

VILLAGE OF TARRYTOWN
BOARD OF TRUSTEES
REGULAR MEETING 7:00 P.M.
Tuesday, June 21, 2022
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/37601> for instructions on how to join & participate via zoom.

REGULAR MEETING: 7:00 P.M.

1. Board Miscellaneous and Liaison Reports
2. Changes and/or Additions to the Agenda
3. Administrator's Report
4. Proclamation: Maxwell Lee, Student Volunteer for Tarrytown Environmental Advisory Council

WHEREAS, Maxwell Lee, a student at the Hackley School, has been volunteering for the Village of Tarrytown as a student member of the Tarrytown Environmental Advisory Council (TEAC) since 2019, and

WHEREAS, Maxwell Lee is now graduating from the Hackley School in the Class of 2022 and is also a National Merit Scholar Finalist, and

WHEREAS, Maxwell Lee has been heavily involved in independent study and research into the effects of pollution on our local watershed, including the Tarrytown Lakes, for the past four years, and collected water samples for eighteen months, and

WHEREAS, Maxwell has also performed other experiments and analysis into organic means of algae management to explore the feasibility of natural solutions to improving the water quality in the Tarrytown Lakes, and

WHEREAS in addition to his scientific contributions to our understanding of Tarrytown Lakes, Maxwell Lee has worked with fellow students to coordinate clean-up events around the Lakes, removing 30 to 50 bags of trash from the environment with each event; and

WHEREAS, upon graduation from Hackley, Maxwell is entering Princeton University as a member of the Class of 2026;

NOW, THEREFORE, BE IT PROCLAIMED that the Board of Trustees of the Village of Tarrytown thanks Maxwell Lee for his years of volunteerism to TEAC, as a founder and

leader of the Hackley Lake Keepers Club, and does hereby declare Wednesday, June 22, 2022 to be Maxwell Lee Day in the Village of Tarrytown.

5. Presentation: Juneteenth Commemoration

Reverend Judith Williams, Shiloh Baptist Church; Ira Golden, Foster AME Zion Church;

6. Public Hearing – Hackley School Compatible Use Permit

WHEREAS, the Hackley School submitted a site plan approval application for the demolition of the Zetkov Gymnasium and the existing Performing Arts Building and the construction of a new 54,000-sf Center for Creative Arts and Technology (CCAT) Building on property located within the unincorporated Town of Greenburgh; and

WHEREAS, the proposed construction will add 56 surface parking spaces and stormwater management improvements on property located in the Village of Tarrytown; and

WHEREAS, the Planning Board recommends the approval of the site plan with a condition that the Applicant receive approval from the Village of Tarrytown Board of Trustees for an Amended Compatible Use Permit; and

WHEREAS, the Planning Board recommends that the Board of Trustees of the Village of Tarrytown approve the request for an Amended Compatible Use Permit based on a number of factors including that more building square footage will be removed than will be added with no increase in student enrollment or staff; the project is in compliance with Village zoning regulations; the project will not produce additional noise, fumes, vibration, lighting spillover or glare for nearby properties; the proposed parking areas are appropriately sized and buffered by landscape features; the new facility will not increase the density of the Village or add to the demand on municipal services; the proposed use for the new facility is harmonious with the current use of campus facilities; and the Hackley School will install a new sidewalk along Benedict Avenue to Midland Avenue to complete a gap in the sidewalk network and thereby improve pedestrian safety; and

WHEREAS, a notice of public hearing was published in the Journal News on June 9, 2022; and

WHEREAS, a public hearing was held on the proposed action on June 21, 2022; and

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

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.

BE IT FURTHER RESOLVED that the Board of Trustees of the Village does hereby approve an Amended Compatible Use Permit application for the portion of the Hackley School Project within the Village of Tarrytown comprising the construction of a net increase of 56 surface parking spaces with stormwater and other related improvements in connection with the proposed construction of a new 54,000-sf Center for Creative Arts and Technology (CCAT) Building (within the unincorporated area of the Town of Greenburgh) at 293 Benedict Avenue.

- 7. 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
- 8. Bid Award for Riverside Hose - Building Addition Rehabilitation

WHEREAS, the Riverside Hose Fire House (addition) is in need of repairs to its footings, girders, subfloors and flooring; and

WHEREAS, due to the required repairs, existing cabinetry and appliances will need to be removed and then reinstalled upon completion of the repairs; and

WHEREAS, the Village Engineer put together a bid packet detailing the scope of work that needs to be completed; and

WHEREAS, the Village published a legal advertisement of the bid on May 10, 2022 in the Journal News, and also published the bid notice on the Village website, Bidnet and NY Contract Reporter; and

WHEREAS, on May 13, 2022, at 10:00 am the Village of Tarrytown held a walk-through at Riverside Hose Firehouse located at 120 Franklin Street; and

