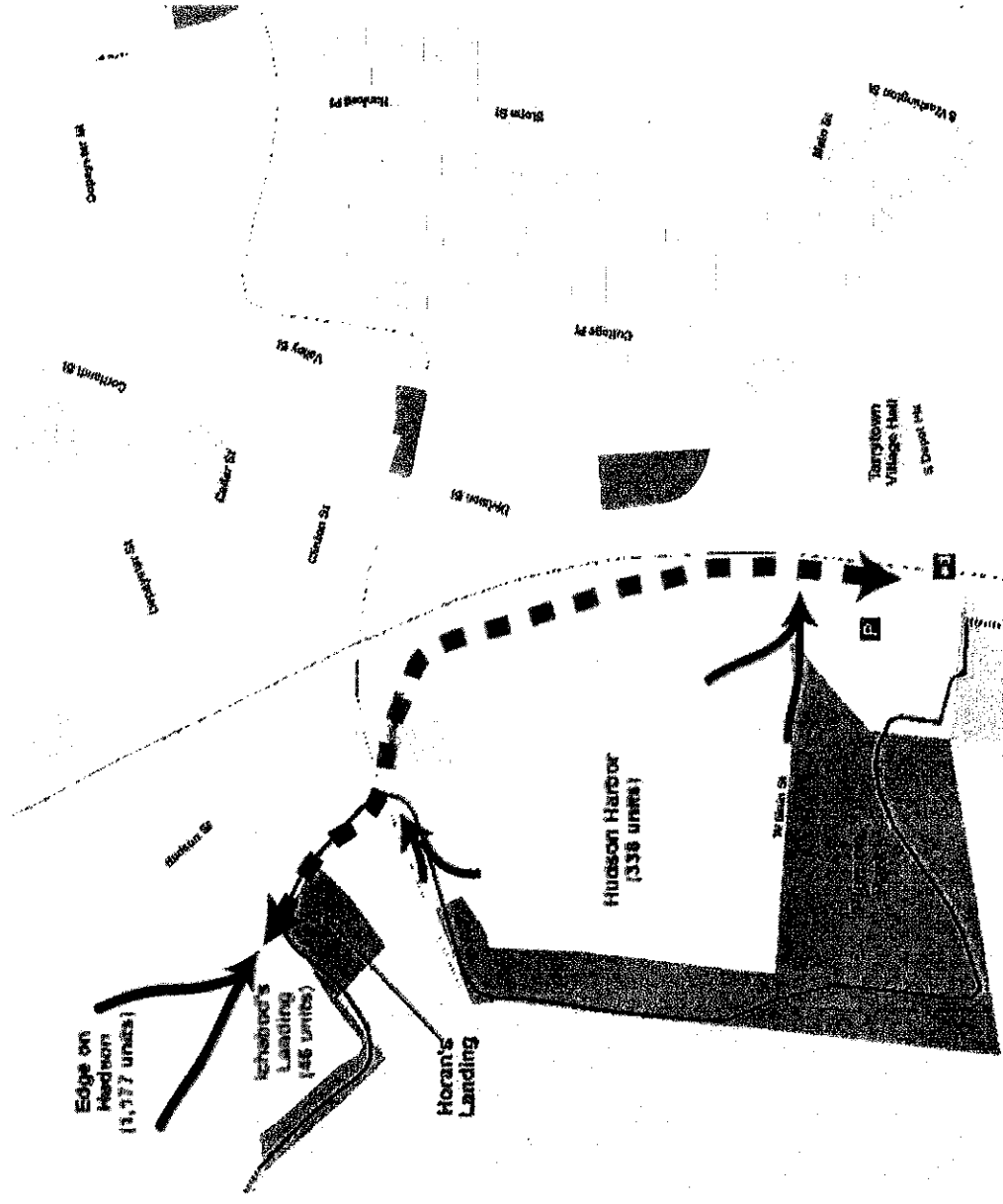
8. Bridge Area Trail Connections

- Implement Designated Bike Lanes Along Route 119



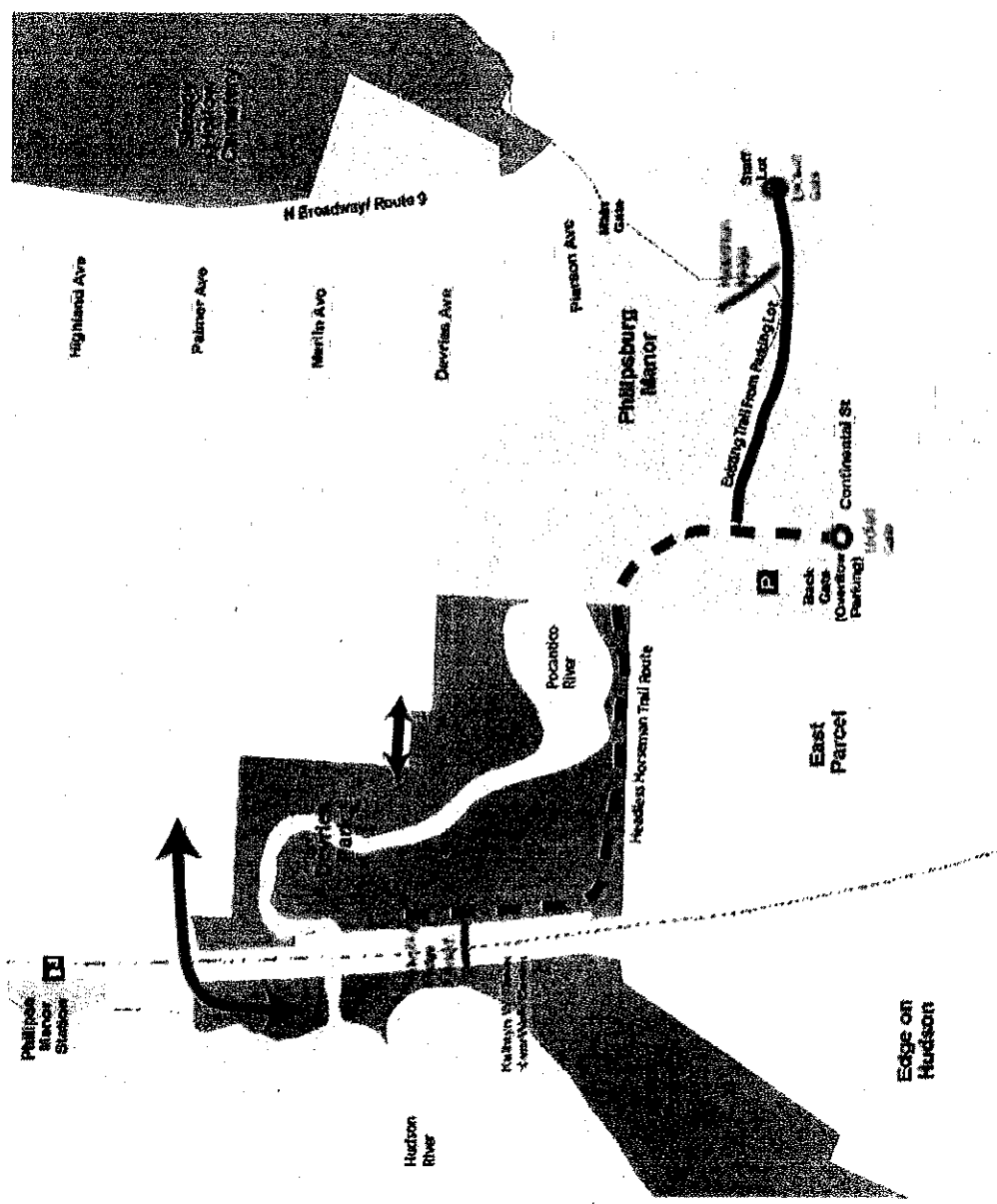
9. Making the Connection: Priority Local Trail Projects

- Implement Tarrytown Station Commute Route



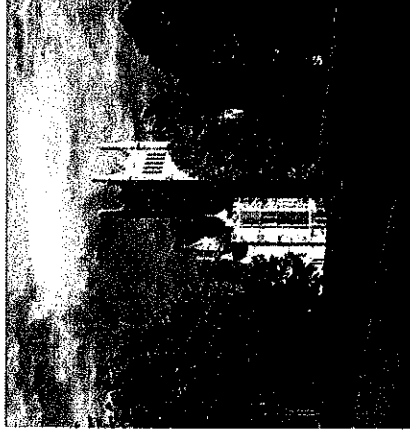
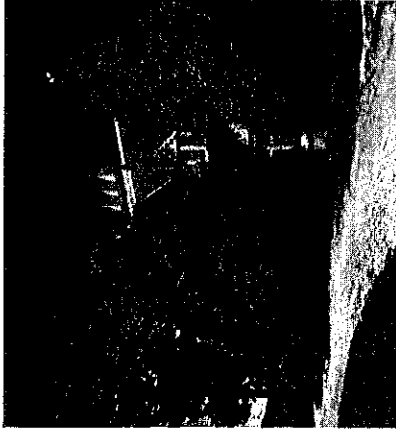
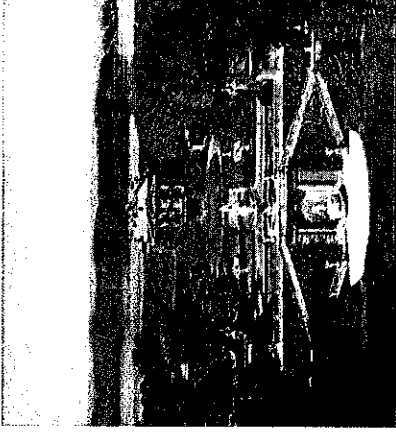
[REDACTED]

-
- This map illustrates the Phillipsburg Manor and its surrounding area. Key features include:
- Water Bodies:** Hudson River, Pocantico River.
 - Streets:** N Broadway/Route 9, Highland Ave, Palmer Ave, Marlton Ave, Devries Ave, Pierson Ave, Continental St.
 - Landmarks:** Phillipsburg Manor, Phillipsburg Manor Station, East Parcel, Headless Horseman Trail Route.
 - Trail:** Biking Trail from Parking Lot, starting at the Back Gate (Overlook Parking) and ending at the Main Gate.
 - Other Labels:** Edge on Hudson, Main Gate, Back Gate, Overlook (Parking), Headless Horseman Trail Route, Pocantico River, Hudson River, Marlton Ave, Devries Ave, Palmer Ave, Highland Ave, N Broadway/Route 9, Phillipsburg Manor Station.



