

Board of Trustees
Village of Tarrytown
Regular Meeting No. 19
November 7, 2016
8:00 p.m.

PRESENT: Mayor Fixell presiding; Trustees: Brown, Butler, Hoyt, McGee, McGovern and Zollo; Village Administrator Blau; Village Treasurer Hart; Village Attorney Silverberg and Village Clerk Booth

REPORTS

Mayor Fixell noted the following:

- With fall season upon us, he encourages everybody to mulch their leaves in place. It's easy, great for lawns and garden beds and will save time. If you don't want to mulch them, you can put leaves in biodegradable paper bags. If you are going to pile leaves for collection by DPW, be sure leaves are not placed in the street. Leaves on streets can create a hazard for drivers and can potentially clog the catch basins.
- Tomorrow is Election Day and the polls are open from 6 a.m. to 9 p.m.

Trustee McGovern noted the following:

- Last weekend, the Halloween Parade was a great success and she thanked the Recreation Department along with the Halloween Committee members, Joanne Murray, Veronica Black, Chris Brazil, Theresa McCarthy and Mary Kohrherr. The Parks and Recreation Advisory Council members worked the event and she thanked the Council members, J. P. Hill, Audrey Savage, Trudy Dunbar, Henry Crepeault, Shelly Colley, Jim Desimone, Mary Kohrherr and Tish Diggle.
- The annual Pilgrim Run, a 4 mile run, will be held on Sunday, November 13th at 10:30 a.m. starting and finishing at the Hackley School. People should register prior to the day of the race or on the day of the race from 8:30 a.m. until 10:00 a.m. at the Hackley School parking lot, right off of Benedict Avenue.

CHANGES AND/OR ADDITIONS TO THE AGENDA

The Board of Trustees has made an addition to tonight's agenda to schedule a public hearing to consider a proposed amendment to the Code of the Village of Tarrytown, Chapter 269, entitled "Taxation."

PUBLIC HEARING – FISHING BUTTONS (adopted)

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 7th day of November, 2016, at 8 PM, in the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear, discuss and to act upon an amendment to Chapter 201 entitled "Lakes and Waterways". A summary of the legislation is available at Village Hall. The complete text of this legislation follows:

A LOCAL LAW to amend the Code of the Village of Tarrytown, Chapter 201 entitled "Lakes and Waterways", Section 6, Specific restrictions; penalties for offenses, Subsection A. Specific restrictions shall be as follows.

SECTION 1. PURPOSE.

There are inconsistencies between who is permitted to fish in the Tarrytown Lakes between Chapter 201, which allows for residents of Tarrytown and members of the Armed Services, and the Master Fee Schedule, which allows for non-residents from the Village of Sleepy Hollow and the Towns of Greenburgh and Mount Pleasant. Non-residents from the Village of Sleepy Hollow have been permitted to fish in the Tarrytown Lakes for over thirty (30) years. The Board of Trustees, when evaluating how to address the inconsistencies, has determined that the modifications to the Master Fee schedule reflect the desire of the Board

to expand who may fish in the Tarrytown Lakes, but not to expand the use beyond those municipalities noted in order to protect this resource from overfishing.

Material to be deleted appears in parenthesis [], material to be added is in **bold typeface**.

SECTION 2. AMENDMENT TO SECTION 6. “Specific restrictions; penalties for offenses”

A. Specific restrictions shall be as follows:

(15) Licenses for the purposes set forth in Subsection A(14) of this section shall be issued annually **upon payment of a fee as set by resolution of the Board of Trustees** to [all persons residing in] **residents of the Village of Tarrytown, residents of the Town of Greenburgh (including the villages in the town) and residents of the Town of Mount Pleasant (including the villages in the town)** and all persons who are on [active] duty with the Armed Forces. No fee shall be charged to residents of the **Village of Tarrytown** under the age of 16 years or over the age of [70] **62** years or to members of the Armed Forces of the United States.

SECTION 3. EFFECTIVE DATE

This local law shall take effect immediately, as provided by law.

All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; a request must be made to the Village Clerk at least five days in advance of the meeting.

**BY ORDER OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF TARRYTOWN**

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

Cathy Ruhland, Chairperson of the Tarrytown Lakes Committee, thanked the Board of Trustees for listening to the people who spoke on this subject. She believes that this proposed legislation will be better for the wild life and easier for the Village to manage. It is the policy that we have been following and she knows it can work.

