

VILLAGE OF TARRYTOWN
BOARD OF TRUSTEES
REGULAR MEETING 7:00 P.M.
Monday August 21, 2023
Tarrytown Village Hall
One Depot Plaza, Tarrytown, New York

Members of the Public may attend in person or remotely. For those members of the public interested in viewing and/or participating in the meeting remotely, visit <https://www.tarrytowngov.com/home/events/42256> for instructions on how to join & participate via zoom.

REGULAR MEETING: 7:00 P.M.

Pledge of Allegiance

1. Board Miscellaneous and Liaison Reports
2. Changes and/or Additions to the Agenda
3. Administrator's Report
 - a. Note date and time changes for upcoming meetings. Next Work Session will be Tuesday, August 29, 2023 at 6 p.m. Next Regular Board Meeting will be Tuesday, September 5, 2023 at 6 p.m.
4. 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
5. Resolution calling for a public hearing on a local law to amend the Village Code Chapter 305 – Zoning to: (1) amend Section 47 to add new exemptions to the Yard requirements for mechanical equipment and certain other structures; (2) to amend Section 63 regarding the parking fund payment requirement to exempt the RR (Restricted Retail) Zone applicant from having to obtain a variance when the Planning Board requires payment in lieu of parking contribution to the parking fund.

WHEREAS, in order to simplify the land use process for certain types of improvements and to potentially proceed without the need for Zoning Board of Appeals approval, which will reduce costs and the burden upon property owners, the Board of Trustees hereby finds it useful and appropriate to adopt new provisions in the Village Zoning Code to allow certain minor improvements to be sited within the setbacks, which may potentially reduce the need for residential property owners to seek variances for such

minor improvements, but to still require a minimum 3-foot setback for these improvements; and

WHEREAS the proposed minor improvements to be allowed within the setback requirements, but still no closer than 3ft from the side and rear yard lot lines, include certain mechanical equipment for heating and cooling as well as storage sheds and children's playhouses no more than 12ft in height; and

WHEREAS in order to establish in instances where the Planning Board requires payment into the parking fund for a property use in the RR Restricted Retail Zone (or where the Building Inspector waives site plan approval), the applicant need not also have to obtain a variance for parking from the Zoning Board of Appeal, which will reduce the burden on proposed businesses in the RR Restricted Retail Zone but still ensure a process remains through the Planning Board for payment in lieu of parking.

NOW, THEREFORE, BE IT RESOLVED, that Board of Trustees hereby determines that the proposed action constitutes a Type I action under SEQRA; and that as the Board of Trustees is only Involved Agency for the proposed action, this Board declares it is the Lead Agency under SEQRA; and

BE IT FURTHER RESOLVED, that the Board of Trustees directs the Village Clerk to circulate the proposed local law and EAF, Part 1 to all interested agencies under SEQRA; and to refer the matter to Westchester County Planning Board; and

BE IT FURTHER 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 2, 2023, 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 (1) amend Section 47 to add new exemptions to the Yard requirements for mechanical equipment and certain other structures; (2) to amend Section 63 regarding the parking fund payment requirement to exempt the RR (Restricted Retail) Zone applicant from having to obtain a variance when the Planning Board requires payment in the parking fund.

6. Veterans Banners

WHEREAS, the Village of Tarrytown along with the Tarrytown Scouts wish to honor village residents who have served in the Armed Forces through the placement and display of banners in honor of veterans held dear by the Tarrytown community; and

WHEREAS, Dylan Smith from the Tarrytown Scouts along with various Department Heads will coordinate the ordering and placement of the banners, and

WHEREAS, the banners will be hung on decorative light poles along Main Street and Broadway during the month of November each year.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown does hereby approve the Veterans Banner Program which will serve as a reminder of our Veterans courage and sacrifice for our village, state and country.

7. Resolution to Authorize the Procurement and Installation of a Kayak Dock and Launch on the Hudson River at the location of the current Kayak Launch

WHEREAS the Kayak Launch on the Hudson River at the west end of Parking Lot G between the Washington Irving Boat Club Property and Losee Park is utilized by Tarrytown residents to access the Hudson River; and

WHEREAS, the Village of Tarrytown rents storage space for 32 spaces at a current rate of \$180.00 per year; and

WHEREAS, the kayak launch is sited at a location along the Hudson with a heavy industrial past, the remnants of which remain in the waterway making the entry point challenging and difficult, especially at low tide; and

WHEREAS the Village has investigated and tried multiple options to improve the safety and comfort of the launch area; and

WHEREAS, the installation of a mobile dock and kayak launch would improve the safety for entering and exiting the Hudson River for Tarrytown kayakers for an affordable price compared with other options that have been investigated;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize the purchase and installation of a floating dock, kayak launch, gangway, and other elements for the dock system for a total cost of \$18,782.50 from EZ Dock – Playpower, Inc. off of the Sourcewell shared purchasing group “Contract 010521-LTS-2”; and

BE IT FURTHER RESOLVED that the Village Administrator and Village Treasurer are authorized to take the necessary and appropriate actions, including signing the necessary documents for this purchase, and the Village anticipates that the funds for the purchase will be made through the appropriation of capital budget funds.

