

Board of Trustees  
Village of Tarrytown  
Regular Meeting No. 21  
One Depot Plaza  
Tarrytown NY 10591  
October 3, 2022  
7:00 p.m.

PRESENT in person: Mayor Brown presiding; Trustees: Hoyt, Kim, McGovern; Mitchell; Rinaldi and Phillips-Staley, Village Administrator Slingerland; Village Attorney Zalantis; Village Treasurer Morales; Village Clerk Gilligan and Deputy Clerk Fasman

REGULAR MEETING: 7:00 P.M.

The meeting began with the Pledge to the Flag.

#### BOARD MISCELLANEOUS AND LIAISON REPORTS

Trustee Kim reported that the Eco fair was this past weekend, and the CaD Adaptive Design Studio will be returning on October 19<sup>th</sup>.

Trustee Hoyt reported he reached out to several residents who have homes in Florida that were impacted by Hurricane Ian. Our hearts go out to them, and if you wish to help out, you can go to [Florida.org](https://www.florida.org) to see how to donate.

Deputy Mayor McGovern reported that there is a Senior Meeting tomorrow at the Senior Center starting at 1:00 pm. Since it is October, we have a lot of Halloween activities coming up. The window painting is already closed out, but you can place yourself on the waiting list. On October 15<sup>th</sup>, there will be scarecrow making with two sessions being held. There are only twenty spots left so if you are interested in participating we encourage you to sign up soon. The Halloween Parade is on October 29<sup>th</sup>. We are looking for participants, especially neighborhoods and always encourage floats because they are so much fun. If anyone has a pickup truck or trailer they would be willing to let these organizations use, please contact the recreation department.

Trustee Rinaldi stated that his thoughts are with the residents of Florida. Trustee Rinaldi continued by stating that on October 24<sup>th</sup> there will be a ribbon cutting ceremony for the new mural on Kaldenberg Place on the side of Taste of China. In addition, the Chamber of Commerce will be hosting a fundraiser for this project, and future beautification projects at Horsefeathers Restaurant following the ribbon cutting. The Placemaking Committee has also installed benches on Broadway in front of the old Mrs. Greens. Not only are there flowers, but now there are some historic photos of Tarrytown as well.

Trustee Mitchell reported that about a week and a half ago, he visited the fire houses throughout the Village. Trustee Mitchell felt it was a great opportunity to see what the firemen do as well as how they do it. We greatly appreciate all that they do to keep the Village safe. Thank you for opening up your doors and giving us the opportunity.

#### CHANGES AND/OR ADDITIONS TO THE AGENDA

Administrator Slingerland reported that there were two additions to the agenda. One is an appointment for an Office Assistant/Financial Support in the Treasurer's Office. The second is a presentation regarding a climate action program.

PRESENTATION-NEW YORKERS FOR CLEAN POWER, BETTA BROAD, DIRECTOR

Betta Broad who is the director of New Yorkers for Clean Power joined the meeting via zoom and thanked the Board for allowing her to speak this evening. Ms. Broad noted that it is a critical time in New York's Climate Act, and we will be seeing increasing impacts from climate change. Communities need to do everything they can to mitigate these impacts, and become more resilient communities. In 2019 the Climate Leadership and Community Protection act was passed. The high level goals of the law is reduce our greenhouse gas emissions by 40% by 2030 and by 85% by 2050. New York is a pioneer in climate action. As part of implementing the law, a scoping plan was required. The scoping plan establishes a pathway to reaching climate emissions reductions, as well as making sure future legislation incorporates these decisions. The scoping plan is now being finalized and you can find more information about the scoping plan at [nycleanpower.org](http://nycleanpower.org). A full copy of the presentation can be found attached to these minutes.

At the conclusion of the presentation Mayor Brown made a motion to table resolution declaring support for the New York State Climate Action Council Scoping Plan to a future meeting so that the Board could further review the plan. Trustee Mitchell seconded the motion with all board members voting aye.

PUBLIC HEARING –LOCAL LAW # 8 VEHICLES AND TRAFFIC, TRAFFIC REGULATIONS, SPEED LIMITS, TO CHANGE THE VILLAGE-WIDE SPEED LIMIT, UNLESS OTHERWISE POSTED, FROM 30 MPH TO 25 MPH

A motion was made by Deputy Mayor McGovern to open the Public Hearing, which was seconded by Trustee Kim, with all in favor.

