

Board of Trustees
Village of Tarrytown
Regular Meeting No. 2
April 18, 2005 8:00 p.m.

PRESENT: Mayor Fixell, presiding; Trustees Basher, Butler, Chillemi, Crucy Burkhardt, Pollack, and Zollo; Village Attorney Shumejda; Village Administrator McCabe; Village Treasurer Hart; Village Engineer McGarvey; Village Clerk Booth

The meeting began with the Pledge to the Flag.

PUBLIC HEARING RE: TENTATIVE FISCAL YEAR 2005-06 BUDGET

Trustee Chillemi moved, seconded by Trustee Basher, and unanimously carried, that the hearing be opened.

Mayor Fixell stated the following:

The good news is that we dropped the tax increase by about 1 ½% from the tentative budget, but the bad news is that we still face a 10.16% tax increase. Unfortunately, this Board has not had time to make substantial changes, given the budget it has inherited nor the Villages operations. However, we have identified a few new revenue sources that have allowed us to lower the tax increase somewhat. In particular we will be raising the non-resident commuter parking fees by about 5%. This is the first increase after five years without any increase. This Board is committed to undertaking a comprehensive review of the budget and our operations in the coming year in order to identify substantial new revenue sources and expenditure savings. The increase in taxes we face comes about primarily as a result of a few major items that we have no control. The largest portion accounting for about 6% comes from new debt service. This increase comes from borrowing for such items like the new fire truck, the new Village Hall and regular improvements of our infrastructure. About 3% is due to a decrease in assessables which results from the states equalization rate system. We are also facing an enormous increase in health insurance costs, which accounts for another 2.5% of that increase. Discretionary expenditures account for less than 1% of the increase and the largest of this comes from purchasing computer upgrades from the Police Department and additional costs for the Fire Department.

John Lynch, 10 Crest Drive, questioned whether a copy of the Village Budget could be available at the Library.

Mayor Fixell stated that he would arrange that and also have it available on our website.

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

Trustee Basher moved, seconded by Trustee Pollack, and unanimously carried, that the following resolution be approved:

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown approves to pass the fiscal year 2005-06 Village Budge as prescribed.

CONTINUATION OF PUBLIC HEARING – SPECIAL SETBACK PROVISIONS OF THE TARRYOWN LAKES BUFFER ZONE

Trustee Crucy Burkhardt moved, seconded by Trustee Chillemi, and unanimously carried, that the hearing be opened.

Attorney Shumejda stated that the current law has a special setback of 300 ft. from the water's edge. The proposed legislation will extend that by changing the boundary. Currently it's from the mean high water mark on the water's edge. In the case of wetlands, the 300 ft. will begin at the end of the wetlands where it goes to the uplands. In many cases, the setback will increase approximately 500 ft. from the water's edge. This

will encompass most of the area between the reservoir and the old Putnam right away, which the Village owns. All the area that's between the Lakes and the Putnam right away will be immuned from development. There is a small portion of it that will not be encompassed within the proposed legislation but is too small to construct a structure on it.

Karen Brown, 5 River Terrace, questioned if the buffer protects from any disturbances other than a structure to the uplands like a water retention area.

Attorney Shumejda stated that potentially you could possibly put a water retention area on the uplands however, the Planning Board would have to approve that and he doubts that due to the close proximity to the wetlands that it would be approved.

Michael Farley, Neperan Road, stated the following: he thought the Board was looking at a 500 ft. buffer and questioned how we define the wetlands.

Attorney Shumejda stated that the Consultant concluded that there was no scientific basis for the 500 ft. setback. The benefit of additional feet beyond the 300 ft. was almost non-existent. The Village has an outdated wetlands map. But the current way and the most reliable way is on an individual parcel basis. If an area were attempted to be developed, the Village would have a wetland's consultant go and establish where the wetlands line is. Not good practice to go by an outdated map. That's why this legislation doesn't rely on it. You do it current. Many times what was upland 5 or 10 years ago due to the increase of the water table in many places the change of the water courses becomes wetlands.

Cathy Ruhland, Walden Road, stated that there is a section that at the end of the wetlands by the upland side, the 300 ft. buffer would go beyond the right away.