WHEREAS, four (4) sealed bids were opened on Thursday, May 24, 2022 at Tarrytown Village Hall, One Depot Plaza, Tarrytown, at 11:00 a.m. for the Riverside Hose Rehabilitation project; and

WHEREAS, four (4) sealed bids were received and the bids received are listed below; and

<u>Company Name</u>	<u>Bid Amount</u>
Alon Industries 1665 Bulls Head Road Clinton Corners, NY 12514	\$188,816.00
Sanz Construction Inc. 28 Birch Road Staten Island, NY 10303	\$163,700.00
WND Construction, LLC 411 Theodore Fremd Ave. Suite 206 Rye, NY 10580	\$186,000.00

Cornerstone Restoration Group \$198,000.00
73 Market Street
Yonkers, NY 10710

WHEREAS, it is the recommendation of the Village Engineer that the bid be awarded to the lowest responsible bidder, Sanz Construction Inc. per their bid of \$163,700.00.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby award the bid for the Riverside Hose Restoration project to Sanz Construction Inc. of Staten Island, NY per their total approximate bid price of \$163,700.00 based on unit prices; and

BE IT FURTHER RESOLVED that the Village Administrator is hereby authorized and directed to execute a contract with Sanz Construction Inc. per their bid of \$163,700.00.

9. Bid Award for Downtown Streetscape Improvement Project

WHEREAS, the Village of Tarrytown received a grant award from the Community Development Block Grant (CDBG) program administered through Westchester County’s Urban County Consortium in the amount of \$300,000 toward Downtown Streetscape Improvements; and

WHEREAS, the Downtown Streetscape Improvements Project will replace sidewalks and curbs along Franklin Street, South Washington Street, Wildey Street, and Wood Court; and

WHEREAS, the Village Engineer in collaboration with the Westchester County Planning Department put together a bid packet detailing the scope of work that needs to be completed; and

WHEREAS, the Village published a legal advertisement of the bid on June 6, 2022 in the Journal News, and also published the bid notice on the Village website, on Bidnet and in NY Contract Reporter on May 25, 2022; and

WHEREAS an Addendum to the Bid was advertised in the Journal News, on the Village website, on BidNet and in the NY Contract Reporter on June 6, 2022; and

WHEREAS, five (5) sealed bids were opened on Friday, June 10, 2022 at Tarrytown Village Hall, One Depot Plaza, Tarrytown, at 11:00 a.m. for the Downtown Streetscape Improvement Project; and

WHEREAS, five (5) sealed bids were received and the bids received are listed below; and

<u>Company Name</u>	<u>Bid Amount</u>
Peter J. Landi Inc. 13 Bradhurst Ave. Hawthorne, NY 10532	\$941,835.00

Gianfia Corp \$1,153,400.00
179 Brady Ave.
Hawthorne, NY 10532

ConTech \$1,607,175.00
1961 Route 6 R-3
Carmel, NY 10512

Coppola Paving \$1,475,150.00
3630 Boston Road
Bronx NY 10541

Paladino Construction \$1,056,065.00
315 N MacQuesten Pky
Mt Vernon NY 10550

WHEREAS, it is the recommendation of the Village Engineer that the bid be awarded to the lowest responsible bidder, Peter J. Landi, Inc. per their bid of \$941,835.00.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby award the bid for the Downtown Streetscape Improvement project to Peter J. Landi, Inc of Hawthorne, NY per their total approximate bid price of \$941,835.00, based on unit prices;

BE IT FURTHER RESOLVED that the Village Administrator is hereby authorized and directed to execute a contract with Peter J. Landi, Inc of Hawthorne, NY per their bid of \$941,835.00; and

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize that the balance of funds for the Downtown Streetscape Improvement Project, estimated at \$641,835, be appropriated from the unrestricted General Fund Fund-Balance as a match for the CDBG grant award of \$300,000.

10. Resolution to Authorize Execution of Revised Memorandum of Understanding with Westchester Power

WHEREAS on May 2, 2022, the Board of Trustees of the Village of Tarrytown authorized the execution of a Memorandum of Understanding with Sustainable Westchester committing the Village to execute the 2022 Extension Electric Service Agreement as long as the Extension Agreement met certain conditions including a price for electricity supply that was not to exceed 13.9 cents per kilowatt hour; and

WHEREAS Westchester Power was not able to secure a contract with an electricity supply company that met the required conditions; and

WHEREAS the current Electric Service Agreement with Westchester Power expires on June 30, 2022, which means that all current customers of Westchester Power will be automatically switched back to Con Edison utility supply starting on their 1st meter read after June 30; and

WHEREAS Westchester Power now aims to secure a longer term contract in lieu of an extension agreement in order to secure the best possible price in a volatile energy market; and

WHEREAS a new Memorandum of Understanding with Westchester Power will allow for the bid for electricity supply to be awarded to the lowest responsible bidder, as is common practice in municipal procurement, rather than the not-to-exceed model which inhibits flexibility in a rapidly moving energy market;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown authorizes the execution of a new Memorandum of Understanding with Sustainable Westchester committing the Village to execute the 2022 Electric Service Agreement as long as the Electric Service Agreement meets the following conditions:

- i. the Competitive Supplier is deemed qualified for the duration of the 2022 ESA by the Qualifications Review, and
- ii. such Competitive Supplier’s offer is deemed by Sustainable Westchester to be a Compliant Offer which means that the offer is submitted by the lowest responsible bidder, subject to the terms and conditions set forth in the 2022 RFP.

