

Board of Trustees
Village of Tarrytown
Regular Meeting No. 7
August 15, 2005 8:00 p.m.

PRESENT: Deputy Mayor Basher, presiding; Trustees Crucy Burkhardt, Pollack and Zollo; Village Attorney Shumejda; Village Administrator McCabe; Village Treasurer Hart; Village Engineer McGarvey

ABSENT: Mayor Fixell, Trustees Butler and Chillemi, Clerk Booth

The meeting began with the Pledge to the Flag.

REPORTS

Trustee Crucy Burkhardt reported that this Friday is our Third Friday and she invites everyone to come to the downtown area. The Sleepy Hollow Chamber of Commerce will be meeting this Thursday morning; an open meeting all invited at 8:00 a.m. at Hitachi America. We are currently working with the Music Hall on a number of issues including one that would help with loading and unloading at the Music Hall.

Trustee Pollack reported that she will be at the Third Friday at the Main Street Firehouse to distribute disposable cameras for anyone interested in taking pictures for our 2006 calendar. The senior citizens will also be there and will have another raffle for their scholarship fund. Affordable Housing and Beautification Committee notices went out today. If anyone is interested, please contact her.

Deputy Mayor Basher reported that over the next few months, you may see road repaving being done on the unincorporated side of Benedict Avenue past Hackley School. We have sent a letter to the Westchester County, Department of Public Works asking them to repave the remainder of Benedict Avenue down to Route 9.

CONTINUATION OF A PUBLIC HEARING REGARDING A PROPOSED
AMENDMENT TO THE VILLAGE ZONING CODE WITH RESPECT TO NATURAL
PROTECTIONS INCLUDING STEEP SLOPES

Deputy Mayor Basher moved, seconded by Trustee Pollack, 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.

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

PUBLIC HEARING REGARDING A PROPOSED MORATORIUM ON THE
DEMOLITION OF HOUSES FOR THE PURPOSE OF CONSTRUCTING ANOTHER
RESIDENCE (Adopted)

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Tarrytown having held a public hearing on the 15th day of August, 2005, in the Municipal Building, 21 Wildey Street, Tarrytown, New York 10591, adopted the following Local Law No. 9 – 2005 with respect to amending the Code of the Village of Tarrytown by adding to Chapter 306 - 2, Moratoria to be entitled Moratorium on Certain Residential Demolition and Construction, said Chapter will provide a brief period for the Village to analyze adequately and thoroughly research the issues involved in this matter and adopt and/or enact laws which will reasonably and rationally regulate the increasing number of applications for the construction of new residential family homes on lots made available for said construction as a result of the demolition of the existing residential structures. 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 by adding a new Chapter to be entitled Moratorium on Certain Residential Demolition and Construction, which Chapter shall provide for a brief period in which the Village will be able to properly analyze the impact of this type of residential construction.

SECTION 1. LEGISLATIVE INTENT AND FINDINGS OF FACT.

A. Findings of Fact.

The Board of Trustees of the Village of Tarrytown has determined that the unique character of residential neighborhoods in Tarrytown rests on the diversity in the style and design of houses as well as the general uniformity in the scale of houses located on similarly sized lots in neighborhoods throughout the community. The tearing down of existing houses and replacing them with new residential houses which are often larger or out of character with the existing neighborhood threatens the appearance and impacts upon the health, safety, welfare, and quality of life in Tarrytown.

B. Legislative Intent.

There has been frequent public comment and criticism regarding certain new construction of single family homes that appear to be out of character with the surrounding neighborhood. This Moratorium is necessary to address these concerns by prohibiting for a limited time the filing, acceptance or processing of any application for the construction of a single family home as specified below. The Board of Trustees has concluded that to permit additional new construction without a comprehensive review of this issue will only further exacerbate this problem. This moratorium will provide the Board of Trustees sufficient time to adequately and thoroughly research the issues involved in this matter and adopt and/or enact laws which will reasonably and rationally regulate the increasing number of applications for the construction of new single family homes.

The Village Board may request the Planning Board to examine zoning changes including but not limited to floor area ratios (FAR), increased setbacks, the reduction of maximum height and lot coverage, providing the Architectural Review Board with greater latitude, revise site development standards for the Planning Board and other contextual zoning techniques that might better mitigate the scale of development within the Village.