Attorney Shumejda stated that the buffer setback would still apply. Also, in the case of land that is protected within the buffer and beyond the buffer in the direction towards the upland, wetland's legislation would apply at the wetland's edge up to 150 ft. anywhere in the Village.

Village Engineer McGarvey questioned if in this legislation we should include that our pump station municipal structure should be excluded in case of emergency repairs or building enhancements.

John Lynch, 10 Crest Drive, stated the following: Any area we designate wetlands should become official wetlands of the state which will be then considered New York State Wetlands. The Rockefeller's Estate on the north east side and along the Saw Mill, at one time was a forest, now there's a tremendous amount of fallen trees due to the water. This needs to be addressed.

Mayor Fixell stated our plan is to create a Committee to examine the Lakes in its entirety and to come to some conclusions on what we should do and the steps we should take.

Trustee Crucy Burkhardt moved, seconded by Trustee Basher, and unanimously carried, that the hearing be closed.

Trustee Butler questioned if this resolution should exclude our municipal structure.

Attorney Shumejda stated that there's exception under the laws of New York State for Municipal function in terms of zoning adherence but there's not exception on the state environment quality review act for a municipal exemption. If the Village wanted to do something, we wouldn't have to comply with this particular aspect of the code, but we would have to comply with the state environmental quality review and to an environmental assessment of the impact of any structure or improvement.

Trustee Chillemi moved, seconded by Trustee Pollack, and unanimously carried, that the following resolution be approved:

A LOCAL LAW to amend §305-14 C. (2) "Special Setbacks" as applicable to the Tarrytown Lakes and §305.63 B. entitled "Definitions and word usage".

SECTION 1. LEGISLATIVE INTENT AND FINDINGS OF FACT.

A. Findings of Fact.

The watershed area surrounding the Tarrytown Lakes has been designated as critical environmental area by multiple levels of government including the Village of Tarrytown, Westchester County and/or the State of New York. In the past, members of the public have expressed their concerns regarding the possible development of areas adjacent to or within close proximity of the watershed region around the Tarrytown Lakes and the impact any potential development would have on this environmentally critical area. The Board of Trustees has further determined that the protection of watershed areas within the Village are vital to the community and the environment. A good deal of the water supply comes from aquatic resources and is used as public drinking water. Watersheds found in Westchester County serve as drinking water not only for Tarrytown but also Westchester County and New York City. Keeping these resources clean and maintaining good water quality is a main concern for watershed areas because of their central, potable use. Regulations placed over these areas are for the safety of the public and the protection of the flora and fauna of the aquatic ecosystem that exist in the adjacent wetland and aquatic areas. Wetlands are of exceptional value to Tarrytown for they provide many benefits including fish and wildlife habitats, natural water quality improvement, flood storage, shoreline erosion protection, opportunities for recreation and visual appreciation, and natural products for our use at little or no cost. Additionally, the Environmental Protection Agency has described aquatic buffers as natural boundaries between local waterways and existing development and that such buffers help protect water quality by filtering pollutants, sediments and nutrients from runoff. The benefits of aquatic buffers also include flood control, stream bank stabilization, stream temperature control, and room for lateral movement of the shoreline.

The Board of Trustees has also concluded that developing land amongst watershed areas raises the chance of polluting these aquatic resources that are most beneficial. Stormwater runoff is an example of a pollutant source that can infiltrate wetlands and negatively change the condition of water quality. To the extent these uses are setback from the reservoir and/or its adjacent wetlands, the possibility of such pollutant impacts to the reservoir is lessened. However, when wetlands are present adjacent to a water body, they can provide substantially increased water quality buffering themselves.

After careful deliberation, the Board of Trustees of the Village of Tarrytown has determined that the maintenance of the watershed region around the Tarrytown Lakes as well as the immediate coastline of the lakes are an important community and natural resource which should be preserved and protected for current and future residents of the Village. The Board of Trustees has found that the Village's current Zoning Code – which contains a special setback of 300 feet inland from the mean high water mark along the entire circumference of the Tarrytown Lakes [See §305-14.C.(2) of the Tarrytown Zoning Code] does not accomplish this aim.

