

Board of Trustees  
Village of Tarrytown  
Regular Meeting No. 26  
January 4, 2016  
8:00 p.m.

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

The meeting began with the Pledge to the Flag.

#### REPORTS

Trustee Basher read a memo from the Police Department commending Police Officers Macom, Infante and Murtagh who responded to a call on December 24, 2015 for a report of an intoxicated female requesting medical assistance. Upon arrival, officers learned from the aided that she had just recently taken a bad dose of heroin and she wasn't feeling well. Within seconds, the aided became unconscious and unresponsive. Officers immediately began to render medical assistance. Police Officer Infante retrieved Naxalone (Nasal Narcan) and administered a single dose to the aided. Since the first dose was ineffective, Officer Infante then administered a second dose of Narcan which the aided responded to and quickly regaining consciousness. The Tarrytown Ambulance arrived on scene along with Greenburgh Paramedic and subsequently transported the aided to Phelps Memorial Hospital for treatment. Due to the officer's timely response and quick action in administering medical attention and Nasal Narcan, the aided's life was likely saved. These officers displayed their true professionalism and abilities to handle the situation. The lifesaving actions taken by the officers will be acknowledged by the police department and made a part of each officer's personnel file.

#### 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.

#### APPOINTMENT OF POLICE OFFICERS

Trustee Hoyt moved, seconded by Trustee McGovern, that the following resolution be approved. Motion carried, all voting "aye" with the exception of Mayor Fixell and Trustee Butler who recused themselves. Approved: 5-0-2

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Blake Butler to the position of Police Officer Step 6 Recruit/Police Academy in the Village of Tarrytown Police Department at an annual salary of \$41,391.00 effective January 11, 2016.

BE IT FURTHER RESOLVED that this appointment is made from Certified Eligible List No. 000022688 and is subject to a probationary period of eighteen (18) months.

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Trustee Basher moved, seconded by Trustee Butler, that the following resolution be approved. Motion carried, all voting "aye" with the exception of Mayor Fixell who recused himself. Approved: 6-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint DaVonn Warner to the position of Police Officer Step 6 Recruit/Police Academy in the Village of Tarrytown Police Department at an annual salary of \$41,391.00 effective January 11, 2016.

BE IT FURTHER RESOLVED that this appointment is made from Certified Eligible List No. 000022688 and is subject to a probationary period of eighteen (18) months.

FIRE DEPARTMENT MEMBERSHIP CHANGE

Trustee Zollo moved, seconded by Trustee Basher, 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 December 15, 2015 Board of Fire Wardens meeting: Membership: Valentin Cucu has been elected to active membership at Hope Hose.

SECOND LEASE AMENDMENT AGREEMENT WITH THE ELIZABETH MASCIA CHILD CARE CENTER

Trustee McGovern moved, seconded by Trustee Basher, 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 authorize and direct the Village Administrator to execute the Second Lease Amendment Agreement between the Village of Tarrytown and the Elizabeth Mascia Child Care Center (EMCCC) for the use of the building at 171 Sheldon Avenue.

RESOLUTION TO AUTHORIZE A REFERENDUM ON A PROPOSITION TO CHANGE THE MONTH OF THE GENERAL VILLAGE ELECTION

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

WHEREAS, pursuant to Election Law § 15-104(1) the Village of Tarrytown currently holds its general Village Election to elect officers on the third Tuesday in March; and

WHEREAS, pursuant to Village Law § 9-912(1), the Board of Trustees of the Village of Tarrytown may upon its own motion, adopt a resolution to hold a referendum on a proposition to change the month of the general Village Election; and

WHEREAS, pursuant to Village Law § 9-912, the referendum on a proposition to change the month of the general village election must be submitted at the general village election, currently held on the third Tuesday in March; and

WHEREAS, pursuant to Election Law § 4-108(b), the Board of Elections must be sent a certified copy of the text of the referendum and a statement of the form in which it is to be submitted at the general Village Election at least thirty-six (36) days prior to the general Village Election at which the referendum is submitted; and

WHEREAS, the Board of Trustees of the Village of Tarrytown proposes that a referendum be held to change the month of the general Village Election, beginning in the year 2017, from the month of March to the month of November; and

WHEREAS, the Board of Trustees of the Village of Tarrytown hereby authorizes a referendum on a proposition to change the month of the general Village Election to be submitted at the general Village Election on March 15, 2016; and

WHEREAS, the Board of Trustees of the Village of Tarrytown will comply with the requirements set forth in Election Law § 4-108(b).