10. Package and Promote Trails and Community Destinations for All to Enjoy

- Comprehensive Wayfinding System
- Local Trail Guide
- Designate and Promote Local History Trail



Next Steps

- Priorities from the Board?
- Review/Revise Trails Committee Representatives

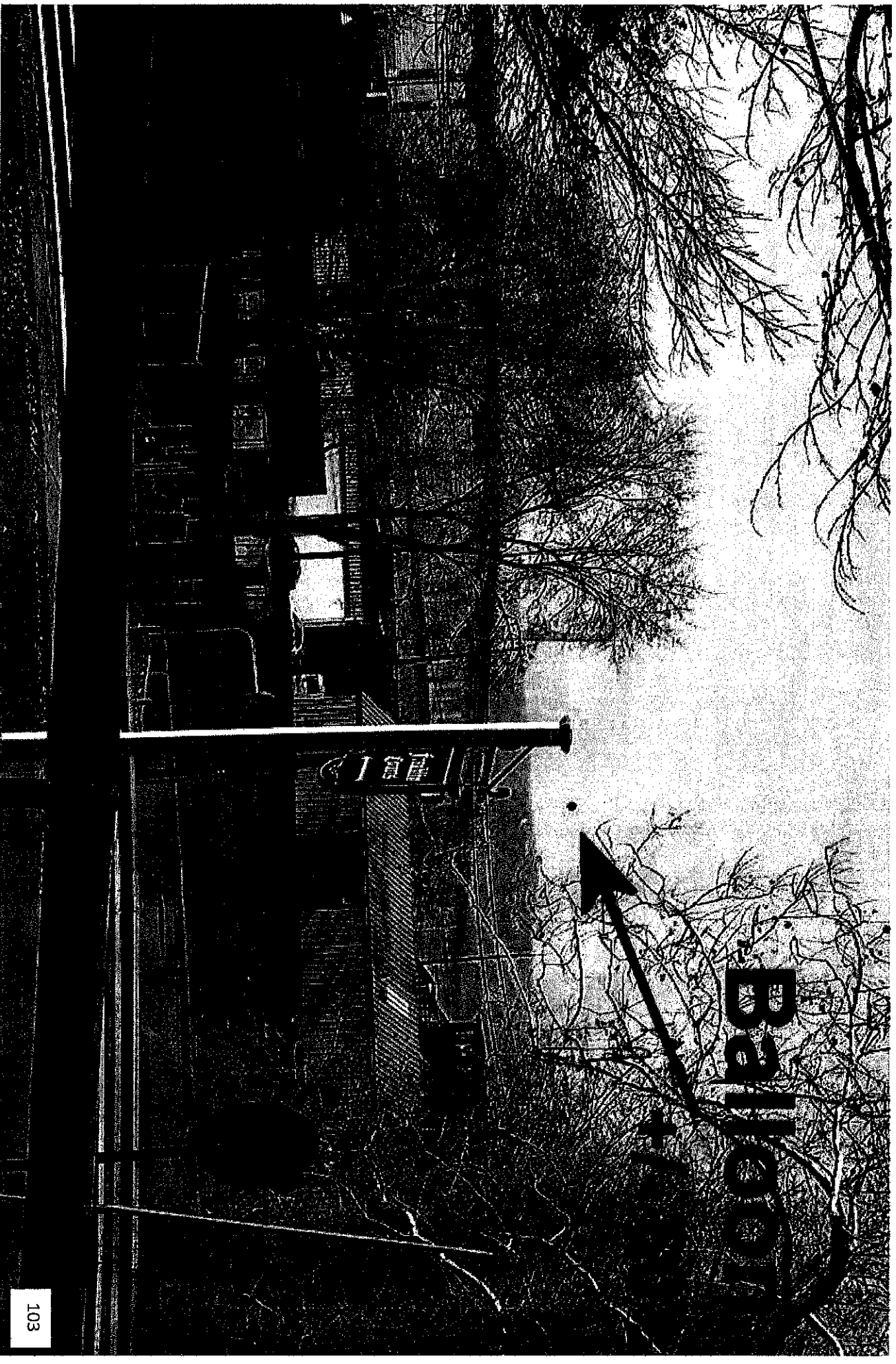
Thank you for
your time!

What Changed? // Why Now?

<u>Date</u>	<u>Units</u>	<u>Stories</u>	<u>Height</u>	<u>Comment</u>
6/26/17	0	2	24	Self Storage Only
3/26/18				Self Storage Approved
1/28/19	46	4	40	0, 1, & 2 BR / 430 - 1,200 SF
7/22/19	69	4	52	
=====				
12/16/19			120	BOT's 1st SAO Public Comment: 20 + Acre Rezone // 120' Max. // No Dimensional or Budget Limits
2/24/20	88	5	60	
=====				
9/30/20				"No Significant Environment Impact"
11/23/20				Neg Dec - TOD Zoning to BOT