It is the intention of the Board of Trustees of the Village of Tarrytown to analyze within the designated moratorium period the environmental impact of this type of residential construction and if necessary adopt any resolution and or enact any local law to ensure that said development is consistent with the health, safety and general welfare of the current and future residents of Tarrytown. These actions are to be taken pursuant to the Board's power to protect and enhance the Village's physical environment and to protect the well being of persons or property within the Village. Since a period of time will be necessary to enable the Board of Trustees to accomplish these actions the Board does hereby adopt a temporary moratorium on the following:

[1] Demolition of any one family dwelling, except if the structure has been damaged by fire or storm and poses an imminent threat to health and safety;

[2] Construction of a new one family dwelling on a site made available as a result of the demolition of an existing residential structure;

SECTION 2. SCOPE OF CONTROLS

During the effective period of this law as provided in Section 8 below, the Building Inspector of the Village of Tarrytown shall not issue any building permit upon an application which would result in the following:

- 1] Demolition of any one family dwelling, except if the structure has been damaged by fire or storm and poses an imminent threat to health and safety;
- [2] Construction of a new one family dwelling on a site made available as a result of the demolition of an existing residential structure;

in the area of application as set forth in Section 4 below. Furthermore, during the effective period of this law as provided in Section 8 below, neither the Planning Board, the Architectural Review Board or the Zoning Board of Appeals will approve any application which would result in the circumstances enumerated above in the area of application as set forth in Section 4 below.

SECTION 3. PENALTIES

Any person, firm, entity or corporation that shall violate any of the provisions of this local law shall be subject to penalties as otherwise provided by law or ordinance of the Village of Tarrytown for violation of the provisions of a local law, and shall be subject to injunctive relief for actions which may have taken place in violation of this local law.

SECTION 4. APPLICATION

This law shall apply to residential property within the Village of Tarrytown.

SECTION 5. VALIDITY

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not effect the validity of any other part of this local law which can be given effect without such invalid part or parts.

SECTION 6. SUPERSEDING OTHER LAWS

A. All ordinances or local laws or parts thereof in conflict with the provisions of this local law are hereby suspended or superseded to the extent necessary to give this local law full force and effect during the effective period.

B. During the duration of this law, it shall supersede inconsistent provisions of the New York State Village Law, including but not limited to sections 7-706, 7-712-a, 7-712-b, 7-718, 7-725-a, 7-725-b, 7-728, and 7-730.

SECTION 7. HARDSHIP

A. The Board of Trustees shall have the power to vary or modify the application of any provision of this local law upon its determination, in its absolute legislative discretion, that such variance from strict compliance with this local law will not be detrimental to the Village's physical and/or visual environment or the well-being of persons or property within the Village and upon finding that the application of the provisions of this local law to a specific property will cause unnecessary hardship and that such hardship is unique to that specific property.

B. Upon receiving written application for such variance, the Board of Trustees shall hold a public hearing within forty five (45) days of the receipt of such application. Within thirty (30) days of the close of the public hearing the Board shall render a written decision either granting or denying the application. If the Board of Trustees determines that the strict application of this local law creates unnecessary hardship to the particular property, then the Board of Trustees shall vary the application of this local law to the minimum extent necessary. The granting of an appeal for relief by the Village Board of Trustees shall authorize and permit the Planning Board, Zoning Board, Architectural Review Board and/or Building Inspector to accept, review, consider and/or otherwise act.

C. Pursuant to Article 78 of the Civil Practice Laws and Rules, any party aggrieved by the determination of the Board of Trustees on an application for a variance may appeal

said decision to the Supreme Court, State of New York, within thirty (30) days of the filing of said decision in the office of the Village Clerk.

SECTION 8. EFFECTIVE DATE

This local law shall take effect immediately, as provided by law, and shall remain in force until February 26, 2006, unless extended by local law.

