

VILLAGE OF TARRYTOWN
BOARD OF TRUSTEES
REGULAR MEETING 7:00 P.M.
Monday November 20, 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/42271> 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
4. Public Hearing on Compatible Use Permit for 220 White Plains Road

WHEREAS, the Village received a request from Dr. R.N. Bhargava for the Village to issue a Compatible Use Permit for 220 White Plains Road Suite 585 for a Professional Office with an Accessory Laboratory, which is required and is requested before the Village Planning Board grants site plan approval; and

WHEREAS, the proposed use will convert 975 sf of a 4,000 sf office suite into a laboratory space for research conducted by Integrated Nano-Magnetics Inc. (INM), a nanotechnology firm; and

WHEREAS, the Applicant's submission indicates there will be no medical research conducted at the facility, no overnight stays, no generation of toxic waste or production of toxic particulates in the exhaust system, and the Department of Health will need to issue an air emissions permit prior to opening the laboratory; and

WHEREAS, the Planning Board has reviewed the application and recommends approval of the Compatible Use Permit for the research and testing laboratory at Suite 585 in the 220 White Plains Road building; and

WHEREAS, a notice of Public Hearing was published in the Journal News on

November 10th, 2023;

NOW, THEREFORE, BE IT RESOLVED. that the Board of Trustees of the Village of Tarrytown does hereby approve a Compatible Use Permit to be issued to Dr. R.N. Bhargava of Integrated Nano-Magnetics Inc. (INM) for a Professional Office with an Accessory Laboratory on the premises at 220 White Plains Road Suite 585, Tarrytown.

5. 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
6. Resolution to Schedule a Public Hearing for a Local Law to Amend Section 297-7 to add a new subsection regarding replacement of water meters and to Amend Chapter 297-17 of the Village Code to add a penalty for non-compliance with maintenance, repair, or replacement of water meter

WHEREAS the Village of Tarrytown Water Department is in the process of replacing all water meters in the Village for the purposes of upgrading outdated and failing equipment; and

WHEREAS accurate water meter readings contribute to an efficient and well-maintained system that accounts for water usage, detects leaks, and identifies potential repair and maintenance needs; and

WHEREAS the cost of non-compliance with the water meter replacement project is significant in hours of labor for manual water meter reads; and

WHEREAS the Village, through the installation contractor, Saks Metering, will continue to make every effort to communicate and work with water users to schedule appointments for water meter replacement, but as the year-long project winds down, a mechanism to enforce compliance short of cutting off water service is necessary;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby schedule a public hearing to be held at 7 p.m. on Monday, December 4, 2023, at Tarrytown Village Hall, 1 Depot Plaza, during the Regular Board Meeting, on a Local Law to amend Section 297-7 to add a new subsection regarding replacement of water meters and to amend Chapter 297-17 of the Village Code to add a penalty for non-compliance with maintenance, repair, or replacement of water meter. A copy of the proposed Local Law can be found at the end of this agenda.

7. Establishment of Ad Hoc Climate Action Planning Institute Task Force

WHEREAS the Village of Tarrytown is participating in the Climate Action Planning Institute (CAPI) administered by Westchester County thanks to a grant awarded by the New York State Department of Environmental Conservation; and

WHEREAS the CAPI will assist the Village in developing a Climate Action Plan for the Village's government operations including the municipal fleet and facilities; and

WHEREAS an Ad Hoc CAPI Task Force comprised of residents and staff members will assist for a period of five months from November 2023 through March 2024 in the development of recommendations for measures to reduce greenhouse gas emissions from municipal operations;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby establish the Ad Hoc Climate Action Planning Institute (CAPI) Task Force; and

BE IT FURTHER RESOLVED that Board of Trustees does hereby appoint the following Task Force members:

Dean Gallea, Chair
Peter Gaito
Josh Halickman
Emily Herman
Jia Sun
Nicole Crescimanno
Karen Bernstein
Alissa Fasman, Staff liaison

8. Metal Pickup Switch from Wednesdays to Fridays

WHEREAS, the Department of Public Work currently picks up scheduled bulk metal on Wednesdays; and

WHEREAS, on Wednesday's the Department of Public Works is already picking up refuse and recycling leaving no staff to perform other duties such as highway work; and

WHEREAS, by moving bulk metal pick up to Fridays it will free up DPW staff to perform highway tasks.

NOW, THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby change bulk metal pickup from Wednesdays to Fridays with trial runs starting December 1, 2023 with the new schedule to be fully implemented by January 1, 2024.

9. Resolution Authorizing the Purchase of an Asphalt Roller for the Public Works Department

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize a purchase for the Department of Public Works, as provided in the 2023-24 Village Capital Improvement Program for the schedule of vehicle replacements, one (1) New Komatsu Asphalt Roller off of Sourcewell Contract No. 060122-BAI for the total

amount of \$22,210.00 including \$500.00 for the trade-in of the existing 1992 Dynapac T-175S Roller.

