

Board of Trustees  
Village of Tarrytown  
Regular Meeting No. 20  
September 3, 2019  
8:00 p.m.

PRESENT: Mayor Fixell presiding; Trustees: Brown, Hoyt, McGovern and Rinaldi and Zollo; Village Administrator Slingerland; Assistant Village Administrator Ringel; Village Treasurer Hart and Village Attorney Kathy Zalantis and Village Clerk Booth

ABSENT: Trustee Butler

The meeting began with the Pledge to the Flag.

## REPORTS

Mayor Fixell noted that there will be a Household Recycling Fall Drop-Off Day on Saturday, September 28<sup>th</sup> at FDR State Park, Route 202 in Yorktown, from 9 a.m. – 3 p.m. A flyer is on the website with information as to what items are acceptable and not acceptable to recycle. Mayor Fixell's experience with the County's Household Recycling Drop off Day was a very smooth operation and recommends going if you have things to throw out.

Trustee McGovern noted the following:

- The Village Pool will be open this coming weekend, from 10 a.m. – 7 p.m. and then will close for the year. She urged everyone to come out and enjoy the last days at the pool.
- The last summer concert is this Thursday, September 5<sup>th</sup> at 7 p.m., at Patriots Park, presenting "The Bookends." They play music from the 60's and 70's.
- The Tarrytown Village-Wide Tag Sale will take place on Saturday, September 21<sup>st</sup> from 10 a.m. to 5 p.m., with a rain date of Sunday, September 22<sup>nd</sup>. The deadline to have your address on the map is Tuesday, September 17<sup>th</sup>. You can either call the Tarrytown Recreation Department at 914-631-8389 or email your address to [ttrec@aol.com](mailto:ttrec@aol.com).

Trustee Zollo noted that as in years past, the Tarrytown Fire Department will host the 9-11 Ceremony at Patriots Park on Sunday, September 8<sup>th</sup> at 9 a.m.

Trustee Hoyt noted that schools are now open and he urged everyone to drive carefully and to be mindful of the school buses and crosswalks.

Trustee Brown noted that on Saturday, September 7<sup>th</sup>, J. P. Doyles in Sleepy Hollow is celebrating their 20<sup>th</sup> anniversary doing business in Sleepy Hollow. Come out and have some fun.

## ADMINISTRATOR'S REPORT

Administrator Slingerland noted the following:

- On Saturday, September 7<sup>th</sup> from 11:30 – 1:30 p.m., a Halloween kickoff will take place at Patriots Park as part of the Bicentennial Celebration of the Legend of Sleepy Hollow.
- The developers of Artis, the proposed senior care facility on White Plains Road, which is before the Planning Board, will provide a very brief update at the September 16<sup>th</sup> Board meeting.
- The Board asked the Village to proceed with the continuation of the Wilson Park Pathway to ultimately meet up with the Tarrytown Trails Pathway. We will be setting up meetings with staff and Mayor Fixell and Trustees Brown and McGovern.
- The Village requested an assessment on the condition of the Tarrytown Lakes and we received an evaluation for where the weeds are heavy in both Lakes. Administrator Slingerland will follow up and request a more precise proposal from them.

- Tomorrow the Village will begin the BioBlast treatment to the Upper Lake. Blue Lake solutions will begin to circulate the organic treatment to the Upper Lake, which is a natural alternative to chemical treatment.
- Next week, the Village will be proceeding with the weeding along the RiverWalk.
- The railing and columns around the Captured Major Andre Memorial Statue are rusting out and would like to consider repairing with high quality and reasonable pricing. The Village would like to focus on this repair as part of the Improvements to the Patriots Park Project.
- The Village has been contacted by residents of Sleepy Hollow Gardens Apartments at 177 White Plains Road about the Post Office's suspension of mail delivery to 4 or 5 sections of the apartment complex due to nuisance dogs, where a carrier has been bitten by a dog. The Village is planning a meeting with Congresswoman Nita Lowey, representatives from the post office and the management company of the apartment complex to see if the Village can get the mail delivery restored. It is difficult for some of the residents to go to the post office to get their mail.
- There was a terrible accident on Main Street on Sunday. An elderly person was attempting to parallel park on Main Street and lost control of his car. His car went up on the sidewalk and jumped across Main Street and hit the 7-11 building. It was remarkable that no one was hurt. Trustee Hoyt noted that along with the Police Department, the Fire Department and Ambulance Corp responded quickly and worked great together. He thanked all three emergency services for their excellent work.

#### PUBLIC HEARING – REZONING OF LOT 37, SOUTH DEPOT PLAZA (continued)

Trustee Zollo moved, and Trustee McGovern seconded, and unanimously carried (6-0-1), that the hearing be opened.

There were no speakers.

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 6-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby continue the public hearing to Monday, September 16, 2019 on the Village of Tarrytown Zoning Code amendment, Chapter 305, to rezone Lot 37 South Depot Plaza from Waterfront District to Industrial District in order to allow the owner's craft brewery pub proposal to proceed through the site plan review process.

#### 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

There were no speakers.