Trustee Zollo moved, seconded by Trustee Crucy Burkhardt, and unanimously carried that the hearing be opened:

Joseph Denardo stated that he recently purchased a piece of property at 118 Sheldon Avenue for the purpose of putting in a new residence. How will this effect residents who purchase property to put new homes there. Deputy Mayor Basher stated that if you are doing a complete demolition of the house, there is going to be a 6 month moratorium due to some past problems. Attorney Shumejda will further explain.

Attorney Shumejda stated the two past instances; one at the Tarrytown Crest where a house was demolished and replaced. There were concerns from the neighborhood that it was out of character from the neighborhood in size and style. There was another house demolished on Van Wart and a new house was built. A number of residents criticized the lack of a planning review and concerns that this issue is not being analyzed. You have an area of small homes; you demolish one and put in a very large home. It eventually will change the character of the entire neighborhood. The purpose of this moratorium is only to study this phenomenon because the value of the land being so high considering the market. The purpose is to study it to see if some combination can be made to our laws so the people can construct new homes if they wish but not to change what people's perception of the character of their communities is. Mr. Denardo stated that his project is before the Planning Board next month. Does my project get put on hold? Attorney Shumejda stated that Mr. Denardo can proceed but no approvals can be made during the moratorium.

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

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

NOW, THEREFORE, BE IT RESOLVED, in accordance with Article 8 of the State Environmental Conservation Law and 6 NYCRR Part 617, including without limitations the criteria set forth in 6 NYCRR Part 617.7(c) based upon review of the Environmental Assessment Form, all of the documents referred to herein and all of the materials that were prepared for the Proposed Action, entitled Demolition of Houses for the Purpose of Constructing another Residence Moratorium, the Village Board of Trustees hereby determines that the proposed action is a Type II action.

Trustee Zollo moved, seconded by Trustee Crucy Burkhardt, and unanimously carried that Local Law No. 9 - 2005 be adopted as read in the notice.

WHEREAS, the proposed action is a Type II exempt action;

WHEREAS, the proposed action is a Type II exempt action pursuant to State Environmental Quality Review Law, and;

WHEREAS, the environmental assessment form was filed on the proposed action and;

WHEREAS, notice to provision Section 239 (l)(m)(n) of the General Municipal Law Section 277.61 of the Administrative Code were mailed to Westchester County, the Town of Greenburgh and the Village of Irvington and Village of Sleepy Hollow on August 8, 2005; and;

WHEREAS, notice pursuant to the Village Law Section 7-706 was mailed on August 8, 2005 to the Executive Director Tarrytown Municipal Housing Authority, the Executive Director of the North Tarrytown Housing Authority, the Village Clerk, the Village of Sleepy Hollow, Town Clerk of the Town of Mount Pleasant and the Town Clerk of the Town of Greenburgh, Mayor of the Village of Sleepy Hollow and the Supervisor of the Town of Mount Pleasant;

WHEREAS, a notice of the public hearing was published on August 8, 2005;

WHEREAS, the Board of Trustees of the Village of Tarrytown is the only agency which has the approval authority over proposed action and therefore is the lead agency for the proposed action;

AND WHEREAS, a public hearing was held for proposed action on August 15, 2005 and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law or any part thereof;

WHEREAS, the Westchester County Planning Board has reviewed the proposed action under Section 239 (l) (m) (n) of the General Municipal Law and Section 277-61 of the County Administrative Code and determined there are no county municipal issues. In rendering this decision the Board of Trustees has considered all reasonable related long-term, short-term and cumulative environmental impacts associated with the proposed action.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown hereby adopts Local Law No. 9 – 2005 as read in the Notice of Hearing.

RESOLUTION - ANNOUNCEMENT OF A PUBLIC HEARING TO BE HELD ON SEPTEMBER 6, 2005, REGARDING A MORATORIUM ON DEVELOPMENT IN THE LOH PARK DRAINAGE AREA

Trustee Pollack 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 hereby directs the Village Clerk to give public notice of a public hearing to be held on September 6, 2005, regarding a moratorium on the development in the Loh Park Drainage area in order to provide the Board adequate time to analyze and consider appropriate controls on such activity.