BE IT FURTHER RESOLVED that on or before December 31, 2022, the Village Administrator is authorized to execute the 2022 Electric Service Agreement with Sustainable Westchester and the Competitive Supplier as long as all conditions outlined in the Memorandum of Understanding have been met.

11. Resolution to authorize execution of contract with grant writer

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby authorizes the Village Administrator to execute a contract with Millennium Strategies, a grant writing firm, to organize, prepare, and submit a grant application through the NYS Local Waterfront Revitalization Grant Program on behalf of the Village for the finalization of the Local Waterfront Revitalization Plan.

12. Resolution Authorizing Tax Certiorari

BE IT HEREBY RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve settlement of the following tax certiorari case as outlined in the Village Tax Certiorari Attorney’s recommendation, as follows:

<u>Name/Address</u>	<u>Property ID Number</u>	<u>Amount of Refund</u>
Tarrytown Waterfront LLC	Sec. 1.40, Block 4, Lots 12,13, 14,15.2 18, 19	\$51,116.34

13. Pool Membership

BE IT RESOLVED that due to the emergency repairs to the Village of Hastings NY municipal pool, the Board of Trustees of the Village of Tarrytown does hereby temporarily,

for the 2022 pool season only, authorize twenty (20) Hastings on Hudson New York residents to become members of the Village of Tarrytown Swimming Pool for the 2022 season at the same rate as Tarrytown residents.

14. Intermunicipal Agreement with Westchester County regarding the Police Academy Training Program

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize and direct the Village Administrator to execute an agreement between the Village and Westchester County regarding the Police Academy Training Program to facilitate training and instruction for the Tarrytown Police Department.

15. Interim Superintendent of Recreation

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Joseph Arduino of Tarrytown NY as the Interim Superintendent of Recreation at the hourly wage of \$53.69 per hour.

16. Appointment of Part Time Intermediate Clerk - DPW

BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown does hereby authorize the appointment of Thornton Curry to the position of Intermediate Clerk for the DPW, part-time at an hourly salary of \$25.00 per hour, effective July 5, 2022 subject to the provisions of Civil Service rules and regulations.

17. Appointment of Member of the Zoning Board

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Jeanne Kaplan to fill the unexpired term of Rob Song to the Zoning Board for a term that will expire in December of 2026.

18. Appointment of Alternate member of the Zoning Board

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Barbara Kudla to fill the unexpired term of Jeanne Kaplan as the second alternate member of the Zoning Board for a term that will expire in December of 2023.

19. Appointment of Alternate Member of the Planning Board

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Judith Mezey to fill the unexpired term of Gary Friedland as an alternate member of the Planning Board for a term that will expire in December of 2024.

20. Changes To Board Of Trustees August Work Session Date

WHEREAS, the Board of Trustee set the annual meeting schedule at the December 6, 2021 Organizational Meeting, and

WHEREAS, due to scheduling conflicts, the Board has determined that the August 10th, 2022 Board of Trustees Work Session needs to be rescheduled.

NOW, THEREFORE BE IT RESOLVED that the Board of Trustees is rescheduling the August 10th, 2022 Board of Trustees Work Session to Monday, August 8th, 2022 at 6:00 pm.

21. Schedule a Special Meeting for Police Appointments on Wednesday, July 13, 2022

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby schedule a special meeting on Wednesday, July 13, 2022 at 5:30 pm to be held in the Village Hall Board Meeting Room for appointment of Police Officers.

22. Approval of the Minutes of the Board of Trustees Meeting of June 6th, 2022

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the minutes of the Board of Trustees Meeting held on Monday, June 6th, 2022 as submitted by the Village Clerk.

23. Approval of Audited Vouchers

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No. 23 of Audited Vouchers in the total amount of \$794,366.74 as presented by the Village Treasurer, to be paid in the following amounts:

General	\$ 566,383.12
Water	\$ 122,404.65
Sewer Fund	\$ 1,308.42
Capital	\$ 67,674.14
Library	\$ 27,536.08
Trust & Agency	\$ <u>9,060.33</u>
Total	\$ 794,366.74

24. 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

25. Adjournment