In accordance with these determinations, the Board of Trustees believes that it is necessary to expand the setback to 300 feet inland from the mean high water mark, or 300 feet inland from the outer edge of the Wetland line along the entire circumference of the Tarrytown Lakes in order to maintain the watershed region around the Tarrytown Lakes as well as the immediate coastline of the lakes and, protect the health and safety of the residents of Tarrytown.

Finally, the Board of Trustees has determined that in order to facilitate the protection of wetland areas and the watershed region around the Tarrytown Lakes, it is necessary to define several terms associated with these issues in the Zoning Code.

B. Legislative Intent.

It is the intention to maintain the watershed region around the Tarrytown Lakes as well as the immediate coastline of the lakes and, protect the health and safety of the residents of Tarrytown. These actions are to be taken pursuant to the Board's power to protect and enhance the Village's physical and visual environment and to protect the well being of persons or property within the Village. In order to accomplish this goal the Board intends to clearly define certain terms related to wetland areas and the watershed region around the Tarrytown Lakes and, to prohibit development within 300 feet inland from the mean high water mark or 300 feet inland from the outer edge of the wetland line along the entire circumference of the Tarrytown Lakes pursuant to the same powers enumerated above.

Material to be deleted appears in strikeout, material to be added in underlined.

SECTION 2. §305-14 C. (2) Special Setbacks

A setback of 300 feet inland from the mean high water mark along the entire circumference of the water basin generally known as the "Tarrytown Lakes" or in the case of existing wetlands adjacent to the Tarrytown Lakes, 300 feet inland from the wetland boundary; however, in no circumstance shall it extend beyond what was formerly known as the Putnam Rail Right of Way which is now owned by the Village of Tarrytown and is designated on the Village Tax Map as Section 1, Sheet 4, Block 117 and Parcel 70 ~~300 feet inland from the mean high water mark along the entire circumference of the water basin generally known as the "Tarrytown Lakes."~~
[no further changes to Section]

SECTION 3. §305.63 B. Definitions and word usage.

AQUATIC BUFFER or ADJACENT AREA – Any land within 100' of a freshwater wetland.

AQUATIC ECOSYSTEM – Plants or animal life living in, growing in, or adapted to water in a system made up of a community of living things (animals, plants and microorganisms) which are interrelated to each other and the physical and chemical environment in which they live.

FRESH WATER WETLAND - Land and water of the Village of Tarrytown as shown on a Freshwater Wetland Map of the Village of Tarrytown and filed with the village clerk of the Village of Tarrytown by the NYSDEC and as further defined by §24-0107 of the Environmental Conservation Law.

RESERVOIR – A pond, lake or basin, either natural or artificial, for the storage, regulation and control of water.

RUNOFF – (a):That part of the precipitation, snow melts, or irrigation water that appears in controlled surface streams, rivers, drains or sewers. Runoff may be classified according to speed of appearance after rainfall or melting snow as direct runoff or base runoff, and according to source as surface runoff, storm interflow, or ground-water runoff. (b):The total discharge described in (a), above, during a specified period of time. (c): also defined as the depth to which a drainage area would be covered if all of the runoff for a given period of time were uniformly distributed over it.

SURFACE (STORM) RUNOFF – Precipitation, snow melt or irrigation in excess of what can infiltrate the soil surface and be stored in small surface depressions; runoff is a major transporter of non-point source pollutants.

WATERSHED AREA – Surface drainage area that contributes water to a lake or river.