BE IT FUTHER RESOLVED that the Village Administrator is authorized to sign the necessary documents for this purchase, and the Village anticipates that the funds for the purchase will either be provided from operating funds, appropriation of surplus, or the future issuance of debt.

10. Resolution to authorize an amendment to extend the settlement agreement between the Quay of Tarrytown Condominium and the State of New York

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize and direct the Village Administrator to execute the Amendment to the Stipulation of Settlement among the Village of Tarrytown, the New York State Thruway Authority and the Quay of Tarrytown Condominium solely to provide for extending the time for the Quay to provide the Village with an easement related to certain proposed improvements to the Westchester Riverwalk for another six (6) months, subject to the approval of the Village Attorney.

11. Resolution Authorizing Year End Budget Transfer of Funds for Village of Tarrytown Fiscal Year 6/1/2022 through 5/31/2023

WHEREAS, in accordance with Section 5-520 of the NY State Village Law, when it shall appear probable that the expenditure in any budgetary account will be in excess of the original estimated budgeted amount, it is then necessary to bring these accounts in balance by transferring from other budgetary accounts; and

WHEREAS, at this time the accounts for the fiscal year ending May 31, 2023 have been reconciled and it is requested that the following resolution be approved by the Board of Trustees authorizing intra-departmental (within departments) and inter-departmental (between departments) transfers to close out the budget, to complete the work necessary for the annual audit which is in process and approaching completion for fiscal year ending May 31, 2023.

NOW, THEREFORE, BE IT RESOLVED that the Village Treasurer is hereby authorized to make the necessary transfers from the unexpended balances of certain budgetary accounts to those accounts that require additional appropriations, in order to effect the budgetary close out for Fiscal Year 6/1/2022 to 5/31/2023, with the detail of such transfers on file in the office of the Village Treasurer.

12. Approval of the Minutes of the Board of Trustees Meeting of November 6, 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, November 6th, 2023 as submitted by the Village Clerk.

13. Approval of Action Item Minutes

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, November 15, 2023 as submitted by the Village Administrator and the Village Clerk.

14. Approval of Audited Vouchers

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No.10 of Audited Vouchers in the total amount of \$3,861,797.67 as presented by the Village Treasurer, to be paid in the following amounts:

General	\$ 2,878,554.40
Water	\$ 234,017.78
Sewer Fund	\$ 14,722.67
Capital	\$ 614,174.50
Library	\$ 95,415.13
Trust & Agency	\$ 24,913.19
CM (Special Funds)	\$ <u>0.00</u>
Total	\$ 3,861,797.67

15. 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

16. Adjournment

LOCAL LAW __ - 2023

A local law to amend Chapter 297 entitled “Water” to amend Section 297-7 to add a new subsection regarding replacement of water meters and to amend 297-17 of the Tarrytown Code, to add a penalty for non-compliance with the Village for maintenance, repair or replacement of the Village of Tarrytown water meter

Section 1. Amending § 297 “Water”, Article 1, General Regulations, Section 297-7 “Installation of water meters” to add a new subsection as follows (language in **Bold and Underlined to be added, language in ~~Strikethrough and bold and underlined~~ to be deleted):**

297-7 Installation of Water Meters

Water meters shall be installed as herein provided:

A. Every meter shall be set in a horizontal position within ready access for inspection and shall be protected against frost and hot water.

B. The meter must be connected to the service line by a union to a shutoff valve on each side of the meter.

C. No connection in any house service line or fixture shall be made between the water main and the meter.

D. The meter shall, after installation, be sealed by the Water Department, which shall thereafter have complete control thereof. No sealed meter may be removed without a written permit from the Water Department.

E. The Water Department may remove a meter at any time for testing, substituting another meter temporarily or permanently.

F. The Water Department may replace, upgrade, or switch out a meter at any time.

F. G. In every installation of water service hereafter, the owner shall provide facilities for setting of the meter according to specifications provided by the Water Department.

Section 2. Amending § 297 “Water”, Article 1. General Regulations, Section 297-17. Penalties for offenses, is revoked in its entirety and replaced with the following language.

Old language to be deleted:

§ 297-17. Penalties for offenses.

Penalties shall be as provided in Chapter **1**, General Provisions, Article **II**.

New Language:

§ 297-17. Penalties for offenses.

- A. A quarter-per-annum penalty fee of \$250.00 shall apply for not cooperating with the Village pursuant to Section 297-7, regarding the maintenance, repair or replacement of the Village water meter, until such time that the owner permits the Village to replace the meter.
- B. Other penalties for non-compliance with this chapter shall be as provided in Chapter I, General Provisions, Article II.

Section 3: 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 4: 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.