

Board of Trustees  
Village of Tarrytown  
Regular Meeting No. 24  
October 21, 2019  
8:00 p.m.

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

ABSENT: Trustee Brown

The meeting began with the Pledge to the Flag.

#### MOMENT OF SILENCE – GENE SAVAGE

Mayor Fixell requested a moment of silence for Gene Savage who passed away a few weeks ago. Gene was a retired Police Sergeant from the Tarrytown Police Department and a Tarrytown Fire Department member for over 50 years with Conqueror Hook and Ladder Company. We send our deepest sympathy to his family.

#### REPORTS

Mayor Fixell noted the following:

- The Mobile Shredder is coming back to Tarrytown on Saturday, November 16<sup>th</sup> from 10 a.m. to 1 p.m. at the Green Street parking lot.
- Household Recycling Fall Drop-Off Day will be on Saturday, November 9<sup>th</sup> at Rye Playland, 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.
- Early Voting, first time in New York State for the 2019 General Election and the days and hours are as follows:  
Saturday, October 26<sup>th</sup> and Sunday, October 27<sup>th</sup>: 12 p.m. to 5 p.m.  
Monday, October 28<sup>th</sup>, Wednesday, October 30<sup>th</sup> and Friday, November 1<sup>st</sup>: 8 a.m. to 4 p.m.  
Tuesday, October 29<sup>th</sup> and Thursday, October 31<sup>st</sup>: 12 p.m. to 8 p.m.  
Saturday, November 2<sup>nd</sup> and Sunday, November 3<sup>rd</sup>: 12 p.m. to 5 p.m.  
Tarrytown residents will early vote at Dobbs Ferry Village Hall.
- As the leaves fall off the trees, he urged everyone to mulch leaves in place. It saves a lot of time and money. Love them and leave them, mulch them into your lawn. For those who don't mulch, the schedule to pick up leaves is on the website. Do not pile leaves on the street, it is extremely dangerous.

Trustee Rinaldi noted that there will be a Census 2020 Job Fair at the Warner Library tomorrow, October 22<sup>nd</sup> from 11 a.m. to 4 p.m. to assist local residents applying for jobs with the census bureau. He encouraged people to come out and make some extra cash and to contribute an important process.

Trustee McGovern noted the following:

- This past Saturday, the Village held its annual Trunk or Treat event at Pierson Park. There were decorated cars and plenty of candy for all the trick or treaters. It was a nice turnout and lots of fun. She urged people to join in on the fun next year with a Halloween themed decorated car or truck.
- The Halloween Parade is this Saturday, October 26<sup>th</sup> at 5:30 p.m. Rain date will be the next day, Sunday, October 27<sup>th</sup>. Come out and participate either by marching or watching the parade.
- The Trudy Dunbar Memorial 5K Turkey Trot will be held on Sunday, November 24<sup>th</sup> at 9:30 a.m. She encouraged children from 7 to 9 to come out for the 1 mile Gobble Trot at 9 a.m.

ADMINISTRATOR'S REPORT

Administrator Slingerland noted the following:

- The Village is participating in a "SecureCam" Program. Businesses and home owners can register for free with our Police Department. The link to register is available on the Police Department website. If you have any questions, you can contact the Detective Division at 914-631-1514.
- We are having a Census presentation tonight and the Town of Greenburgh has already established a Complete Count Committee. The Town has approved that each Village will have a representative on that committee.
- With Halloween coming soon, he asked that everybody be cognizant and mindful of the children while they are trick or treating. The intent is for everybody to be safe and careful. Be cautious not to eat unwrapped candy. Make sure your children are dressed appropriately wearing reflective bands to be visible to cars. Drivers should take extra caution not to speed.

PRESENTATION BY NORMA DRUMMOND, COMMISSIONER OF WESTCHESTER COUNTY DEPARTMENT OF PLANNING – PLANNING FOR THE 2020 CENSUS

Norma Drummond, Commissioner of Westchester County Department of Planning, noted that April 1, 2020 is Census 2020 Day. She is getting out to as many municipalities as possible to let everyone know about the new things that are happening with the census, some of things that they are concerned about and why they are encouraging participation in Complete Count Committees throughout the County. Planning for the 2020 Census:

- The United States has been conducting census since 1790, this is our 24<sup>th</sup> census. It is mandated by the U.S. Constitution. The reason the census is done is that it deals with the apportionment and redistricting of many districts, not only how many congressmen there should be, but also our local county legislators. It also deals with the equitable distribution of funds from the federal government, the Village's sales tax collection from the County is based on the 2010 Census data and CDBG funds all rely on census data. Basis of other datasets, including American Community Survey (ACS), HUD data.
- What's new for the 2020 Census – It will be the first Census with option to respond online. You will actually not be mailed a paper form in the mail until the 4<sup>th</sup> mailing that goes out. You will get a letter with a code specific to your housing unit and you can respond on your smart phone, your computer or a phone line. The Bureau will make greater use of information they already have and will now be able to ask neighbors or building managers how many people live in a unit if they aren't able to get household response and in last resort, the Bureau can use existing government records. However, government cannot share their census data with any other federal department.
- The 2020 Census form will have a total of 9 questions. A sample of the census survey will be on the Westchester County website. The Citizenship question has been removed from the survey.
- The Census survey has to be filled out as to how many people live in your house. If your child is in college, he or she would be counted on the census form at the college. Hotels and hospitals would be reported with their primary residence. EF School would be considered group quarters and they should be counted by the school.
- The 2020 Census Mail schedule – There will be 3 mailings before April 1<sup>st</sup>. First mailing will go out March 12, second on March 16 and a third postcard on March 26<sup>th</sup>. A 4 mailing on April 8 and then a final 5 Postcard mailing on April 20 saying "it's not too late." If there is no response, that's when the visits will start.
- Complete Count Committees: County Executive Latimer established Westchester County Complete Count Committee on April 1, 2019. There are 5 subcommittees: Field Operations, Marketing & Communications, Non-profits, Faith Based & Community Based Organizations, Youth & Education and Seniors & Persons with Disabilities.