[no further changes to Section]

ANNOUNCEMENT OF A PUBLIC HEARING RE: ZONING BOARD OF APPEALS
AND ARCHITECTURAL REVIEW BOARD LAWS WITH RESPECT TO NOTICE
PROCEDURES AND ON-SITE NOTICING

Trustee Basher moved, seconded by Trustee Polack, and unanimously carried, to set the following public hearing:

Attorney Shumejda stated the proposed legislation is one for the Zoning Board of Appeals and for the Architectural Review Board. The change for the Zoning Board in addition that is currently required which is we publish it in the newspapers and we also require applicants to notify anyone within 100 ft. of the perimeter of the property by certified mail return receipt notifying the date of the public hearing. The proposed legislation would add one additional notice requirement and that is posting of a sign for 10 days prior to the meeting on the property advising everyone that there is an application before the Zoning Board of Appeals and specify the date and time of the hearing. It's an additional means of getting notice to residents who may be 150 ft. away from the property but are impacted none the less. The legislation for the Architectural Review Board in addition to what we currently do which is publishing in the newspaper, this would require applicants before the Architectural Review Board to send notice by certified mail return receipt requested as it is done currently for the Zoning Board of Appeals to all property owners within 100 ft. of their property advising them that their application will be heard before the Architectural Review Board if they care to come and speak at the meeting.

BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown set the public hearings to be held on May 2, 2005:

ANNOUNCEMENT OF A PUBLIC HEARING RE: A PROPOSED AMENDMENT
TO THE ZONING CODE WITH RESPECT TO CORNER LOTS

Trustee Butler moved, seconded by Trustee Pollack, and unanimously carried, to set the public hearing:

BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown set the following public hearing to be held on May 2, 2005:

Mayor Fixell stated that this legislation is for new construction on corner lots that would require two front yard setbacks on both sides instead of the current legislation only requiring one front yard setback.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD: SPEAKERS HAVE
5 MINUTES BEFORE YIELDING TO THE NEXT PERSON: THEN 3 MINUTES
FOR ADDITIONAL COMMENTS

Arnold Theisfeld, River Journal, questioned where the FEIS for Ferry Landings stood.

Mayor Fixell stated that it is under review by our consultants.

Francesca Spinner, Wilson Park Drive, stated that our wetlands law only applies to a piece of the Lakes. The large area surrounding the Lakes is important to look at. This will impact how we deal with Wilson Park and the use of the Tarrytown Lakes. This issue should be looked at sooner than later. Possibly form a task force from the surrounding towns and villages. This land has deteriorated significantly over the last five years. There seems to be frustration between the residents of Wilson Park who feel for the past 30 years the park is a town park maintained by the Rockefellers and of Spectrum who feels it's their private land.

Mayor Fixell stated that the Wilson Park concerns are near the top of the list.

Michael Farley, Neperan Road, stated the following: If the Village could look into the right away law with regard to “prescriptive use” at Wilson Park. The residents have been using the Wilson Park area for recreation over 20 years even though there are signs posted saying private property. The stone walls need repair with respect to the Neperan Road Park.

Karen Brown, 5 River Terrace, stated the following: The Bedford municipality paid the following to acquire land; \$1.3 million for 33 acres; \$800,000 for 9.4 acres; \$8 million for 386 acres. These are far more affordable for a municipality than the \$500,000 a lot that we continue to accept. In the Wilson Park plan, they have talked about allowing the Village to buy a lot or two. She hopes the Board could be more savvy in negotiating with the land owners and bringing the right people to help you do so. She would like the Village to look into grants that would allow us to get funds to acquire land at Wilson Park.

Mayor Fixell stated that we’re beginning to make overtures to the Westchester Land Trust to help us in this process that probably had been instrumental in the land purchases you just noted.

John Lynch, 10 Crest Drive, stated the following: There’s an “Any Flipping” legislation law that prohibits people to buy homes, make improvements and turn them over for a profit. The Village of Tarrytown desperately needs this. Wilson Park, at one time, was all forest and now due to water damage, there’s an abundance of fallen trees. What is it going to take to get the asphalt plant done? As it stands with the 2005-06 school budget, the people of Tarrytown are paying \$27,000 per child to send your kid to the schools in Tarrytown while it costs Sleepy Hollow residents \$12,000. Approximately Tarrytown has 40% of the kids and is paying 60% of the bill. The May 17th school budget has Tarrytown paying 63% and Sleepy Hollow paying 37%. General Motors and Roseland need to help restore the balance. He calls this a “closet crisis”. This problem can’t wait. It’s got to be taken care of right now. The first step is to make sure the Village of Tarrytown is an involved party with the school system with respect to the Environmental Impact Statement of Ferry Landings.