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

Fatima DeCavallo Gianni, 37 Lake Avenue, the new president for the Hill Crest Civic Association, stated that in May the Association requested permission to put a sign on the corner of Sunnyside and Neperan to welcome people into the Crest area. The request was for a sign 16" high x 48" wide. They then received a letter in June stating that we do have approval to put a sign at that location but that the sign had to decrease significantly to 18" high x 24" wide. The recommendation from the Sign Extreme Company was a sign 24" high x 40" wide in order for the sign to be aesthetically pleasing as well as visible to automobile and pedestrian traffic. She asked the Board to reconsider the size of the sign to allow the Architectural Review Board to determine the size of the sign.

Bill Sohn, Crest, stated that he would like to know if any progress has been made with respect to the Moratorium on the Paper Roads. He offered the Board that possibly some of the Crest residents would be interested in helping out. Deputy Mayor Basher directed the Village Administrator to have a preliminary status report presented to the September

6th Board of Trustees meeting and advised Mr. Sohn that the Board of Trustees would consider his suggestions regarding citizen participation.

Dawn Carrelli, 37 Sheldon Avenue, reported a letter from Michael Kreiger, the liaison resident who is working with the Village regarding the fire station on Sheldon Avenue. “....As you are aware the residents of Pennybridge and Glenwolde have concerns about the proposed new firehouse on Sheldon Avenue. We are pleased that the Mayor and the Board have agreed to schedule a meeting with the residents of the neighborhood. The safety of our children and our neighbors are the immediate and direct concern of the residents of the neighborhood. However, all Tarrytown residents should be concerned about the proposal to build two firehouses, instead of one. Although we’re being told that building two firehouses cost less than building one; we believe this is simply not true. We have written to Congresswoman Nita Lowey and have called Congressman Eliot Engel suggesting that the homeland security monies be earmarked for the Tarrytown Fire Department’s First Responders for instances and accidents on the Tappan Zee Bridge deserve permanent quarters and state of the art equipment. We ask that the Mayor and the Board join us in seeking help from Tarrytown’s Congressional representatives. Again, thank you for agreeing to meet with the residents of Pennybridge and Glenwalde. We look forward to working with the Mayor and the Board to come up with a win-win proposal for the residents as well as the members of the Tarrytown Fire Department.” Ms. Carrillo questioned when such a meeting with the residents will take place. She also questioned what the status of the current homeland security application for the two-bay firehouse and if we can check on it. Administrator McCabe reported that such a request was made of Congresswoman Lowy’s office in January and that he would follow up on the status of it.

Wayne McFarland, NYC Fire Chief, 119 Martling Avenue, stated that he believes the two-bay fire station on 119 is a better location than on Sheldon Avenue. The locations for new fire stations are usually located in commercial areas. He also believes the firehouse is situated very close to a dangerous curb that is unsafe.

Laura Williamson, 52 Main Street, stated her concerns of the location of the Main Street Firehouse’s fire alarm. The noise is deafening and painful and is located right outside her bedroom window. She is asking the Board to consider raising the fire alarm so it won’t be directly outside her window. Deputy Mayor Basher reported that discussions are presently in the works to consider a relocation of the radio tower, and he noted that lowering the volume of the alarm would also be considered.

Elizabeth Segal, 33 Fairview Avenue, spoke in opposition to the construction of a fire station on Sheldon Avenue. She requested to know the expense, cost and benefit analysis of the two-bay firehouse on Rte. 119 versus the two different locations. Another concern is the property value immediately around the firehouse would go down. She requested any decisions on this issue be held off until all the issues have been addressed.

Rory Capra, Sheldon Avenue, spoke in opposition of the construction of a fire station on Sheldon Avenue stating concerns for congestion and traffic safety particularly with respect to children. He also stated that it would be very difficult for a fire truck to make turns on that very dangerous curb.

Christina D’aiello, 45 Sheldon Avenue, spoke in opposition of the construction of a fire station on Sheldon Avenue stating concerns for the ability of the ground there to support a station given recent flooding, she also stated her concerns for safety, and noted that also people are thinking of moving from the area because of potential diminishment of property values. Deputy Mayor Basher stated that no final decisions had been made that the Board of Trustees was still looking at the matter.

