

Village of Tarrytown, NY

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

Village Board of Trustees Minutes 05/05/2014

Board of Trustees
Village of Tarrytown
Regular Meeting No. 5
May 5, 2014
8:00 p.m.

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

ABSENT: Mayor Fixell and Trustee Hoyt

The meeting began with the Pledge to the Flag.

REPORTS

Deputy Mayor Basher noted that back in October of 2013, the Tarrytown Police Department instituted a drop box program for the collection of unwanted prescription drugs. In the first 6 months, 52 pounds of unwanted prescription drugs were collected. The Police Department turned the unwanted prescription drugs over to the Westchester County Department of Environmental Facilities to be destroyed. This is the proper way to get rid of unwanted prescription drugs. If you throw your unwanted prescription drugs into the garbage, there is a chance the drugs can get back on the street.

Trustee Zollo noted the Fire Department did a fantastic job knocking down a damaging fire at Mrs. Green's supermarket last week. When the Fire Department arrived to the scene, there was heavy smoke in the building and the firefighters had to force entry into the building. When entered, there was heavy smoke and fire in the grill area. The sprinkler system did help suppress the fire, while the Fire Department knocked it out. It was a great job done by the Fire Department and prevented what could have been a devastating fire in the middle of our business district. The Fire Department was assisted by the Ardsley Fast Team and the Village received backup from the fire departments from the Villages of Sleepy Hollow and Irvington. Trustee Zollo also noted that Kelly Murphy, 2nd Assistant Fire Chief, is the first female fire chief in the Village of Tarrytown and this is a promotion well deserved.

CHANGES AND/OR ADDITIONS TO THE AGENDA

Deputy Mayor Basher noted that a resolution to execute the Fourth Amendment to the Amended and Restated Memorandum of Agreement between Ferry Landings, LLC, et al and the Village of Tarrytown will be added to tonight's agenda.

ADMINISTRATORS REPORT

Administrator Blau reported on the following:

Neperan Road – Neperan Road will be closed on May 12 to install a new culvert just east of Sunnyside Avenue. The area of the road to be closed is between Sunnyside Avenue and Tower Hill Road. East bound traffic will be detoured onto Warren Avenue to Wilson Park Drive to Tower Hill Road. West bound traffic will be detoured onto Tower Hill Road to Route 448 to Broadway.

National Safe Boating Week – May 17 through May 23 is National Safe Boating Week. The Village urges all recreational boaters to abide by the Coast Guard's 500 yard north-south limited navigation zone around the Tappan Zee Bridge, to wear life jackets when boating, to stay clear of transiting construction boats to and from the construction site at the bridge and to adhere to the new kayak transit path by the bridge which is on the NewNYBridge website. In addition, the US Coast Guard is offering a Boater's Safety Course at the Washington Irving Boat Club on May 10th from 8:30 to 4:30. This course meets the New York State requirements.

CONTINUATION OF A PUBLIC HEARING – HISTORIC COMMONS DISTRICT (Continued to May 19, 2014)

Trustee Butler moved, seconded by Trustee McGee and unanimously carried, that the hearing be opened.

Deputy Mayor Basher questioned whether anyone wished to address the Board on this matter. No one appeared.

Trustee McGee moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved:
Approved: 5-0-2

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby continue the public hearing to the next regular Board meeting on May 19, 2014.

CONTINUATION OF A PUBLIC HEARING – ZONING MAP (Continued to May 19, 2014)

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

Deputy Mayor Basher questioned 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 following resolution be approved:
Approved: 5-0-2

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby continue the public hearing to the next regular Board meeting on May 19, 2014.

CONTINUATION OF A PUBLIC HEARING – COMPREHENSIVE PLAN (Continued to May 19, 2014)

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

Deputy Mayor Basher questioned whether anyone wished to address the Board on this matter. No one appeared.

Trustee McGee moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved:
5-0-2

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby continue the public hearing to the next regular Board meeting on May 19, 2014.

PUBLIC HEARING – AFFORDABLE HOUSING LEGISLATION (adopted)

Trustee McGovern moved, seconded by Trustee Zollo to open the public hearing. Motion carried 5-0-2.

Deputy Mayor Basher asked if anyone wanted to speak on the proposed legislation. No one spoke during the public hearing.

Trustee Butler moved, seconded by Trustee McGee to close the public hearing. Motion carried 5-0-2.

Trustee McGovern moved, seconded by Trustee Zollo to approve the following resolution. Motion carried 5-0-2.

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby amend the Zoning Code of the Village of Tarrytown, Chapter 305-130 entitled “Affordable Housing,” to address the issue of fairness and the prohibitive costs associated with the Village Code relating to the purchase of units to be dedicated as affordable housing in compliance with the Westchester County Affordable Housing Program.

WHEREAS, a public hearing was held for the proposed action on May 5, 2014; and

WHEREAS, a notice of public hearing was published in the Journal News on April 23, 2014; 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 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 hereby adopts Local Law No. 4 of 2014.

PUBLIC HEARING – MORATORIUM, HISTORIC COMMONS DISTRICT (adopted)

Trustee McGee moved, seconded by Trustee Butler to open the public hearing. Motion carried 5-0-2.

Deputy Mayor Basher asked if anyone wanted to speak on the proposed legislation. No one spoke during the public hearing.

Trustee McGovern moved, seconded by Trustee Butler to close the public hearing. Motion carried 5-0-2.