CONSIDERATION OF A CERTIORARI TAX SETTLEMENT REGARDING 78 CENTRAL AVENUE

Trustee Basher moved, seconded by Trustee Crucy Burkhardt, and unanimously carried that the following resolution be approved:

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown authorizes a tax settlement in the amount of \$19,690 to Vieira, 78 Central Avenue Sheet – 6 Section: 1 Block: 17 Lot: 31A-37.

CONSIDERATION OF A CERTIORARI TAX SETTLEMENT REGARDING THE 55 SOUTH BROADWAY COMPANY, LLC.

Trustee Chillemi moved, seconded by Trustee Pollack, and unanimously carried that the following resolution be approved:

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown authorizes a tax settlement in the amount of \$26,133.08 to 55 South Broadway Co. LLC Sheet: #10 Block: 38 Lot: 9 and 12

REQUEST FOR APPROVAL TO SUBMIT A GRANT APPLICATION TO THE HUDSON RIVER VALLEY GREENWAY FOR THE NEPERAN ROAD PARK

Trustee Chillemi moved, seconded by Trustee Crucy Burkhardt, and unanimously carried that the following resolution be approved:

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown approves, and authorizes the Village Administrator to execute and submit a grant application to the Hudson River Valley Greenway for the Neperan Road Park build-out in the amount of \$10,000.

REQUEST FROM THE YMCA FOR AUTHORIZATION FOR A 5K RUN/1 MILE FUN WALK THROUGH TARRYTOWN

Trustee Basher moved, seconded by Trustee Crucy Burkhardt, and unanimously carried that the following resolution be approved:

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown authorizes the YMCA to conduct a 5K run/1 mile fun walk through the village of Tarrytown on June 5, 2005 subject to any terms and conditions placed by the Chief of Police.

CONSIDERATION OF THE AWARD OF A CONTRACT FOR REPAIRS TO THE EASTVIEW PUMP STATION WATER MAIN BYPASS AT SHAFT NO. 10

Trustee Basher moved, seconded by Trustee Pollack, and unanimously carried that the following resolution be approved:

WHEREAS, the Village Engineer was authorized to solicit bid proposals for the Eastview Pumping Station Water Main Bypass at Shaft 10 Pumping Station;

WHEREAS, four (4) copies of the bid documents and specifications were picked up for review; and

WHEREAS, on March 9, 2005 at 11:00 a.m. the following proposals were received:

58A JVD Industries, LTD	\$175,761.52
Centrum Jet Fuel Inc.	\$242,825.00
Nac Industries Inc.	\$247,400.00
Cassidy Excavating, Inc.	\$388,760.00
Engineers Estimate	\$150,000.00

WHEREAS, after review by the Village Engineer, it is recommended that the award go to the lowest bidder, 58A JVD Industries, LTD, 261 West Lincoln Avenue, Mount Vernon,

NY 10550 for the Eastview Pumping Station Water Main Bypass at Shaft #10 Pumping Station in the amount of \$175,761.52.

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown award a contract in the amount of \$175,761.52 to 58 JVD Industries LTD for construction of an Eastview pumping station water main bypass at shaft #10 pumping station, as recommended by Village Consulting Engineers.

REQUEST TO DECLARE AN EXPENDED PUBLIC WORKS VEHICLE AS SURPLUS TO BE DISPOSED OF

Trustee Basher moved, seconded by Trustee Crucy Burkhardt, and unanimously carried that the following resolution be approved:

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown declare the Department of Public Works Highway vehicle H-6, 1986 GMC with 400,000 miles which is no longer road worthy to be surplus and authorizes its disposal.