Mark Myers, 56 Sheldon Avenue, spoke in opposition to the construction of a fire station on Sheldon Avenue stating concern for the fire horn there and for safety.

Dawn Carrillo, Sheldon Avenue, stated her concerns to actually look at the cost savings. The two-bay fire station was very extravagant and the two fire stations that you're looking into are going to be fundamental fire stations. She hasn't heard or seen a proposal for a fundamental two-bay fire station. The cost effectiveness is a little suspect and this needs to be looked into further.

Joe Callahan, 47 Crest Drive, stated that, as advertised, the Village's recycling center should be opened on Saturdays from 9:00 a.m. to noon. Deputy Mayor Basher said that if it was not, he would be sure that it was.

Christina D'aiello, 45 Sheldon Avenue, questioned if safety report was done on the Sheldon site contending that the site was unsafe for a building.

David Nutig, 66 Sheldon Avenue, stated constructing a fire station on Sheldon Avenue was inconceivably unfair to residents there, and that the anticipated \$770,000 savings from building two stations, not 1, was an invalid oranges to apples comparison. He stated that when the original fire station was built, there weren't as many homes. Today, Sheldon Avenue has further developed and it's surrounding areas. Trustee Zollo stated that he did not entirely agree with Deputy Mayor Basher's statements to the affect that the location of the building on Sheldon Avenue was undecided. The "train was moving down the tracks" in the direction. However, he noted this did not mean that the direction could not be reconsidered by the Board of Trustees.

Elizabeth Segal, 33 Fairview Avenue, stated that there was not enough publicity regarding the proposed construction on Sheldon Avenue. Deputy Mayor Basher suggested that future newsletters might include articles about capital improvements being considered by the Village.

Violet Manca, 142 Leroy Avenue, stated that at the top of Leroy Avenue, it splits. Birch Way is on the right and Leroy continues to the left. She requests a Leroy Avenue sign be put there with an arrow pointing left. Deputy Mayor Basher stated that a Village representative would be in touch with her to look into it and consider the suggestion.

CONSIDERATION OF THE AWARD OF A CONTRACT FOR RENOVATIONS TO THE BATHROOMS AT THE MAIN STREET – CENTRAL FIRE STATION (tabled)

The Board of Trustees chose to defer consideration of the award of contract for renovations to the bathrooms at the Main Street Central Fire Station to the September 6, 2005 Board of Trustees meeting when the full board would be on hand and all would have an opportunity to weigh in.

REQUEST FOR APPROVAL OF A LOADING ZONE FOR THE TARRYTOWN MUSIC HALL ON KALDENBERG PLACE (tabled)

The Board of Trustees chose to table and refer to the Board of Trustees meeting of September 6, 2005, consideration of the approval of a loading zone for the Tarrytown Music Hall on Kaldenberg Place, in order to obtain additional information before considering the matter.

RESOLUTION – REQUESTS FOR FUNDING FROM THE SUMMIT MUSIC FESTIVAL AND FROM TARRYTOWN/SLEEPY HOLLOW BASEBALL INC.

Trustee Pollack 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 hereby approves funding for the Summit Music Festival in the amount of \$1,000 and approves funding for Tarrytown/Sleepy Hollow Baseball Inc. in the amount of \$2,500.

RESOLUTION – CONSIDERATION OF A RESOLUTION IN SUPPORT OF STATE
LEGISLATION REGARDING THE CIVIL CONFINEMENT OF SEX OFFENDERS

Trustee Pollack 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 hereby adopts the following resolution in support of State Legislation regarding the civil confinement of sex offenders:

WHEREAS, The savage murder on Concetta Russo-Carriero on June 27th has acted as a severe and painful reminder of the dangers of sex offenders who reside within our communities; and

WHEREAS, Counties, towns, villages and cities throughout New York State continue to address the complex issue of how to protect citizens from sex offenders; and

WHEREAS, Sixteen states already have in place civil commitment laws which allow the state to confine violent sexual predators to secure treatment centers rather than to be released to the community; and

WHEREAS, These civil commitment laws are designed to ensure a system whereby violent sexual offenders whose terms of incarceration are about to end are evaluated to determine whether they should be released into the community or sent to another secure facility; and

