

Village of Tarrytown, NY

One Depot Plaza, Tarrytown, NY 10591-3199
ph: (914) 631-1885

Village Board of Trustees Minutes 01/05/2015

Board of Trustees
Village of Tarrytown
Regular Meeting No. 22
January 5, 2015
8:00 p.m.

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

The meeting began with the Pledge to the Flag.

MOMENT OF SILENCE – LOUIS AGRO JR.

Mayor Fixell stated that last week Tarrytown lost one of its finest citizens, Lou Agro who passed away early Wednesday morning. Lou was a Village Trustee for 12 years from 1987 to 1999 and he also served as Deputy Mayor. As a Trustee, Lou was the Liaison for the Police Department, Fire Department, Tree Commission and Transportation Council. After leaving office, Lou continued to serve the Village for the next 15 years as a member of the Transportation Council, including most recently being its Chairperson. Lou was also an Associate Member of Hope Hose Fire Company for many years and was very involved in the Boy Scouts having been the long time Scoutmaster of Troop 22. He was a very active parishioner at the Transfiguration Church. As all who known him can attest for many years Lou helped countless people through his dedicated volunteerism with his church, school and community. He was always a gentleman in every sense of that word. We will miss him. On behalf of the Board of Trustees, we send our deepest sympathy to Lou's wife, Gloria and his family.

Trustee Basher stated that he served on the Board of Trustees with Lou Agro for 8 years and noted that he never knew anyone more dedicated to serving this Village than Lou Agro. Lou was the liaison to the Transportation Council while he was on the Board and took on the Chairmanship of that Council in 1999 and Trustee Basher has had the pleasure of being the Trustee liaison to the Transportation Council for the last 8 years. It was a pleasure working with Lou for so many years. The Village was very fortunate to have such a dedicated public servant for all those years. He sends his deepest condolences to Gloria and his family on the loss of a great man. "God Bless you, Lou."

REPORTS

Trustee Basher noted that he received an award packet from Police Chief Scott Brown and would like to publically recognize members of the Tarrytown Police Department who have distinguished themselves in the performance of duty during the period of June 2012 through November 2014. The following is the list of determinations: Commendation: P.O. Patrick Dumser and P.O. Mathew Garro in recognition of their actions on September 19, 2013, which lead to the arrest of a suspect who kidnapped and robbed a victim at gunpoint. Commendation: P.O. Michael McGee, P.O. Matthew Toth and P.O. Chris Caoili in recognition of their actions on March 5, 2014, which lead to the arrest of a violent suspect armed with a loaded firearm. Meritorious Police Duty: P.O. Brian Macom, P.O. Sonia Hennessey and George Checchi (Civilian Lifesaving Award) in recognition of their actions on September 21, 2013, taken with disregard for their personal safety, leading to the rescue of a motorist pinned inside a burning vehicle. Meritorious Police Duty: P.O. Michael McGee along with Task Force members, in recognition of their actions on July 24, 2014, averting the illegal sale of a stolen, loaded firearm and subsequent arrests of three defendants charged with Criminal Possession of a Weapon in the Second Degree. Meritorious Police Duty: Detective Daryl Stiloski, Detective David Kapica and Detective Joseph Barosa in recognition of their role in an investigation leading to the March 6, 2013 arrest and subsequent conviction of a defendant charged in connection with four violent predatory sexual assaults in the Village of Tarrytown, Town of Greenburgh and City of Yonkers. Excellent Police Duty: P.O. James Kovacs and P.O. Brian Macom in recognition of their actions on March 31, 2013 leading to the arrest and conviction of a defendant charged with Attempted Murder in the Second Degree in connection with the shooting of two victims in the Village of Sleepy Hollow. Election Police Duty: Sergeant John Daly, P.O. Chris Caoili, P.O. Matthew Toth, P.O. Christopher Cole, Detective Daryl Stiloski, Detective David Kapica and Detective Joseph Barosa in recognition of their actions on February 11, 2013, in connection with the apprehension of a suicidal defendant armed with a handgun. Excellent