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

Trustee McGee moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby amend the Code of the Village of Tarrytown, Chapter 201 entitled “Lakes and Waterways,” Section 6, Specific restrictions; penalties for offenses, Subsection A. to determine that the Tarrytown Lakes should be open to residents of the Village of Tarrytown, residents of the Town of Greenburgh (including the villages in the town) and residents of the Town of Mount Pleasant (including the villages in the town) and all persons who are on duty with the Armed Forces for fishing purposes subject to rules and regulations promulgated by the Board of Trustees.

WHEREAS, a public hearing was held for the proposed action on November 7, 2016; and

WHEREAS, a notice of public hearing was published in the Journal News on October 27, 2016; 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 Environmental Assessment Form and all other materials that were prepared for 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. 5 of 2016.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD ONLY ON AGENDA ITEMS. SPEAKERS SHALL HAVE THREE (3) MINUTES TO ADDRESS THE BOARD OF TRUSTEES

Mayor Fixell asked if anyone wanted to address the Board on agenda items. No one appeared.

FIRE DEPARTMENT MEMBERSHIP CHANGE

Trustee Zollo moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the following Fire Department membership change recommended at the October 18, 2016 Board of Fire Wardens meeting: Membership: Connor Stroh has been elected to active membership at Conqueror Hook & Ladder.

HANDICAPPED PARKING SPACE – 61 GROVE STREET

Trustee Zollo moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Village of Tarrytown does hereby authorize the establishment of a handicap parking space placed in front of 61 Grove Street.

All new material is set forth in CAPITAL letters. No material is to be deleted.

Section 291-92. Schedule XXVII: Handicapped Parking Spaces.

In accordance with the provisions of 291-62, the following described streets, driveways, parking lots and auto parks or parts of streets, driveways, parking lots and auto parks are hereby designated as handicapped parking spaces and are designated for use by persons with handicapped parking permits:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
GROVE STREET	WEST	IN FRONT OF 61 GROVE STREET

SCHEDULE A PUBLIC HEARING – CHAPTER 191 HISTORIC DISTRICTS AND LANDMARKS

Trustee Zollo moved, seconded by Trustee Butler, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby schedule a Public Hearing for the regular meeting of November 21, 2016, at 8:00 p.m., in the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider a

proposed amendment to the Code of the Village of Tarrytown, Chapter 191 entitled “Historic Districts and Landmarks,” whereby the Village Board has determined that two properties appear to meet the criteria for designation as Landmarks; Rose Hill Reservoir at the intersection of Rose Hill Avenue and Union Avenue and the World War I Memorial at 18 North Broadway.

SCHEDULE A PUBLIC HEARING – CHAPTER 269, TAXATION

Administrator Blau noted that should the Board of Trustees act on the proposed legislation, it is subject to permissive referendum. If the public choses to petition the Village Board on the proposed legislation, it would go to a referendum. The legislation would terminate the Village as an assessing unit and the Town of Greenburgh would serve as the assessor for the Village and the new Town assessment roll from the reassessment process recently completed by the Town. Village of Irvington began using the Town of Greenburgh’s tax roll in 2011 and the Village of Ardsley around the same time. The Villages of Hastings and Dobbs Ferry just adopted local laws to cease being an assessing unit and to use the Town of Greenburgh’s tax roll last month.

Attorney Silverberg noted that if the Village Board adopts this proposed legislation, it will be published in the newspaper. If residents want to petition the Village Board, they will have 30 days from the day of the notice in the newspaper to file a petition with the appropriate number of signatures.

Trustee McGovern moved, seconded by Trustee Butler, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby schedule a Public Hearing for the regular meeting of November 21, 2016, at 8:00 p.m., in the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider a proposed amendment to the Code of the Village of Tarrytown, Chapter 269 entitled “Taxation,” to add a new Article VIII, to voluntarily terminate the Village’s status as an assessing unit.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON OCTOBER 24, 2016

Trustee McGee moved, seconded by Trustee McGovern, that the following resolution be approved. Motion carried, all voting “aye” with the exception of Trustee Hoyt who abstained. Approval: 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 24, 2016 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: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No. 8 of Audited Vouchers to be paid in the following amounts:

General	\$ 212,210.47
Water	243,679.30
Sewer Fund	0.00
Capital	40,666.69
Library	8,546.26
Trust & Agency	<u>3,737.73</u>
Total	\$ 508,840.45

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD. SPEAKERS HAVE FIVE (5) MINUTES BEFORE YIELDING TO THE NEXT SPEAKER; THEN THREE (3) MINUTES FOR ADDITIONAL COMMENTS

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

ADJOURNMENT

Trustee McGovern moved, seconded by Trustee Zollo, and unanimously carried, that the meeting be adjourned at 8:14 p.m.

Carol A. Booth
Village Clerk