Trustee Zollo moved, seconded by Trustee McGovern to approve the following resolution. Motion carried 5-0-2.

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby amend the Zoning Code of the Village of Tarrytown, Chapter 305-78 Zoning entitled “Moratorium on Development in the Historic Commons HC Zone,” to extend the period of time to the existing Local Law No. 5 of 2013, “Moratorium on Development in the Historic Commons HC Zone of the Village of Tarrytown.”

WHEREAS, a public hearing was held for the proposed action on May 5, 2014; and

WHEREAS, a notice of public hearing was published in the Journal News on April 23, 2014; 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 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 hereby adopts Local Law No. 5 of 2014.

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

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

PARKING CHANGES – MARYMOUNT AVENUE

Trustee McGovern moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved:
Approved: 5-0-2

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the following parking changes on Marymount Avenue to the Village Vehicle and Traffic Code.

Material to be deleted is shown in parenthesis (). New material is set forth in capital letters.

§ 291-77. Schedule XII: Parking Prohibited at All Times

In accordance with the provisions of § 291-16, no person shall park a vehicle at any time upon any of the following described streets or parts of streets:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Marymount Avenue	West	From a point (670) [590] feet south of Neperan Road south for a distance of (70) [150] feet
MARYMOUNT AVENUE	EAST	FROM A POINT 590 FEET NORTH OF UNION AVENUE FOR A DISTANCE OF 265 FEET IN A NORTHERLY DIRECTION
MARYMOUNT AVENUE	EAST	FROM A POINT 1200 FEET NORTH OF UNION AVENUE NORTHERLY TO NEPERAN ROAD

In addition, the following will move the primary parking days from the east side of the street to the west side.

Material to be deleted is shown in parenthesis (). New material is set forth in capital letters.

§291-80 Schedule XV: Parking Prohibited Certain Hours

In accordance with the provisions of 291-19, no person shall park a vehicle between the hours listed upon any of the following described streets or parts of streets:

<u>Name of Street</u>	<u>Side</u>	<u>Hours/Days</u>	<u>Location</u>
Marymount Avenue	(East) WEST	8:00 a.m. to 4:00 p.m. Friday	Entire length
(Marymount Avenue)	(West)	(Any time except 8:00 a.m. to 4:00 p.m. Friday)	(Entire length)
MARYMOUNT AVENUE	EAST	ANYTIME EXCEPT FROM 8:00 A.M. TO 4:00 P.M. FOR FRIDAY	FROM UNION AVENUE NORTH FOR 590 FEET
MARYMOUNT AVENUE	EAST	ANYTIME EXCEPT FROM 8:00 A.M. TO 4:00 P.M. FRIDAY	FROM A POINT 855 FEET NORTH OF UNION AVENUE FOR 340 FEET IN A NORTHERLY DIRECTION

HANDICAPPED PARKING SPACE – CHURCH STREET

Trustee Zollo moved, seconded by Trustee McGovern and unanimously carried, that the following resolution be approved:
Approved: 5-0-2

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

of 80 Church 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, etc.</u>	<u>Side</u>	<u>Location</u>
-----------------------------	-------------	-----------------

CHURCH STREET	SOUTH	IN FRONT OF 80 CHURCH STREET FOR APPROXIMATELY 18 FEET
---------------	-------	---

APPOINTMENT OF SEASONAL EMPLOYEE, RECREATION AND PARKS DEPARTMENT

Trustee Butler moved, seconded by Trustee McGee, and unanimously carried, that the following resolution be approved: Approved: 5-0-2

BE IT RESOLVED that the Board of Trustees does hereby appoint Carlos Luis to the position of seasonal laborer in the Recreation and Parks Department at an hourly rate of \$11.25 working sixteen (16) hours per week, commencing on May 6, 2014 and ending on September 29, 2014.

EXECUTION OF AGREEMENT

Administrator Blau stated that this agreement outlines all the obligations that were in the letter of intent that the Board authorized a few weeks ago with Ferry Landings/National Resources. The obligations for Ferry Landings, National Resources include payment of monies owed to the Village of Tarrytown, construction of affordable housing at 21 Wildey Street and construction of a recreational and pool facility in Pierson Park

Trustee McGovern moved, seconded by Trustee Butler, and unanimously carried, that the following resolution be approved: Approved: 5-0-2

BE IT RESOLVED that the Village Administrator is hereby authorized and directed to execute the Fourth Amendment to the Amended and Restated Memorandum of Agreement between Ferry Landings, LLC, et al and the Village of Tarrytown.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON APRIL 21, 2014

Trustee McGovern moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 5-0-2

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 April 21, 2014 as submitted by the Village Clerk.

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF THE BOARD OF TRUSTEES HELD ON APRIL 30, 2014

Trustee McGee moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 5-0-2

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the minutes of the special meeting of the Board of Trustees held on April 30, 2014 as submitted by the Village Administrator.

APPROVAL OF AUDITED VOUCHERS

Trustee Zollo moved, seconded by Trustee McGee, and unanimously carried, that the following resolution be approved: Approved: 5-0-2

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No. 20 of Audited Vouchers to be paid in the following amounts:

General	\$ 1,140,843.97
Water	33,618.31
Sewer Fund	0.00
Capital	21,597.46
Library	8,643.22
Trust & Agency	<u>8,101.40</u>
Total	\$ 1,212,804.36

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

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

ADJOURNMENT

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

Carol A. Booth
Village Clerk