RESOLUTION SUPPORTING CONTINUED FUNDING OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

Trustee Butler moved, seconded by Trustee Pollack, and unanimously carried that the following resolution be approved:

- WHEREAS, the Community Development Block Grant (CDBG) program was enacted, and signed into law by President Gerald Ford, as the centerpiece of the Housing and Community Development Act of 1974; and
- WHEREAS, the CDBG program has as its primary objective "...the development of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income"; and
- WHEREAS, the CDBG program has considerable flexibility in allowing communities to carry out activities that are tailored to their unique housing and neighborhood revitalization needs; and
- WHEREAS, throughout its 30-year history, the CDBG program has been a partnership among the federal, state and local governments, business, and the non profit sector which carry out activities that improve the lives and neighborhoods of families; and
- WHEREAS, according to the Department of Housing and Urban Development (HUD), in FY 2004, the CDBG program provided funds for thousands of activities, assisting over 23 million persons and households through such activities as expanding homeownership activities, eliminating slums and blighting influences, improving infrastructure such as roads, water and sewer systems, libraries, community centers, adult day care and after school care for children, homeless housing facilities, employment training, transportation services, crime awareness, and business and job creation as well as the preservation and restoration of historic buildings; and
- WHEREAS, Westchester County administers the CDBG program for the County government and neighboring municipalities, and uses approximately \$16 million each year to undertake critical public improvement projects; and
- WHEREAS, the amount of Federal funding provided to the County is based on the population of the participating government agencies; and
- WHEREAS, the Village of Tarrytown has participated in the County's CDBG program for many years, receiving over \$500,000 over the past few years for the rehabilitation sidewalks as well as funding for the community, senior center and waterfront project improvements and,
- WHEREAS, the FY 2006 budget of the President of the United States proposes to completely eliminate the CDBG program; and
- WHEREAS, should such a proposal be enacted, it would have a devastating effect on Westchester County's CDBG program, in that it would limit the availability of public transportation for seniors to get to their centers and important programs; would not allow for the construction of new senior and youth centers in low and moderate income areas to provide safe havens and advocacy programs for both seniors and youth; would impose great financial hardship on lower income residents to make repairs to sidewalks in front homes

would limit day care opportunities for families making the transition from welfare to work; and would not help to rehabilitate the homes of our neediest residents on limited or fixed incomes; now therefore be it

RESOLVED, that the Village of Tarrytown hereby calls on the Congress to preserve the Community Development Block Grant (CDBG) Program within the Department of Housing and Urban Development and provide a FY 2005 funding of at least \$4.7 billion overall, with no less than \$4.35 billion in formula funding, and be it

FURTHER

RESOLVED, that this resolution be forwarded to Congresswoman Nita M. Lowey, and Senator Charles Schumer and Hillary Clinton, Federal Congressional representatives to the Village of Tarrytown.

CONSIDERATION OF AN APPROPRIATION IN THE AMOUNT OF \$2,900
FUNDING THE REPLACEMENT EQUIPMENT FOR TELEVISION BOARD OF
TRUSTEES AND PLANNING BOARD MEETINGS

Trustee Chillemi moved, seconded by Trustee Basher, and unanimously carried that the following resolution be approved:

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown consider an appropriation in the amount of \$2,900 funding the replacement of equipment for televising Board of Trustees and Planning Board meetings.

CONSIDERATION OF AN APPROPRIATION OF \$1,200 TOWARDS THE PACE
UNIVERSITY STUDY OF SERVICES PROVIDED GREENBURGH
INCORPORATED VILLAGE'S BY THE TOWN OF GREENBURGH

Trustee Butler moved, seconded by Trustee Crucy Burkhardt, and unanimously carried that the following resolution be approved:

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown authorizes the expenditure of \$1,200 towards the Pace University study of services provided Greenburgh Incorporated Villages by the Town of Greenburgh.

CONSIDERATION OF AN APPROPRIATION OF \$1,000 TO THE TAPPAN ZEE
DANCE COMPANY

Trustee Butler moved, seconded by Trustee Crucy Burkhardt, and unanimously carried that the following resolution be approved:

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown approves an all Appropriation of \$1,000 to the Tappan Zee Dance Company.

POLICE CHIEF'S RECOMMENDATION TO ESTABLISH A NO PARKING ZONE
AT THE INTERSECTION OF MCKEEL AVENUE AND WARREN AVENUE

Trustee Chillemi moved, seconded by Trustee Crucy Burkhardt, and unanimously carried that the following resolution be approved:

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown authorizes the establishment of a no parking zone at the intersection of McKeel Avenue and Warren Avenue, as recommended by the Chief of Police.