#### FIRE DEPARTMENT MEMBERSHIP CHANGES

Trustee Zollo moved, seconded by Trustee Hoyt, and unanimously carried, that the following resolution be approved: Approved: 6-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the following Fire Department membership changes recommended at the August 20, 2019 Board of Fire Wardens meeting: Members: Christopher Murray has been approved for out of town membership at Riverside Hose and David Goldstein has been approved as a driver and pump operator for Marine 5.

#### APPOINTMENT OF INTERMEDIATE CLERK – BUILDING DEPT. AND DPW

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: 5-0-2

BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown does hereby authorize the appointment of Justin Hoyt of Tarrytown, NY, as Intermediate Clerk for the Building Department and DPW in the Village of Tarrytown at an annual salary of \$49,849, Step 1, and other benefits as provided for in the contract between the Village and the CSEA, effective on Wednesday, September 4, 2019. This appointment is made from Eligible List # 02-100 and is subject to the provisions of Civil Service rules and regulations.

#### APPOINTMENT OF LABORER IN DEPARTMENT OF PUBLIC WORKS

Trustee Zollo moved, seconded by Trustee Rinaldi, and unanimously carried, that the following resolution be approved: Approved: 6-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Jaime Romero to the position of Laborer effective Wednesday, September 4, 2019, at an annual salary of \$50,355, subject to all Civil Service rules and regulations, and subject to the provisions of the contract between the Village and the CSEA.

#### APPOINTMENT OF PARKING TASK FORCE MEMBERS

Trustee Hoyt moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 6-0-1

WHEREAS that the Main Street Parking Management Plan is a Comprehensive Plan Summary Action item for the purpose of developing an implementation plan that results in a more efficient use of parking resources for the Main Street business district and North Broadway corridor; and

WHEREAS that the Work Product is an Integrated Parking Plan that will include the following:

- 1) Define the geographic scope of analysis
- 2) Define the parking problems (i.e. where, when and to whom inadequate parking occurs and for what types of trips)
- 3) Develop a comprehensive evaluation framework (basic structure for analyzing options)
- 4) Survey parking supply and demand
- 5) Develop and evaluate a list of potential solutions and
- 6) Develop an implementation plan (phasing, contingency options, etc.)

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint the following as members of the Parking Task Force:

David Kim, Chairperson  
Tom Coughlin  
Heather Reid  
Tim Thayer  
Mayor Drew Fixell

BE IT FURTHER RESOLVED that the following Village Staff members are appointed as ex-officio members only

Police Chief, Village Administrator, and Assistant Village Administrator

#### APPOINTMENT OF HOUSING AFFORDABILITY TASK FORCE MEMBERS

Trustee Zollo moved, seconded by Trustee Brown, and unanimously carried, that the following resolution be approved: Approved: 6-0-1

WHEREAS that the Tarrytown Housing Committee is a Comprehensive Plan Summary Action item to provide the Village of Tarrytown with an understanding of existing housing supply, identify housing needs and trends to support current and future populations of the village, define opportunities within the existing stock, in future developments and with the

tools available through land use planning, zoning and vision to incentivize and preserve integrated and affordable, workforce and middle income housing for the long term benefit of the community; and

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint the following as members of the Tarrytown Housing Committee:

Sadie McKeown, Chairperson  
 Rose Noonan  
 Alec Roberts  
 Peter Feroe  
 Craig Singer  
 Trustees Brown and McGovern (Board Representatives and Liaisons)

BE IT FURTHER RESOLVED that the following Village Staff members are appointed as ex-officio members only

Village Engineer/Building Inspector Village Administrator and Assistant Village Administrator

SETTLEMENT OF LITIGATION FOR LAND PURCHASE (NEPERAN ROAD, FORMERLY CITIBANK LOT)

Trustee McGovern moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 6-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize the Village Administrator to sign a settlement agreement for the purchase land on Neperan Road (a portion of the former Citibank Lot) between the Village of Tarrytown and Citibank, N.A., subject to the final approval by the Village Administrator and the Village Attorney.

REJECTION OF BID – MODIFICATIONS TO SALT SHED

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 6-0-1

WHEREAS, one (1) bid was received on August 16, 2019 for the Modifications to the Salt Shed Project and is listed below:

<u>Contractor</u>	<u>Bid Amount</u>
PVS Construction LLC	\$202,000

WHEREAS, the bid was reviewed by the Village Superintendent of Public Works and the Village Engineer and it is the Board of Trustees' recommendation to reject the sole bid and to re-bid the project in the spring, with adjustments in scope and time frame for the work to take place in an effort to solicit additional competitive bids.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby reject the sole bid received for the Modifications to Salt Shed Project.