Police Duty: Sergeant John Barbelet, P.O. Brian Macom, and P.O. Sonia Hennessey in recognition of their actions on February 23, 2013, at the scene of a violent sexual assault and the material assistance their actions provided to an investigation culminating in the arrest and conviction of a defendant charged in connection with four violent predatory sexual assaults. Excellent Police Duty: Sergeant Guy Sullivan, P.O. John Naccari, Detective Brian Byrnes, Detective David Kapica and P.O. Andrew Jones in recognition of their actions on August 21, 2012, leading to the arrest and subsequent conviction of a career criminal who fled the scene of a residential burglary. Excellent Police Duty: Detective Daryl Stiloski and Detective Joseph Barosa in recognition of their role in the investigation leading to the arrest and conviction of a defendant charged with Manslaughter in the Second Degree in connection with the September 2, 2013 shooting death of Megan Bookstaver. Excellent Police Duty: Sergeant John Daly, P.O. John Naccari, Detective Brian Byrnes, Detective David Kapica, P.O. Jose Ojito, Detective Joseph Barosa, Parking Enforcement Officer Paul Zekus (Civilian Lifesaving Award) and Civilian Mark Galgano (Civilian Lifesaving Award) in recognition of their actions on January 23, 2014 in assisting in the rescue of a Recreation Department employee who had fallen through the ice on the Tarrytown Lakes. Excellent Police Duty: Detective Daryl Stiloski in recognition of his July 1, 2013 burglary crime scene investigation leading to the arrest of a career criminal tied to a series of residential burglaries in the region. Excellent Police Duty: Sergeant Frank Giampiccolo and P.O. Manace Infante in recognition of their actions on July 27, 2014 in successfully utilizing Cardio Pulmonary Resuscitation (CPR) and the Automated External Defibrillator (AED) to revive an off duty Sleepy Hollow Police Officer who suffered a heart attack. Excellent Police Duty: Detective David Kapica in recognition of his October 23, 2013 burglary crime scene investigation leading to the arrest of a career criminal tied to a series of commercial burglaries in the region. Trustee Basher stated that we owe a great deal of gratitude and thanks to all our police officers and management of the Tarrytown Police Department.

ADMINISTRATOR REPORT

Village Water Distribution System - The Village has hired a company called New York Leak Detection to survey the Village for leaks in the water distribution system. For the next week to ten days during daylight and overnight hours a white van with the markings "NYLD" on the sides will be traveling slowly through Village streets. Workers may also be checking the water shutoff valves in the front yards and along the curbs. We are trying to reduce water loss in the system and this is one of the ways to accomplish that.

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 CHANGES

Trustee Hoyt 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 changes recommended at the December 16, 2014 Board of Fire Wardens meeting: Membership: Daniel Mosa has been elected to active membership at Hope Hose Fire Company and Bryan Colucci has been elected to active membership at Consolidated Engine Fire Company.

LOH PARK DRAINAGE DISTRICT PROJECT – PRELIMINARY BUDGET

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

WHEREAS, on January 4, 2010 the Board of Trustees authorized the Village Administrator to execute an agreement with the County of Westchester for \$833,500 in grant funding for the flood mitigation project at the Loh Park neighborhood known as the Loh Park Flood Mitigation Project; and

WHEREAS, the Village received an executed agreement from the County of Westchester for the Loh Park Flood Mitigation Project dated February 17, 2010; and

WHEREAS, the agreement with the County includes a Scope of Services which was based upon the original application and presentation by the Village to the Flood Action Task Force; and

WHEREAS, pursuant to the agreement with the County of Westchester, the Village executed a professional consulting agreement with John Meyer Consulting, Inc. on

March 16, 2010 to develop the necessary plans and specifications for the engineering and construction of the Loh Park Flood Mitigation Project; and

WHEREAS, over the past 4 ½ years, the engineering design for the Loh Park Flood Mitigation Project has been modified a number of times to address existing conditions, including but not limited to the size of existing storm sewer channels and pipes, the participation of property owners in negotiating easements, the connection to the existing storm sewer located under the Old Croton Aqueduct and the Route 9/South Broadway crossing; and

WHEREAS, the redesign of the Loh Park Flood Mitigation project has increased the cost of project; and

WHEREAS, the Village is desirous of a continued collaboration with the County of Westchester to address the flooding issue in the Loh Park area which ultimately impacts upon the Westchester County sanitary sewer force main pump station in Tarrytown.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby respectfully request additional grant funding from the County of Westchester to enable the Village to construct the Loh Park Flood Mitigation Project.