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown, pursuant to Village Law and Election Law, hereby adopts this resolution authorizing the following referendum on a proposition to be submitted at the general Village Election on March 15, 2016: "Should the Village of Tarrytown change the general

Village Election from the month of March to the month of November, commencing in 2017?”

REQUEST FOR PROPOSALS – PLANNER AND ENGINEER

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

WHEREAS, responses to two Requests for Proposals for Planners and Engineers to work with the Planning Board were received on November 25, 2015; and

WHEREAS, the Village received five responses for planning services from the following firms:

- AKRF
- BFJ Planning
- Frederick P. Clark Associates, Inc.
- Monarch Planning Group
- VHB

and

WHEREAS, the Village received four responses for engineering services from the following firms:

- D & B Engineers and Architects, P.C.
- James J.Hahn Engineering, P.C.
- Hudson Engineering & Consulting, P.C.
- Woodard & Curran

and

WHEREAS, the Village received one response to provide both planning and engineering from the following firm:

- Kellard Sessions Consulting, P.C.

WHEREAS, a committee was established by the Board of Trustees to review the responses to the RFP's; and

WHEREAS, it is the recommendation of the majority of the committee that the Board of Trustees authorize the execution of a professional services agreement for planning services with Monarch Planning Group and for engineering services to D & B Engineers and Architects, P.C.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees does hereby award a contract for planning services working with the Planning Board to Monarch Planning Group; and

BE IT FURTHER RESOLVED that the Board of Trustees does hereby award a contract for engineering services working with the Planning Board to D & B Engineers and Architects, P.C.

BE IT FURTHER RESOLVED that the Board of Trustees does hereby authorize and direct the Village Administrator to execute agreements with Monarch Planning Group and D & B Engineers and Architects, P.C.

SURPLUS VEHICLE

Trustee Basher 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 declare the following vehicle as surplus:

2004 Ford Expedition – Police Department

AWARD OF CONTRACT – SKATE SHACK STAIRS

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

WHEREAS, on December 9, 2015 the Village issued a Request for Proposals entitled Concrete Stair Replacement, Skate Shack; and

WHEREAS, on December 28, 2015 the proposals relating to the RFP were received; and

WHEREAS, three proposals were received as follows:

- |  |             |
|--|-------------|
| • Peter J. Landi, Inc.                 | \$25,000.00 |
| • Valvano and Son Construction Inc.    | \$32,700.00 |
| • Vernon Hills Contracting Corporation | \$42,477.70 |

and

WHEREAS, the Village Engineer has reviewed the proposals and has discussed with the low proposer the scope of the work to assure a full understanding of the work to be performed; and

WHEREAS, based upon a review of the proposals and the discussion with the low proposer, the Village Engineer recommends that a contract for the Concrete Stair Replacement be awarded to Peter J. Landi, Inc.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees does hereby award a contract to Peter J. Landi, Inc. for the Concrete Stair Replacement at the Skate Shack per the proposal of \$25,000.

BE IT FURTHER RESOLVED that the Board of Trustees does hereby authorize and direct the Village Administrator to execute an agreement with Peter J. Landi, Inc. for the Concrete Stair Replacement project.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON DECEMBER 21, 2015

Trustee Basher 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 minutes of the regular meeting of the Board of Trustees held on December 21, 2015 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS

Trustee Basher moved, seconded by Trustee Zollo, 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. 12 of Audited Vouchers to be paid in the following amounts:

General	\$	154,200.51
Water		193,882.88
Sewer Fund		0.00
Capital		648,240.28
Library		42,375.72
Trust & Agency		<u>7,822.05</u>
Total	\$	1,046,521.44

The Board was polled all voting “aye” with the exception of Trustee Hoyt who recused himself from Voucher Numbers 2012253045 and 2012252975. Motion carried. 7-0

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

ADJOURNMENT TO EXECUTIVE SESSION

Trustee Basher moved, seconded by Trustee Hoyt, and unanimously carried, that the meeting be adjourned to Executive Session at 8:13 p.m. to consult with counsel for potential litigation.

ADJOURNMENT OF EXECUTIVE SESSION

Trustee Basher moved, seconded by Trustee Hoyt, and unanimously carried, that the Executive Session be adjourned at 8:20 p.m.

Carol A. Booth  
Village Clerk