VEHICLE AND TRAFFIC AMENDMENT (SECTION 291-70 SCHEDULE V: U-TURN PROHIBITIONS)

Trustee McGovern moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 6-0-1

WHEREAS on Main Street (from Broadway to Kaldenberg Place/John Street) is a busy section of roadway with a large amount of vehicular and pedestrian foot traffic. There are

many roadways in the area that motorists can travel on from Main Street that will allow them to go around the block and return to Main Street in the opposite direction, thus removing the need for vehicles to make U-turns. The action of making a U-turn can be dangerous and also impede traffic. The reason for this code amendment is to improve traffic flow and make the area safer for motorists and pedestrians.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize the following code change to Section 291-70 Schedule V: U-Turn Prohibitions: (new language in **bold** print):

Section 291-8 of the Village Code states “No person shall make a U-turn on any of the streets or parts of streets described in Schedule V (§ 291-70), attached to and made a part of this chapter.”

Section 291-70 of the Village Code (Schedule V: U-Turn Prohibitions) describes the name of the streets and locations where U-Turns are prohibited. The following amendment should be made to Section 291-70 (new language in **bold** print);

Name of Street	Location
Broadway, North	Intersection of North Broadway and McKeel Avenue
<b>Main Street</b>	<b>From Broadway to Kaldenberg Place/John Street</b>
Mechanics Avenue	Intersection With Central Avenue
Sheldon Avenue	Intersection of Sheldon Avenue and Meadow Street/Browning Lane
Sheldon Avenue	Intersection of Stephen Drive

#### VEHICLE AND TRAFFIC AMENDMENT – BUSINESS PARKING PERMITS

Trustee Rinaldi moved, seconded by Trustee Hoyt, and unanimously carried, that the following resolution be approved: Approved: 6-0-1

BE IT RESOLVED that due to lack of available parking on Main Street for merchants and their employees and that the Neperan Road Parking Lot (formerly known as the CitiBank Parking Lot) is presently underutilized, the Board of Trustees of the Village of Tarrytown does hereby approve Business Parking Permits to be valid in the Neperan Road Parking Lot (formerly known as the CitiBank Parking Lot); and

BE IT FURTHER RESOLVED that the following amendment should be made to Section 291-48. Business Permit. Business permits are valid in the following municipal parking lots, subject to specific restrictions where applicable (new language in **bold** print):

- A. McKeel Avenue Parking Lot
- B. South Broadway Parking Lot
- C. West Elizabeth Street Parking Lot
- D. Cortlandt Street (metered parking spaces 4050 through 4061)
- E. Neperan Road Parking Lot (formerly known as the Citibank Parking Lot) (Village parking spaces)**

#### SCHEDULE A PUBLIC HEARING – CHAPTER 205. LANDSCAPING, ARTICLE 1. GREEN INDUSTRY CONTRACTORS

Trustee Zollo moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 6-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby schedule a Public Hearing for the regular meeting of September 16, 2019, at 8:00 p.m., in the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider a

proposed amendment to the Code of the Village of Tarrytown, Chapter 205. Landscaping, Article 1. Green Industry Contractors, to delete the requirement for annual reports of pesticides and herbicides, which is regulated by the New York State DEC.

SCHEDULE A PUBLIC HEARING – TO AMEND VARIOUS PROVISIONS OF THE VILLAGE CODE TO REFLECT SUPERVISION IN THE DEPARTMENT OF PUBLIC WORKS BY THE SUPERINTENDENT OF PUBLIC WORKS, IN CHAPTER 183, GARBAGE, RUBBISH AND REFUSE; CHAPTER 281, TREES; CHAPTER 101, BUILDING; CHAPTER 259, STREETS AND SIDEWALKS

Trustee Zollo moved, seconded by Trustee Brown, and unanimously carried, that the following resolution be approved: Approved: 6-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby schedule a Public Hearing for the regular meeting of September 16, 2019, at 8:00 p.m., in the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider a proposed amendment to the Code of the Village of Tarrytown, to reflect supervision in the Department of Public Works by the Superintendent of Public Works, and amending Chapter 183, Garbage, Rubbish and Refuse; Chapter 281, Trees; Chapter 101, Building; Chapter 259, Streets and Sidewalks to reflect the Superintendent of Public Works position to be responsible to enforce the Village's rules and regulations of these chapters.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON AUGUST 19, 2019

Trustee Rinaldi moved, seconded by Trustee McGovern, that the following resolution be approved. Motion carried, all voting "aye" with the exception of Mayor Fixell and Trustee Zollo, who abstained: Approved: 4-0-3

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 August 19, 2019 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 6-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No. 4 of Audited Vouchers to be paid in the following amounts:

General	\$ 508,000.75
Water	\$ 71,677.77
Sewer Fund	\$ 0.00
Capital	\$ 532,295.32
Library	\$ 37,266.40
Trust & Agency	\$ <u>262.66</u>
Total	\$ 1,149,502.90

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.

There were no speakers.

ADJOURNMENT TO EXECUTIVE SESSION

On the motion of Trustee Hoyt, seconded by Trustee McGovern, the meeting was adjourned to Executive Session to discuss a personnel and real estate matter at approximately 8:25 p.m. by vote of six in favor, none opposed.

ADJOURNMENT

On the motion of Trustee Hoyt, seconded by Trustee McGovern, the Executive Session was adjourned at approximately 9:10 p.m.

Carol A. Booth  
Village Clerk