Note: Franklin Tower Density in 40' / 3 Story Zone

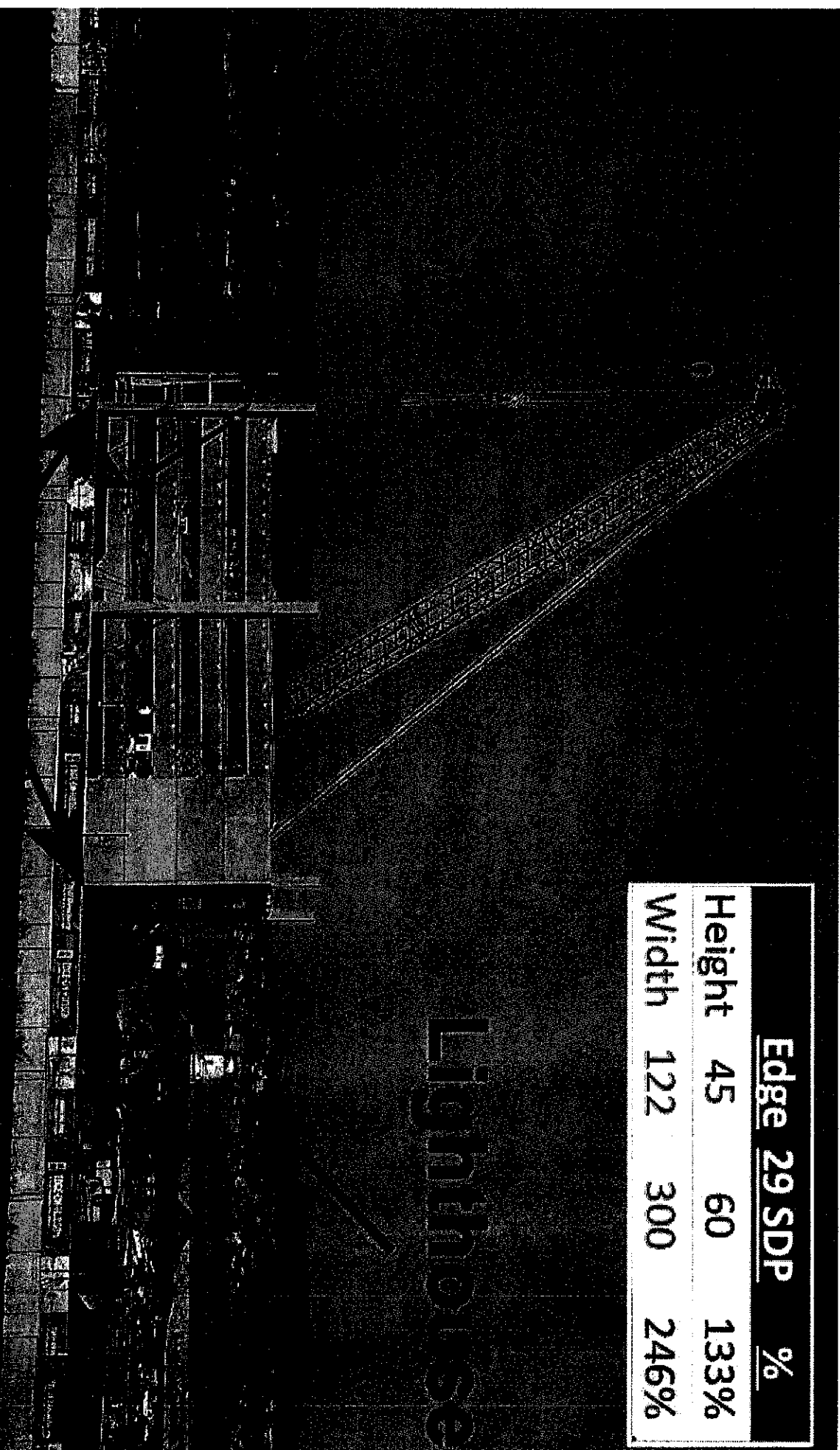
East View Balloon