8. Resolution to Consider Application for Driveway Access to 25 S. Washington Street via the west South Washington Street Municipal Parking Lot

WHEREAS Gotham Design Planning and Development applied to the Board of Trustees to request driveway access to the property at 25 South Washington Street via the village-owned Municipal Lot on the west side of South Washington Street; and

WHEREAS the request was submitted to allow for driveway access through the South Washington municipal lot to six private parking spaces situated behind a proposed new multi-family 4-unit structure currently under site plan review by the Village Planning Board; and

WHEREAS the current driveway access for the property is located on and shared with an adjacent lot without agreement in place for the new property owner of 25 S. Washington Street; and

WHEREAS due to operational needs of the Village for seasonal snow plowing and maintenance, occasional closures of the lot for maintenance, additional access from the existing lot to new municipal parking spaces that will be in the 62 Main Street development parking structure and the fact that an access agreement could potentially limit the Village's future use of the village property since the proposed driveway access for 25 S. Washington St. would be only through the municipal lot, thereby limiting the future potential uses for the property.

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby rejects the request for driveway access to the 25 S. Washington Street property through the Municipal Parking Lot on the west side of South Washington Street.

9. Resolution to Authorize the roofing contract under Sourcewell Shared Purchasing Initiative for a New Roof on Fire House at 50 Main Street

WHEREAS the roof of the Main Street Fire House is in need of replacement; and

WHEREAS an estimated \$150,000 cost for the project was included in the most recent capital plan for completion in FY 2023-2024; and

WHEREAS the actual project quote is higher than anticipated due to complexities that exist on the firehouse roof, but due to savings on other Fire Department capital projects there is adequate funding in the Capital Fund for this roof project.

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of The Village of Tarrytown hereby authorizes the Village Administrator to execute a contract with ELQ Industries under Sourcewell Contract #091620-GGI with Gordian serving as Construction Management for the project; and

BE IT FURTHER RESOLVED that the Village Administrator is authorized to take the necessary and appropriate actions, including signing the necessary documents for this project, and the Village anticipates that the funds for the purchase will be sourced from current capital funds designated for fire house improvements.

10. Resolution in support of Tri-Municipal West Sunnyside Flood Remediation Project

WHEREAS, the Villages of Irvington and Tarrytown have experienced significant flood issues along East and West Sunnyside Lane, which have caused road damage and washouts numerous times over many years, with recent flood damage experienced during Hurricane/Tropical Storm Ida, as well as recent severe and intense storms and rainfalls including the extreme rainstorm in September, 2022, and severe rainstorms this year in Spring and Summer of 2023, which have

contributed to further area erosion, road washouts, and damage to nearby structures; and

WHEREAS, Irvington, Tarrytown and Westchester County all own portions of the property and roadway, stream and culvert that carry the brook along East and West Sunnyside Lane; and

WHEREAS, projects already completed to address past damage and reduce flood risk include roadway restoration and culvert improvements that were cost-shared by the Villages of Irvington and Tarrytown for East and West Sunnyside Lane; and

WHEREAS, due to the repeated damage experienced along West Sunnyside Lane, the Village of Irvington has worked with Hahn Engineering to prepare an evaluation and project estimate for a remediation project to address and reduce the likelihood of future damaging flooding, and reduce the flood risk to the public infrastructure and residential properties; and

WHEREAS, the breakdown of this project estimate is as follows:

- Total project estimate for the two Villages portion - \$812,096
 - Irvington portion \$725,812
 - Tarrytown portion \$ 86,284
- Westchester County share (not eligible for grant) \$211,728
- Total Estimated Project Cost \$1,023,824

WHEREAS, the Villages would like to submit an application to the Westchester County Flood Remediation Fund, in the total project estimate cost for the village portion of this work of \$812,096, which if awarded would fund half of the Villages' portions of this project, and reduce the Village of Tarrytown's cost share to an estimated \$43,142.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown authorizes the Village of Tarrytown to jointly submit this application for funding in cooperation with the Village of Irvington, for a Village cost-shared project valued at approximately \$812,096, seeking fifty percent (50%) funding from the Westchester County Flood Remediation Fund in the approximate amount of \$406,048, with the Village's portion of the project estimated at \$86,284, with a Village match of half of this amount at \$43,142 and authorizes the Village Administrator to take the necessary and appropriate actions to jointly apply for this funding with the Village of Irvington and to execute any application documents that may be required; and

BE IT FURTHER RESOLVED that the Village of Tarrytown's funding source for this project will be either through the use of operating funds in the Sewer Fund, capital fund surplus or through the future issuance of debt.