Mayor Brown noted that the governor of New York gave permission to Village's and Cities to change the law to 25 miles per hour. Signage will have to be updated, but unless otherwise posted the speed limit will be 25 miles per hour. Administrator Slingerland stated that Broadway will remain at 40 mph because it is a state road and other streets that are in a designated school zone will remain at 20 mph. Trustee Mitchell inquired if we had data about the possible reduction in accidents due to lowering the speed limit. Trustee Kim replied that a reduction in speed can mean the difference between life and death for people who are outside of a vehicle. Whether it's a pedestrian or say a bicyclist, the slower the speed, the more time a motorist has to react. The impact of a motor vehicle with a pedestrian going 20 mph will cause less injuries than if they were going at a higher rate of speed. Many residents complain about the high level of speed throughout the Village, and if this helps slow them down even a little it will good for everyone.

There were no public comments.

A motion was made by Deputy Mayor McGovern to close the Public Hearing, which was seconded by Trustee Hoyt, with all in favor.

On a motion made by Trustee Rinaldi, and seconded by Trustee Hoyt the following resolution was unanimously approved. Approved: 7-0

WHEREAS, since the State of New York recently adopted legislation to authorize municipalities to establish lower municipality-wide speed limits if not otherwise posted, the Village would like to update our Village Code to reflect this change; and

WHEREAS, a notice of public hearing was published in the Journal News on September 23, 2022; and

WHEREAS, a public hearing was held on the proposed action on October 3, 2022; and

WHEREAS, in accordance with Article 8 of the State Environmental Conservation Law and 6NYCRR Part 617 and based upon review of the Proposed Action, the Village Board of Trustees hereby determines that the Proposed Action is a Type II action and therefore no further review is required under SEQRA.

NOW, THEREFORE, BE IT RESOLVED. that the Board of Trustees of the Village of Tarrytown hereby adopts a local law to amend the Village Code Chapter 291-5 – Vehicles and Traffic, Traffic Regulations, Speed Limits, to change the Village-wide speed limit, unless otherwise posted, from 30 MPH to 25 MPH.

PUBLIC HEARING – COMPATIBLE USE PERMIT FOR MERCY COLLEGE TO MAKE USE OF THE PROPERTY AT 828 SOUTH BROADWAY

A motion was made by Deputy Mayor McGovern to open the Public Hearing, and was seconded by Trustee Mitchell, with all in favor.

Darrius Shepard's from the Law Firm Harris Beach who is representing Mercy College along with Tom Simmonds from Mercy College noted that the property has always been an office building and they do not intend to have student classes at this location. The parking areas will be improved with added parking on the south side, drainage improvements, and an island is being added to improve the aesthetics. In addition, an EV charging station and bicycle racks will also be installed.

There were no public comments.

A motion was made by Deputy Mayor McGovern to close the Public Hearing, which was seconded by Trustee Hoyt, with all in favor.

On a motion made by Trustee Rinaldi, and seconded by Trustee Hoyt the following resolution was unanimously approved. Approved: 7-0

WHEREAS, the Village has received a request from Mercy College for the Village to issue a Compatible Use Permit, which is required and is requested before the Village Planning Board grants site plan approval; and

WHEREAS, the proposed use will add 26 surface parking spaces to the existing stock of 129 spaces and stormwater management improvements on property located in the Village of Tarrytown; and

WHEREAS, Mercy College is not changing the existing use of the Site and it will continue to be used as office space and periodic faculty and staff training, and not for classroom instruction, and is therefore a permitted principal use in the OB District according to Zoning Code § 305-34(4) ("Existing Use"); and

WHEREAS, Mercy College applied for site plan approval to make parking, drainage, and accessibility improvements to the Site, including redesigning the existing parking lots and adding new landscaping, lighting, parking lot islands, pedestrian sidewalks, drainage and stormwater improvements.

WHEREAS, a notice of public hearing was published in the Journal News on September 23, 2022; and

WHEREAS, a public hearing was held on the proposed action on October 3, 2022; and

WHEREAS, the Village of Tarrytown Planning Board is the Lead Agency for the proposed action; and

WHEREAS, the Planning Board, as Lead Agency, issued a negative declaration on September 28, 2022 determining that the proposed action will not have a significant adverse environmental impact; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village does hereby approve a Compatible Use Permit application by Mercy College for the premises at 828 South Broadway, Tarrytown subject to Mercy College obtaining site plan approval from the Planning Board.

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 public speakers.

RESOLUTION CALLING FOR A PUBLIC HEARING ON A LOCAL LAW TO AMEND THE VILLAGE CODE CHAPTER 305 – ZONING TO ENACT NEW PROVISIONS IN THE VILLAGE CODE TO REGULATE CANNABIS DISPENSARY FACILITIES IN THE VILLAGE OF TARRYTOWN. (A PROPOSED LOCAL LAW IS ATTACHED TO THIS AGENDA).