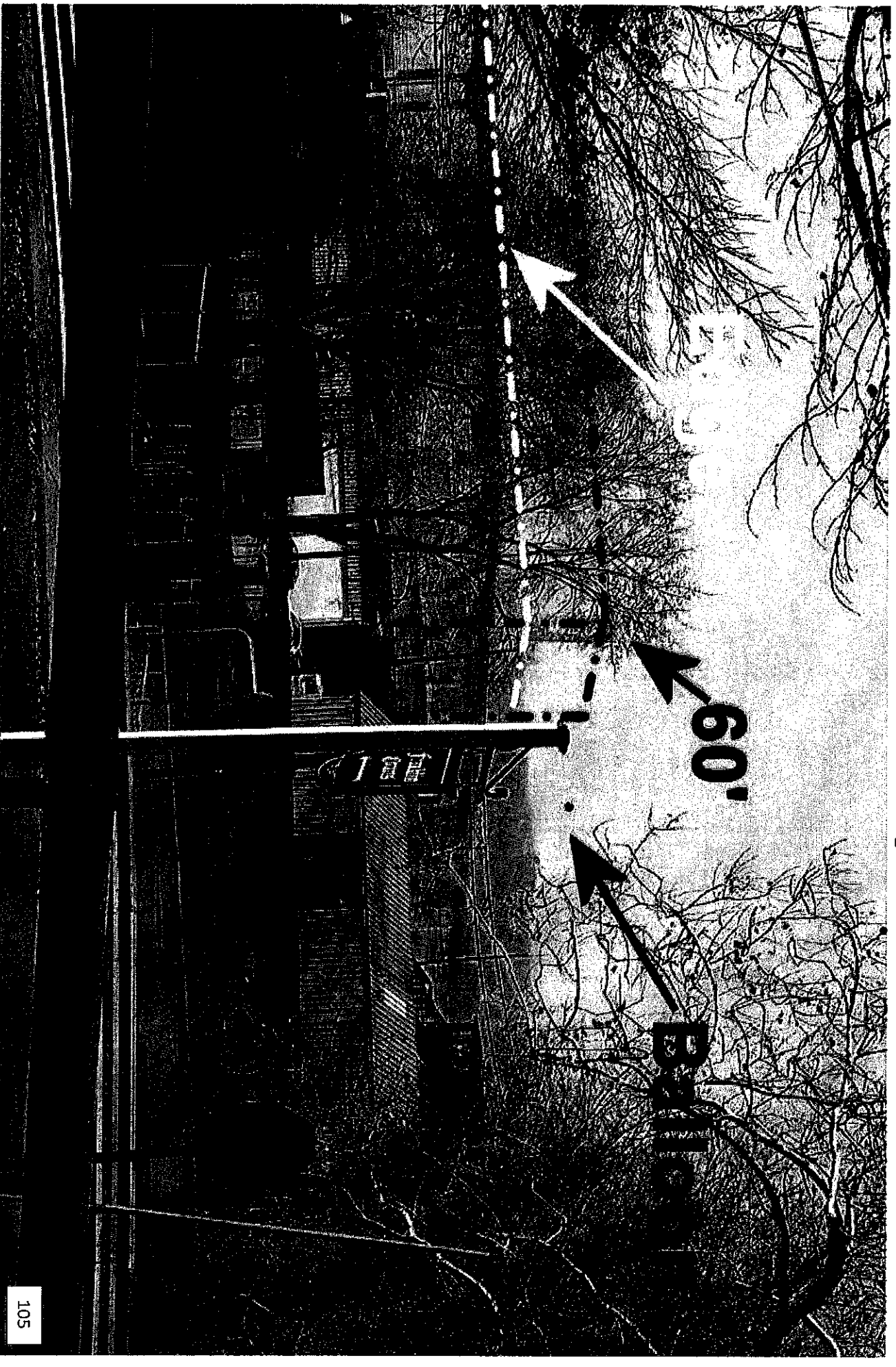
Edge with Measurements

	Edge	29 SDP	%
Height	45	60	133%