PUBLIC HEARING – CHAPTER 52. RESIDENCY REQUIREMENTS (adopted)

A local law to amend Chapter 52 of the Code of the Village of Tarrytown entitled Residency Requirements, to amend the code provisions for Superintendent of Public Works, since persons in this title are not required to live in certain areas of NY State, and updating language to other positions that qualify as Public Officers under the law.

Section 1. Be it enacted by the **Board of Trustees** of the **Village of Tarrytown** as follows (Language in **Bold and Underlined** to be added, language in ~~Strikethrough and bold and underlined~~ to be deleted):

Section 2. Chapter 52, Section 2. Entitled “Village, county or bordering county residency” is hereby amended to delete language regarding Superintendent of Public Works, to read as follows:

**§ 52-2. Village, county or bordering county residency.**

Notwithstanding any other general or special law, no person shall be eligible to be appointed to or hold the office of Administrator, Assistant Village Administrator, Village Clerk, Deputy Clerk, Village Treasurer, Deputy Treasurer, Engineer **and** Building Inspector, ~~and Superintendent of Public Works~~ in the Village of Tarrytown unless such person is a resident of the Village or a resident of Westchester County or a resident of a county **in New York State nearby to which directly borders** Westchester County during such appointment, **including the five boroughs of New York City, Rockland County, Putnam County and Dutchess County during such appointment.** A person shall be eligible to be appointed to or hold the nonjudicial position of Village Court Clerk, Assistant Court Clerk or Court Attendant provided such person is a resident of Westchester County or in a County in New York State, such as the five boroughs of New York City, Rockland County, Putnam County and Dutchess County during such appointment.

**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.

Trustee Zollo moved, seconded by Trustee McGovern and unanimously carried, that the hearing be opened.

Mayor Fixell asked whether anyone wished to address the Board on this matter. No one appeared.

Trustee Zollo moved, seconded by Trustee McGovern, and unanimously carried, that the hearing be closed.

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 amend the Code of the Village of Tarrytown, Chapter 52. Residency Requirements, Section 52-2. Village, county or bordering county residency for the purpose to remove the position of Superintendent of Public Works from this requirement since this position is not a public officer under the definition of the law. Therefore, the person in this position is not required to live in New York State.

WHEREAS, a public hearing was held for the proposed action on October 21, 2019; and

WHEREAS, a notice of public hearing was published in the Journal News on October 11, 2019; and

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

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.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby adopt Local Law No. 10 of 2019.

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 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 approve the following Fire Department membership changes recommended at the September 17, 2019 Board of Fire Wardens meeting: Members: Rayder De La Cruz has been approved for out of town membership at Washington Engine, Victor Vera has resigned from Washington Engine and John Pardo's membership at Washington Engine has been changed from Active to Associate.

APPOINTING PART TIME BUILDING INSPECTOR

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

WHEREAS, due to the anticipated long term absence by our Building Inspector, and backlog building permit inspections for the Village of Tarrytown, the Village finds a need to have temporary Building Inspector services in order to maintain the workload and operations of the building permit and inspection services provided by the Village in his absence.

THEREFORE, BE IT RESOLVED, that the Village of Tarrytown hereby appoints Peter Cook on a part time availability basis, not to exceed seventeen and a half (17.5) hours per week at an hourly rate of \$45 per hour, for part time building permit and inspection services, subject to the provisions and regulations of Civil Service.

RESOLUTION AUTHORIZING A WESTCHESTER COUNTY INTER-MUNICIPAL AGREEMENT (IMA) WITH THE VILLAGE OF TARRYTOWN WITH RESPECT TO THE 2019 SUMMER DAY CAMP

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 authorize the Village Administrator to sign a Westchester County Inter-Municipal

Agreement (IMA) with the Village of Tarrytown with respect to the 2019 Tarrytown/Sleepy Hollow Summer Day Camp.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON OCTOBER 7, 2019

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 approve the minutes of the regular meeting of the Board of Trustees held on October 7, 2019 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS

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 approve Abstract No. 7 of Audited Vouchers in the total amount of \$694,631.33 to be paid in the following amounts:

General	\$ 478,459.67
Water	\$ 51,542.85
Sewer Fund	\$ 0.00
Capital	\$ 116,143.17
Library	\$ 29,867.56
Trust & Agency	\$ 18,618.08
Total	\$ 694,631.33

The Board was polled all voting “aye” with the exception of Trustee Hoyt who recused himself from Voucher Numbers 2018011160. Motion carried. 6-0-1

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD ON ITEMS NOT INCLUDED ON THE AGENDA. 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 property matter approximately 8:50 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 9:05 p.m. by vote of six in favor, none opposed.

Carol A. Booth  
Village Clerk