On a motion made by Trustee Rinaldi, and seconded by Trustee Mitchell the following resolution was unanimously approved. Approved: 7-0

WHEREAS, since the State of New York has adopted legislation to legalize the sale and consumption of cannabis; and

WHEREAS, pursuant to the provisions of State Law, the Board of Trustees of the Village of Tarrytown adopted legislation to authorize the sale (dispensaries) of cannabis products in Tarrytown, but not the on-site consumption of cannabis products; and

WHEREAS, in order to update our local zoning code the Board of Trustees hereby finds it necessary to adopt new provisions in the Village Zoning Code to regulate certain aspects of such businesses in terms of siting and operation.

NOW, THEREFORE, BE IT RESOLVED. that the Board of Trustees of the Village of Tarrytown hereby schedules a public hearing to be held at 7 p.m. on Monday, October 17, 2022, at Tarrytown Village Hall, 1 Depot Plaza, during the Regular Board Meeting, on a local law to amend the Village Code Chapter 305 – Zoning to enact new provisions in the Village Code to regulate cannabis dispensary facilities in the Village of Tarrytown.

RESOLUTION CALLING FOR A PUBLIC HEARING ON A LOCAL LAW TO AMEND THE VILLAGE CODE CHAPTER 305 – ZONING TO ENACT NEW PROVISIONS IN THE VILLAGE CODE TO ALLOW AND REGULATE ACCESSORY DWELLING UNITS (ADUS) IN THE VILLAGE OF TARRYTOWN (FULL LANGUAGE OF THE PROPOSED LAW ATTACHED TO THIS AGENDA).

On a motion made by Trustee Rinaldi, and seconded by Trustee Mitchell the following resolution was unanimously approved. Approved: 7-0

WHEREAS, in order to update our local zoning code and address the housing and economic needs of our local community, the Board of Trustees hereby finds it useful and appropriate to adopt new provisions in the Village Zoning Code to allow for and regulate accessory dwelling units (ADUs) in the Village of Tarrytown.

NOW, THEREFORE, BE IT RESOLVED. that the Board of Trustees of the Village of Tarrytown hereby schedules a public hearing to be held at 7 p.m. on Monday, October 17, 2022, at Tarrytown Village Hall, 1 Depot Plaza, during the Regular Board Meeting, on a local law to amend the Village Code Chapter 305 – Zoning to enact new provisions in the Village Code to allow for and regulate accessory dwelling units (ADUs) in the Village of Tarrytown.

RESOLUTION AUTHORIZING A LICENSE AGREEMENT WITH 71 WILDEY STREET

On a motion made by Trustee Deputy Mayor McGovern, and seconded by Trustee Mitchell the following resolution was unanimously approved. Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize the Village Administrator to execute a property license agreement with the owner

of 71 Wildey Street to account for the encroachment of an oil tank on the public right of way under the sidewalk in front of the property; and

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown hereby authorizes the Village Treasurer to work with the Town of Greenburgh's Assessor's office to include the license agreement fee as part of the annual tax bill for the 71 Wildey Street property.

RESOLUTION AUTHORIZING THE PURCHASE OF A NEW VEHICLE FOR THE FIRE CHIEF

On a motion made by Trustee Deputy Mayor McGovern, and seconded by Trustee Mitchell, with Trustee Hoyt abstaining, the following resolution was approved. Approved: 6-1-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby authorize the purchase of a 2023 Chevrolet Tahoe White SSV SUV as a replacement for the oldest Tarrytown Fire Department Chief's vehicle, piggybacking off of a public bid issued by the Fabius Fire District, at a total approximate bid Price of \$52,497.50, plus a 60-month unlimited mileage bumper-to-bumper warranty for an additional cost of \$4,415, for a total approximate purchase price off of this piggybacked contract of fifty six thousand eight hundred and ninety four dollars and fifty cents (\$56,894.50); and

BE IT FURTHER RESOLVED that the new vehicle purchase will be funded by the issuance of debt authorized by the Board of Trustees on September 6, 2022.

RESOLUTION AUTHORIZING AN AMENDMENT TO THE MASTER FEE SCHEDULE TO INCREASE ALLOWABLE TAXI FARES

On a motion made by Deputy Mayor McGovern, and seconded by Trustee Mitchell the following resolution was unanimously approved. Approved: 7-0

WHEREAS Section 273-12 of the Village Code states that a taxicab owner or driver or a livery owner or driver shall not charge a fare for taxicab services or livery services in excess of the schedule of rates established by the Board of Trustees; and

WHEREAS Uber and other freelance service providers have challenged the business model for traditional taxi services in the Village; and

WHEREAS Taxi Fares have not increased since 2017;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby increases the allowable taxi fare for trips within the Village of Tarrytown from \$5 to \$8 per trip, with no additional charge for passengers being dropped at the same location, but the fare can include a \$1 charge for each additional drop off location. There is no change to the Senior Citizen rate.