Width	122	300	246%

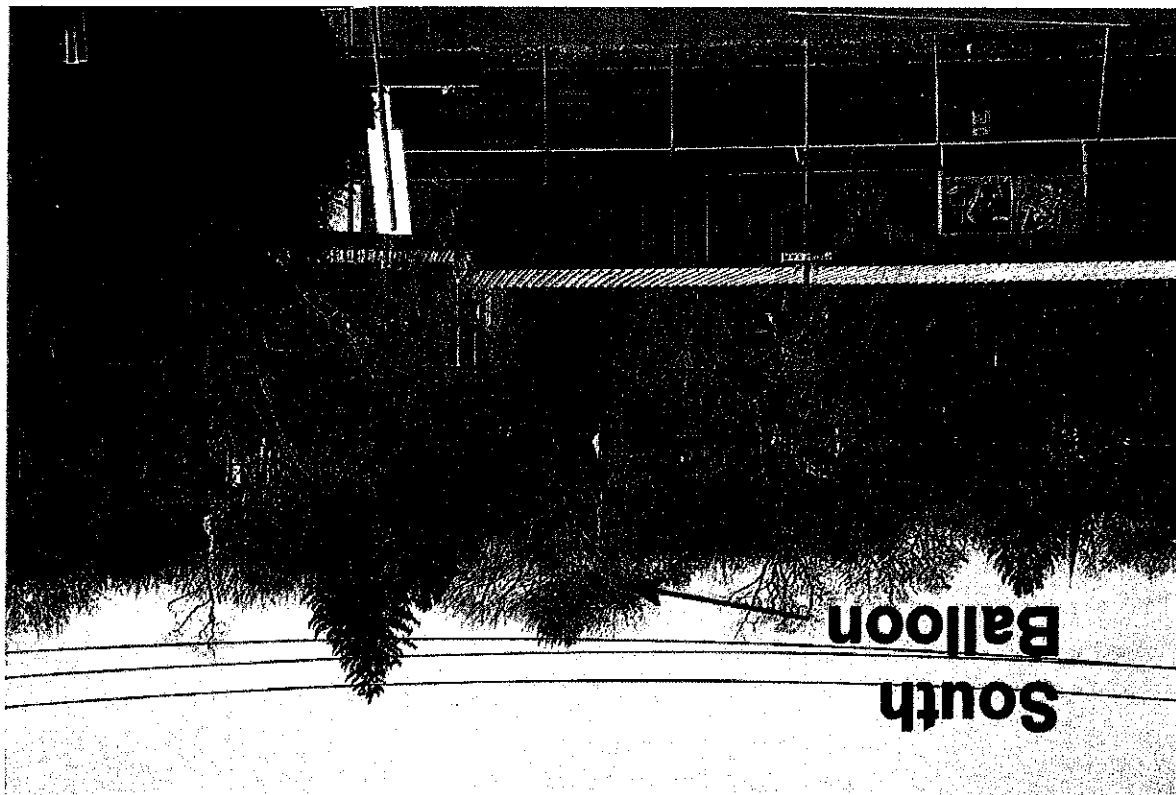
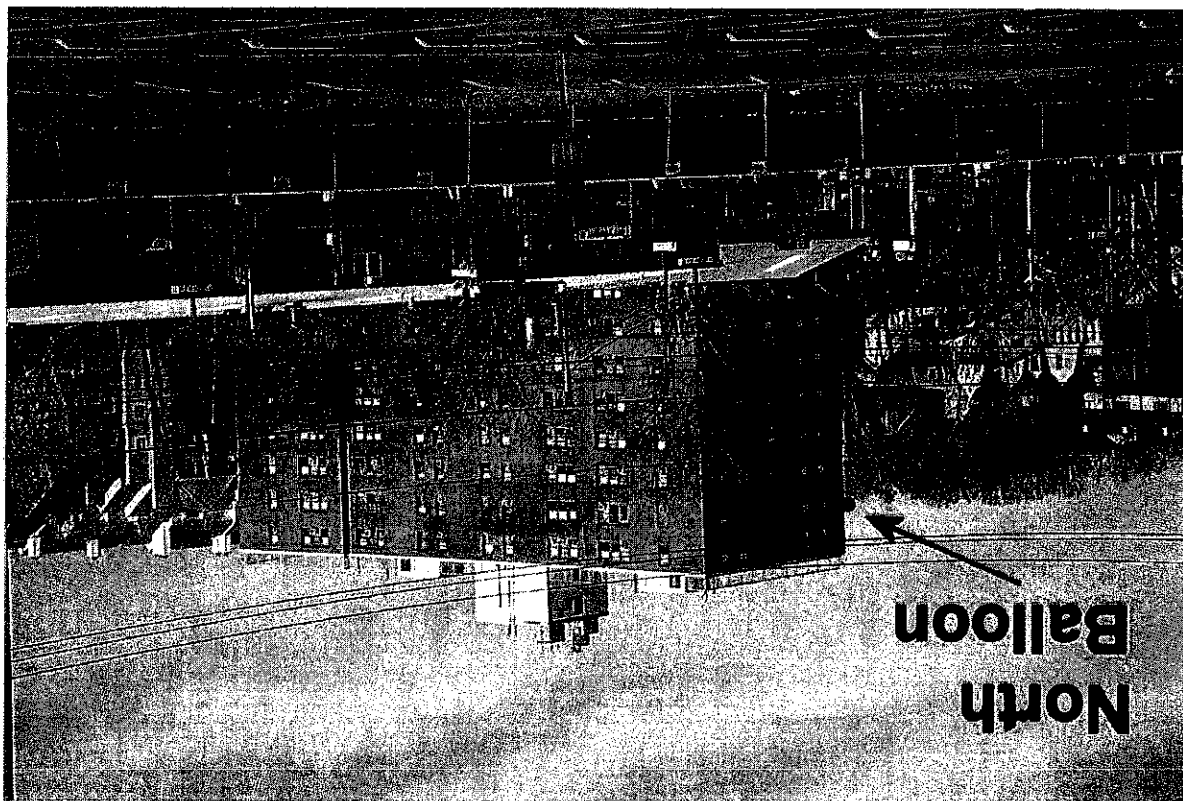
Lighthouse