WHEREAS, The State Legislature and the Governor have the sole authority to enact civil commitment legislation on behalf of the people of the State of New York; and

WHEREAS, In the absence of a civil commitment law, other procedures can be put into place immediately to help ensure that violent sex offenders are not permitted to roam throughout our communities; and

WHEREAS, Such procedures include, 1) providing Westchester County with a waiver from the State's Office of Temporary and Disability Assistance, which the County Executive had requested, to institute a policy of confining any Level 3 Sex Offender or Level 2 Sex Offender whose victim was a child under the age of 16 who resides in a temporary housing shelter to said facility at all times, 2) requiring the New York State Parole Board to cease granting parole to any Level 3 sex offenders who are currently eligible, 3) imposing lifetime post release supervision on all Level 3 sex offenders so that they are supervised for life, 4) requiring Level 3 sex offenders and Level 2 sex offender who victimized a child, and who are currently on parole, to wear electronic monitoring devices, and 5) convening a Task Force to examine sentencing guidelines and conditions for parole for violent sex offenders to ensure that we are maximizing our efforts to protect the public at large; and

NOW, THEREFORE BE IT RESOLVED, That the Board of Trustees of the Village of Tarrytown calls upon the Governor and the State Legislature to immediately pass and enact a civil commitment law in a special legislative session and, to immediately institute the additional policy changes articulated in this resolution; and

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Governor Pataki, Assembly Speaker Silver, Senate Majority Leader Bruno, and the members of the Westchester County Delegation to the State Legislature.

RESOLUTION – APPROVAL OF FIRE DEPARTMENT PERSONNEL CHANGES

Trustee Pollack 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 hereby approves Tarrytown Volunteer Fire Department personnel transactions as recommended by the Tarrytown Board of Fire Wardens including: William Martin elected to membership in the Washington Engine company and Robert Goldstein elected Department Secretary.

RESOLUTION – CONSIDERATION OF A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN WESTCHESTER COUNTY AND THE VILLAGE OF TARRYTOWN FOR REIMBURSEMENT TO THE VILLAGE OF THE WINTER MAINTENANCE ON BENEDICT AVENUE, A COUNTY ROAD

Trustee Pollack 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 hereby authorizes the Village Clerk to sign an agreement with Westchester County for reimbursement for the removal of snow and ice from designated county roads within the Village of Tarrytown; said agreement commencing October 1, 2005 and expiring on September 30, 2010.

RESOLUTION – REQUEST FOR APPROVAL OF A BLOCK PARTY ON SHELDON AVENUE

Trustee Crucy Burkhardt 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 hereby approves the request of residents of the Sheldon Avenue to hold a Block Party on Saturday, September 10, 2005 at 2:00 p.m. and to close Sheldon Avenue accordingly. The party is to take place in front of 37 Sheldon Avenue to the dead end. The rain date would be on Sunday, September 11, 2005.

RESOLUTION – CONSIDERATION OF A TAX CERTIORARI REFUND AS RECOMMENDED BY THE VILLAGE ATTORNEY

Trustee Zollo 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 hereby approves a tax certiorari refund in the amount of \$266,664.65 for the Edgemont Condominiums; sheet: #19D, lot: P-57-A, as recommended by the Village Attorney.

The Board of Trustees deferred action on the minutes of the Board of Trustees meeting of July 26, 2005, until the September 6, 2005 Board meeting, given lack of a quorum from the July 26, 2005 meeting.

APPROVAL OF AUDITED VOUCHERS #3

Trustee Zollo moved, seconded by Trustee Crucy Burkhardt that the following resolution be approved:

RESOLVED: The following Abstract bearing No.1, dated August 15, 2005 containing Vouchers No. 000754 through No. 001004 is hereby ordered paid in the following amounts as presented:

General	\$485,309.01
Water	103,465.40
Capital	18,285.00
Library	25,788.21
Trust & Agency	<u>68,899.41</u>
Total	\$ 701,747.03

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

ADJOURNMENT

Trustee Crucy Burkhardt moved, seconded by Trustee Zollo, and unanimously carried, that the meeting be adjourned – 9:10 p.m.

Carol A. Booth
Village Clerk