BE IT FURTHER RESOLVED that the Village requests grant funding for one-half of the cost of the Loh Park Flood Mitigation Project for a project cost not to exceed \$3,000,000.

CHURCH STREET PROPERTY – DECLARATION OF SURPLUS

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

WHEREAS, the Westchester County Department of Environmental Facilities is under a consent order issued by the New York State Department of Environmental Conservation to construct a new sanitary sewer force main to service portions of the Villages of Tarrytown and Sleepy Hollow; and

WHEREAS, the Village, working collaboratively with the residents of Church Street and the Westchester County Department of Environmental Facilities, developed a resolution adopted by the Board of Trustees on November 17, 2014 to allow for the construction of the sewer force main on Church Street pursuant to twenty-eight conditions; and

WHEREAS, the new sanitary sewer force main needs to cross two properties south of the Westchester County pump station; and

WHEREAS, Westchester County has purchased one of the properties from a private property owner and seeks to purchase the second property owned by the Village of Tarrytown; and

WHEREAS, the Board of Trustees is willing to sell the property to Westchester County for the purpose of constructing a sanitary sewer force main on the property; and

WHEREAS, the Board of Trustees of the Village of Tarrytown does hereby declare that the vacant real property located at the end of Church Street, Greenburgh Tax Assessment Map as Section: 1.100, Block: 65, Lot 79, owned by the Village of Tarrytown serves no municipal purpose for the Village of Tarrytown.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby declare as surplus the vacant real property at the end of Church Street; and

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize and direct the Village Administrator to execute all closing documents with respect to the sale of the vacant real property at the end of Church Street.

INTER-MUNICIPAL AGREEMENT – WESTCHESTER COUNTY TAXI AND LIMOUSINE COMMISSION

Trustee Hoyt moved, seconded by Trustee McGee, 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 an Inter-Municipal Agreement (IMA) agreement with Westchester County associated with the sharing of

fine monies collected by the Westchester County Taxi and Limousine Commission for tickets issued by the Village of Tarrytown Police Department for enforcing rules and regulations of the Westchester County Taxi and Limousine Commission.

COMPUTEL UTILITY AUDIT SERVICES

Trustee Basher moved, seconded by Trustee McGee, 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 an agreement with Computel Consultants to conduct an audit of utility bills and franchise fees.

APPROPRIATION OF TRUST AND AGENCY FUND

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 designate the following purchases and/or projects for payment via an appropriation from the Trust and Agency Waterfront Project Account, Account Number T.0092H in the total amount of o\$106,088.70:

- Collaborative Planning Studio; Train Station Area Planning Study - \$11,500.
- BFJ; Historic Commons Planning Review - \$5,271
- Collaborative Planning Studio; Office Building/Mixed Use Districts Planning Study - \$18,500.
- Deborah Shapiro - \$17,872.70
- Reichgott Engineering, Dredging Permits (Army Corps of Engineers, NYS Department of Environmental Conservation) - \$6,500.
- Earl Everett Ferguson Architects; Stabilization Study for Eastview Pump Station - \$26,500.
- Barton & Loguidice; Phase I Environmental Assessment for Eastview Pump Station - \$3,800.
- Barton & Loguidice; Phase II Environmental Assessment for Eastview Pump Station - \$16,145.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON DECEMBER 15, 2014

Trustee Basher moved, seconded by Trustee Zollo, that the following resolution be approved. Motion carried, all voting "aye" with the exception of Trustees Butler and McGovern who abstained. Approved: 5-0

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 15, 2014 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	\$	401,132.24
Water		193,292.95
Sewer Fund		0.00
Capital		56,521.70
Library		7,526.65
Trust & Agency		<u>5,955.98</u>
Total	\$	664,429.52

The Board was polled all voting “aye” with the exception of Trustee Hoyt who recused himself from Voucher Number 2012248429.
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 whether anyone wished to address the Board on any matter. No one appeared.

HAPPY NEW YEAR

The Board of Trustees wished everyone a Happy New Year.

ADJOURNMENT

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

Carol A. Booth
Village Clerk