APPROVAL OF MINUTES

Trustee Basher moved, seconded by Trustee Chillemi, that the minutes of April 4, 2005 Special Meeting; April 4, 2005 Organizational Meeting; and April 4, 2005 Regular Meeting be approved as submitted. All Trustees voted aye, except, Crucy Burkhardt, and Trustee Chillemi who abstained from the April 4 Special Meeting because they were not present.

APPROVAL AUDITED VOUCHERS #19

Trustee Basher moved, seconded by Trustee Crucy Burkhardt, and unanimously carried that the following resolution be approved:

RESOLVED: The following Abstract bearing No. 19, dated April 18, 2005, containing Vouchers No. 003502 through No. 003964 is hereby ordered paid in the following amounts:

General	\$174,856.96
Water	43,174.75
Capital	8,770.00
Library	2,247.45
Trust & Agency	<u>115,406.47</u>
Total	\$344,455.63

The Board was polled all voting “aye”. Motion carried.

APPOINTMENT OF A FIRE SPRINKLER APPEALS BOARD

Trustee Basher moved, seconded by Trustee Chillemi, and unanimously carried that the following resolution be approved:

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown Local Law #166-6 (Sprinkler Appeals Board) hereby appoints the Fire Chief, the First Assistant Fire Chief and the Building Inspector to the Sprinkler Appeals Board and appoints the Building Inspector/Village Engineer Chairperson of the Board.

FORDHAM/MARYMOUNT UNIVERSITY REQUEST REGARDING AN OUTDOOR MOVIE

Trustee Crucy Burkhardt moved, seconded by Trustee Zollo, that the following be approved. Motion carried, all voting “aye” with the exception of Trustee Chillemi who abstained.

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown approve the request of Fordham/Marymount University to conduct activities on May 5, 2005 as described in the Marymount Campus Coordinator’s letter to the Mayor of April 13, 2005.

RECOMMENDATION REGARDING CANADA GEESE CONTROL WITH THE PARKS

Trustee Basher moved, seconded by Trustee Chillemi, that the following be approved. Motion carried, all voting “aye” with the exception of Trustee Pollack who abstained because at this time the geese are nesting.

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown authorizes the Village Administrator to execute a contract in the amount of \$8,500 (\$500/wk for 4 months) with Geese Relief LLC for Canada goose control.

RECOMMENDATION REGARDING FUNDING IN THE AMOUNT OF \$1,000 FOR ADDITIONAL CONCERTS IN AUGUST IN PIERSON PARK

Trustee Basher moved, seconded by Trustee Chillemi, and unanimously carried that the following resolution be approved:

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown approves the expenditure of \$1,000 to retain Jazz Forum Arts to conduct four (4) concerts in August in Pierson Park.

APPOINTMENT TO THE PLANNING BOARD

Trustee Butler moved, seconded by Trustee Pollack, and unanimously carried that the following resolution be approved:

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown confirms the appointment of Robert Stone to the Planning Board to a term to expire in April of 2009.

APPOINTMENT TO THE ZONING BOARD OF APPEALS

Trustee Basher moved, seconded by Trustee Chillemi, and unanimously carried that the following resolution be approved

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown confirms the appointment of James Maloney to the Zoning Board of Appeals to a term to expire in April of 2009.

TRUSTEE REPORTS

Trustee Crucy Burkhardt stated that we should keep a record of all our recreation events that we hold in the next year, so we can review and evaluate each event as it comes up the next year. We should routinely evaluate our programs with concerns of demography (our seniors and our youth) and at different parts of the town. Also to explore with regard to 3rd Friday working with the merchants to share expenses or programs.

Trustee Pollack stated that being 3rd Friday is being extended down Broadway, a thought to possibly continue the lights on Main Street to continue down Broadway. She would like to ask the cooperation of the public who attends Board meetings to be cognizant of the noise levels.

ADJOURNMENT

Trustee Basher moved, seconded by Trustee Butler, and unanimously carried, that the meeting be adjourned – 9:50 p.m.

Carol A. Booth
Village Clerk