APPOINTMENT OF OFFICE ASSISTANT FINANCIAL SUPPORT

On a motion made by Trustee Hoyt, and seconded by Trustee Mitchell the following resolution was unanimously approved. Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Alexandra Algaba of Yorktown Heights, NY, on a provisional basis to the position of Office Assistant/Financial Support, at an annual salary of \$70,720 effective Wednesday, October 19, 2022, subject to all applicable Civil Service Rules and Regulations (Note: The probationary period only starts when the employee takes, passes and is appointed from the Civil Service list for this position.)

APPOINTMENT OF A PART TIME WATER AND SEWER MAINTENANCE WORKER  
GRADE 1

On a motion made by Deputy Mayor McGovern, and seconded by Trustee Kim the following resolution was unanimously approved. Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Charles J. Martins as a part-time Water and Sewer Maintenance Worker Grade 1 for a monthly stipend of \$2000.00 per month to maintain his Class 1-B Water Operator License and provide coverage in the absence of the Chief Water Plant Operator for up to 40 hours, and

BE IT FURTHER RESOLVED that Charles J. Martins will be paid \$90.00 per hour for any on site water distribution work that is performed above the 40 hours covered by the monthly stipend.

FIRE DEPARTMENT MEMBERSHIP CHANGES

On a motion made by Deputy Mayor McGovern, seconded by Trustee Rinaldi, with Trustee Hoyt abstaining, the following resolution was unanimously approved. Approved: 6-1-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the following Fire Department membership changes recommended by the Fire Wardens who were polled and unanimously approved the following membership change.

Active Membership: Andrew Buchsbaum has been elected to Out of Town Active Membership at Consolidated Engine Co.

APPROVAL OF THE MINUTES OF THE BOARD OF TRUSTEES MEETING OF  
September 19<sup>th</sup>, 2022

On a motion made by Trustee Mitchell, and seconded by Deputy Mayor McGovern the following resolution was unanimously approved. Approved 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the minutes of the Board of Trustees Meeting, plus the extracts of minutes for the bond resolutions, held on Monday, September 19th, 2022 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS

On a motion made by Trustee Mitchell, and seconded by Trustee Kim the following resolution was approved. Approved 7-0

Roll Call: Trustee Hoyt; Yes, Trustee Kim; Yes, Deputy Mayor McGovern; Yes, Trustee Mitchell; Yes, Trustee Rinaldi; Yes, Trustee Phillips-Staley; Yes; Mayor Brown; Yes

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No. 06 of Audited Vouchers in the total amount of \$289,350.57 as presented by the Village Treasurer, to be paid in the following amounts:

General	\$ 143,358.19
Water	\$ 19,421.20
Sewer Fund	\$ 114.05
Capital	\$ 99,701.00
Library	\$ 7,608.02
Trust & Agency	<u>\$ 19,148.11</u>
Total	\$ 289,350.57

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

Former Mayor Thomas Butler from Tarrytown addressed the Board about several items he wishes the Board to consider. The first item is regarding Neperan Park. It has been Mr. Butler's observation that there are some issues with dogs being unleashed, and their owners not cleaning up after them. This might be an opportunity to consider fencing in an area of the park possibly on the West Side and turning it into a dog park. Secondly, Mr. Butler inquired where the Village was regarding the RFP for the Washington Irving Boat Club. What will the benefit be to the residents of Tarrytown? Hopefully the Village is moving forward on this, and there are some things we can do. Mr. Butler also wished to remind the Board that Tarrytown voted in favor of Edge on the Hudson regarding the bonding and debt service. Please do your due diligence and make sure the tax payments are being properly credited. Mayor Brown noted that if Greenburgh goes by old assessments, it could be very disadvantageous to Tarrytown. Mr. Butler feels that Tarrytown has carried the tax burden for the school taxes, with the cost more than doubling over the years. He asked the Board to keep an eye on how the tax burden is distributed. Mr. Butler concluded by asking the Board if they plan on doing anything to honor former Trustee Doug Zollo's eighteen years of service to the Village. Is there a way to recognize him? Anyone who puts in eighteen years of service should be recognized.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 8:07 pm on a motion made by Mayor Brown, and seconded by Trustee Hoyt with all voting aye:  
7-0

Kristine Gilligan  
Village Clerk