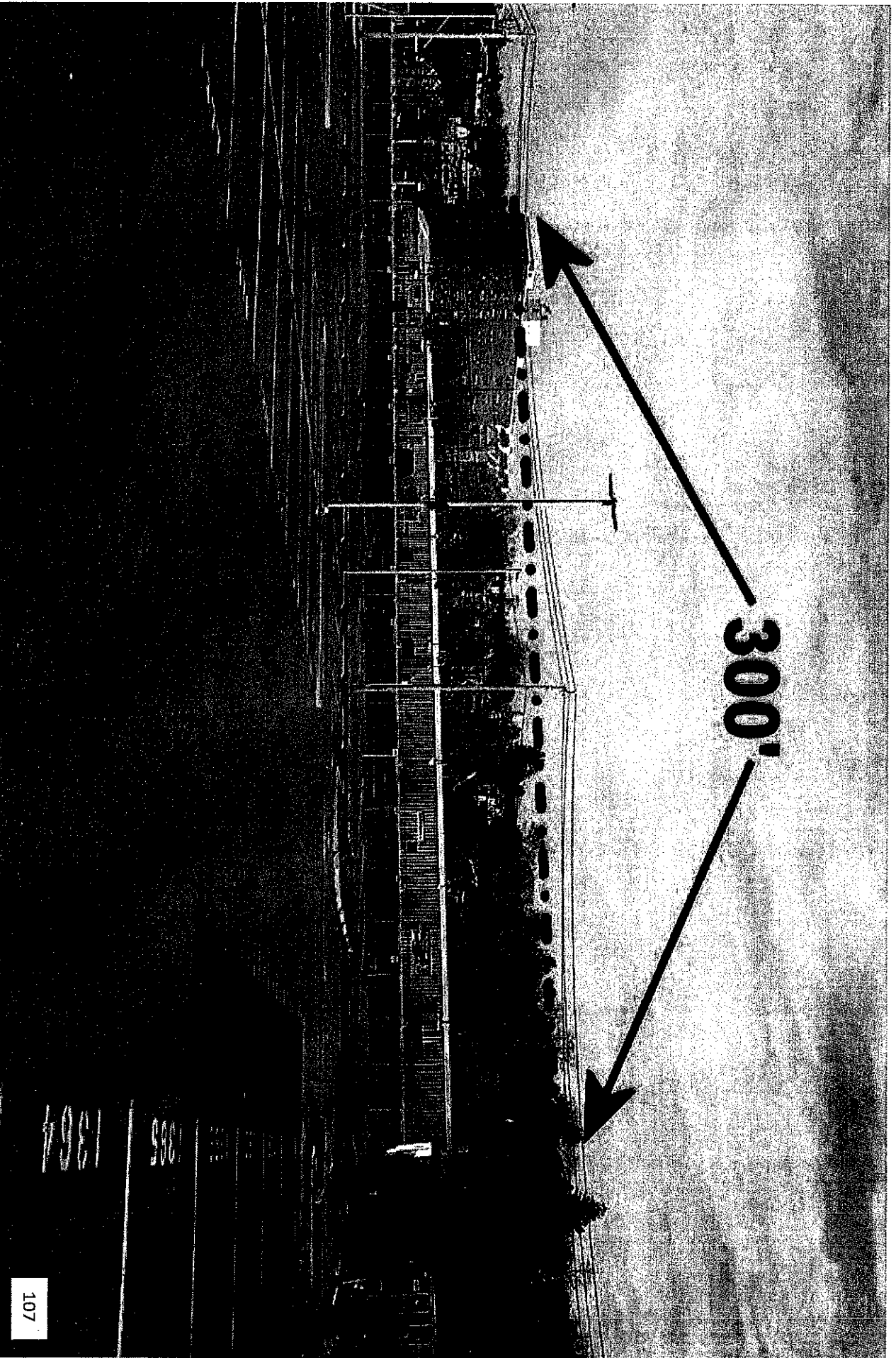
East View Impact



West Views w Balloons



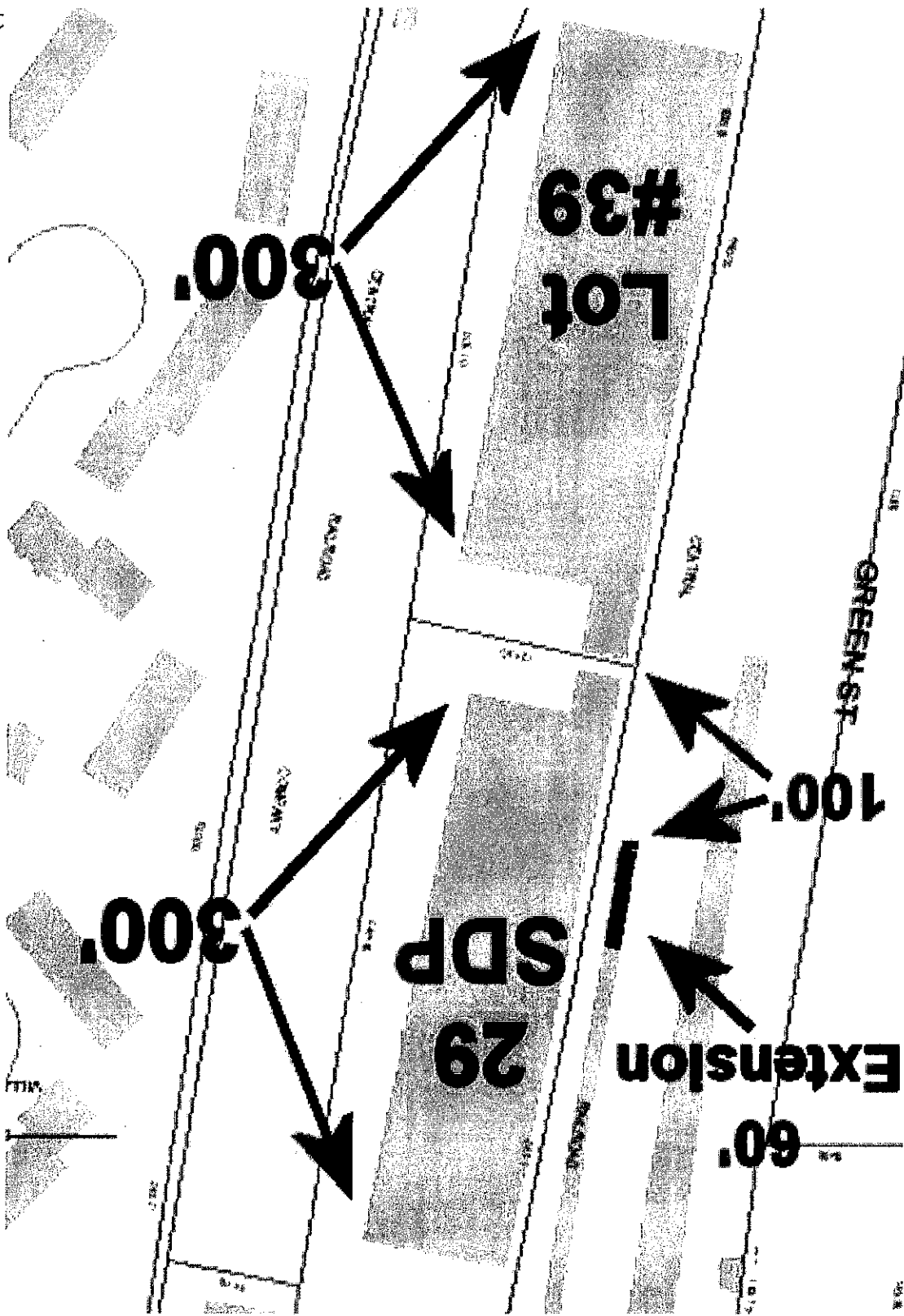
West View Impact



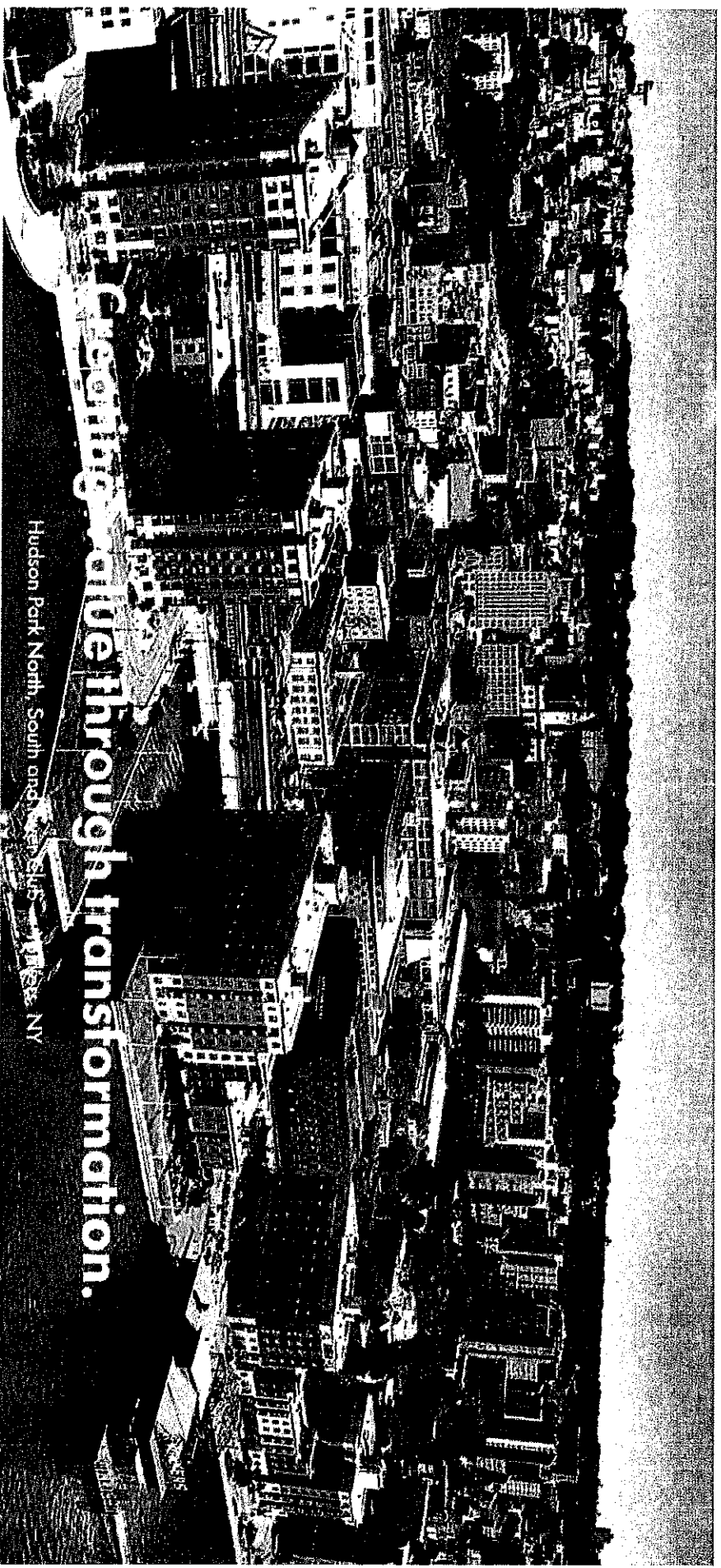
1364

1365

Lot #39 Qualifies for TOD w 60' Platform Extension (600' x 60' View Destruction)



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=====

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=====

From Minority Opinion – 11/23/10

In this case, the zone change was prepared by the applicant for his goals and purposes and not necessarily in the village's interest.

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innovative dealmakers**

=====

From Minority Opinion – 11/23/10

As a result, no serious effort to mitigate, reduce or modify the proposal was made despite multiple efforts on the part of the minority to compromise and find a more balanced, less dense zone change.

We reject the process of coercion and the, “take it or leave it approach”, or the “my way or the highway”, situation the Planning Board faced.

=====

46 Units Worked in 2019. Why Not Less than 88 Now?