11. Resolution Authorizing Tax Certiorari – GBR Tarrytown LLC

BE IT HEREBY RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve payment of the settlement of the following tax certiorari case as outlined in the Village Tax Certiorari Attorney’s recommendation, related to GBR Tarrytown LLC, located at 150 White Palins Road, Tarrytown, settling tax years 2016, 2017, 2018, 2019, 2020, 2021 and 2022, as follows:

Owner and Address	Property ID Number	Total Amount of Refund
GBR Tarrytown LLC 150 White Plains Road	S. 1.150 Block 98 Lot 24	\$108,506.90

AND BE IT FURTHER RESOLVED that the Village Administrator, Village Treasurer and the Village’s Tax Attorney and other involved staff are authorized to take the necessary and appropriate actions to execute, file, process and make payment of the aforementioned tax certiorari settlement through operating funds budgeted in this fiscal year.

12. Appointment of Members to the Rt. 9 Advisory Committee

WHEREAS, on July 17, 2023, the Board of Trustees of the Village of Tarrytown appointed two designees, Village Administrator Rich Slingerland and Trustee David Kim, to the Route 9 Joint Committee, an Intermunicipal Committee appointed to interface with NYSDOT on the Route 9 Active Transportation Conceptual Design project; and

WHEREAS the Joint Committee will execute decisions regarding the project as per the instructions of each respective Board of Trustees, and will collaborate with fellow designees from the involved Villages, as NYSDOT and its consultant, WSP, prepare the preliminary and detailed engineering design; and

WHEREAS, the Joint Committee replaces the Route 9 Intermunicipal Steering Committee that had shepherded the Route 9 Active Transportation Plan project since 2016; and

WHEREAS, it is also desirable to maintain a corridor-wide project perspective, provide institutional memory, expertise and advice, and provide input on public engagement planning and events, and so an Advisory Committee is proposed to perform this function.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Village of Tarrytown appoints the following members of the previous Intermunicipal Steering Committee to continue participation in the Rt. 9 Advisory Committee: Planning Board Member David Aukland, Trustee David Kim, and Village Administrator Richard Slingerland.

13. Appointment of a Temporary Laborer for DPW

BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown hereby authorizes the appointment of Nicholas Rama as 40-hour per week Temporary Laborer for the Department of Public Works effective August 21st, at an hourly wage of \$20.00 per hour subject to all applicable civil service rules and regulations.

14. Appointment of member of the Housing Affordability Task Force (HATF)

BE IT RESOLVED that the Board of Trustees hereby appoints Tina Valenti to the Housing Affordability Task Force (HATF), replacing member Gary Stern who has resigned and moved out of the Village of Tarrytown, for a term that will expire in December, 2023.

15. Fire Department Membership Changes

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves the following membership changes recommended at the July 18, 2023 Board of Fire Wardens Meeting.

Membership: Eddie Perez has resigned from Conqueror Hook and Ladder.

Yasmin Nunez has been dropped from Active Membership at Riverside Hose

Brayden Denardo has been elected to Active Membership at Riverside Hose

Officers: Conqueror Hook and Ladder has made the following changes to their officers:

Captain; William Sherer

1st Lieutenant Campbell Allan

2nd Lieutenant Michael Pereira

3rd Lieutenant Vacant

AND BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves the following membership changes recommended at the August 15, 2023 Board of Fire Wardens Meeting.

Membership: Erin Riley and Michael Pereira have resigned from Conqueror Hook and Ladder

Louis Baez has resigned from Riverside Hose

Isabella Morabito has been elected to active membership at Phenix Hose

16. Resolution authorizing Riverside Hose to hold its annual Christmas Tree Sale Fundraiser

BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown hereby authorize Riverside Hose to hold its annual Christmas Tree Sale Fundraiser between the dates of November 24, 2023 and December 22, 2023, and asks the Riverside Hose fire company to submit receipts, a statement of expenses and a statement of revenues for this fundraiser; and

BE IT FURTHER RESOLVED that the Village Administrator and Village Treasurer are authorized to take the necessary and appropriate actions to allow this fundraising activity to take place.

17. Approval of the Minutes of the Board of Trustees Meeting of July 17, 2023

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves the minutes of the Board of Trustees Meeting held on Monday, July 17, 2023 as submitted by the Village Clerk.

18. Approval of Action Item Minutes of the August 16, 2023, Board of Trustees Mtg.

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves the action item minutes of the Board of Trustees Work Session Meeting held on Wednesday, August 16, 2023 as submitted by the Village Clerk.

19. Approval of Audited Vouchers

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No.4 of Audited Vouchers (8/9/23 & 8/23/23) in the total amount of \$ 1,642,341.34 as presented by the Village Treasurer, to be paid in the following amounts:

General	\$ 1,454,152.08
Water	\$ 137,252.51
Sewer Fund	\$ 363.73
Capital	\$ 5,206.00
Library	\$ 25,194.78
Trust & Agency	\$ 20,172.24
CM (Special Funds)	\$ <u>0.00</u>
Total	\$ 1,642,341.34

20. 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

21. Adjournment

