

Board of Trustees  
Village of Tarrytown  
Regular Meeting No. 16  
January 3, 2006 8:00 p.m.

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

ABSENT: Mayor Fixell and Trustee Chillemi

The meeting began with the Pledge to the Flag.

PROCLAMATION - ALYCE COQUERAN'S DAY

Deputy Mayor Basher presented to Ms. Alyce Coqueran, a proclamation in honor of her 13 years of dedicated service as Site Manager for the Village's Nutrition Program.

WHEREAS Alyce Coqueran was born on Cortland Street in North Tarrytown, later moving to Orchard Street and then to Franklin Courts in Tarrytown, where her seven children were raised, and who have supported her in her many contributions to the Village and personal endeavors; and

WHEREAS Alyce Coqueran retired at the age of 55 from the Westchester County Medical Center; and

WHEREAS Alyce Coqueran from the age of 66 to 79 energetically and lovingly acted as Site Manager for the Village's Nutrition Program for seniors, a program that is essential to the socialization, nutrition, exercise, companionship and general well-being of senior citizens;

NOW THEREFORE BE IT RESOLVED THAT I, Drew Fixell, Mayor of Tarrytown, New York, thank and commend Alyce Coqueran and hereby declare January 4, 2006, Alyce Coqueran Day in the Village of Tarrytown.

REPORTS

Trustee Crucy Burkhardt wished everyone a Happy New Year.

Trustee Butler also wished everyone a Happy New Year and also introduced Dr. Carole Griffiths, Chair of the Environmental Committee, to give a committee update.

Dr. Carole Griffiths stated that the Environmental Committee's mission statement is to promote the stewardship of the environment by increasing public awareness of local environmental concerns. The members of the committee are Claudia Mausner, who chairs the Recycling sub-committee, Carol Tyler, Robert Bujaski, James Lipscomb, who is the tree commission liaison, Rainer Stohl, and Irene Kleinzinger. The committee has visited the Recycling Center in Yonkers and met with Jim Hogan, Director of Environmental Management for Westchester County. Mr. Hogan will be presenting a lecture on recycling at the Senior Center in Tarrytown on Wednesday, January 11<sup>th</sup>, at 7:30 p.m. This is open to the public. On February 13<sup>th</sup>, at 7:00 p.m. at the Warner Library, there will be another public meeting on the topic of conserving energy in our homes to save money and also the use of solar energy as an alternative to oil and gas. Hope everyone comes out to attend. They are going to restart the Tarrytown Lakes cleanup. The first Tarrytown Lakes cleanup date will be held on the third weekend of April as part of Earth Day and the Third Friday celebration in Tarrytown.

Deputy Mayor Basher made the following announcement:

The Board of Trustees is holding a joint work shop with the Planning Board on Tuesday, January 10<sup>th</sup> at 7:30 p.m. at Village Hall to discuss the Ferry Landings FEIS and also on Tuesday, January 17<sup>th</sup> at 6:00 p.m., before the Board of Trustees regular meeting, they

will hold another joint work shop with the Planning Board to discuss Ferry Landings SEQR findings.

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

John Lynch, 10 Crest Drive, stated that a letter was put together from the River Keeper, Clearwater, and Scenic Hudson on their ideas on a Newburgh site MGP plant similar to our plant. In particular, the groups were concerned about the amount of contamination that was left in place. This is his primary concern about our waterfront site. Mr. Lynch read from an article "For Joe Cotter, acquiring the properties and negotiating an agreement with the party responsible for the coal tar may have seemed to take a lifetime; but within a two-year period, National RE/Sources had the development rights for this 25-acre waterfront site. In September 2003, the NYSDEC approved the Conceptual Remediation Plan, and just over a year later, the remediation was complete. This timing is extremely unusual, since remediation of these sites typically takes 3 to 10 years."

Administrator McCabe stated that there was a very thorough process with respect to the environmental remediation of the site. This began with the remediation plan developed by Haley and Aldrich, a national environmental science company, following with the Department of Environmental Conservation monitoring on a full time basis the remediation that was done. The NYS Department of Environmental Conservation signed off that the initial phase of the remediation was done to their satisfaction. The Department of Health also signed off indicating that the remediation was well done. The Department of Environmental Conservation prescribed a continuing remediation measure that will go on beyond as the project is constructed. It is guaranteed by an environmental easement that the DEC holds on the property. They will continue to have an interest on the property to see that this remediation continues and to see that it is done properly. There will be an annual report from independent engineers submitted. The village hired EEA Inc. for a peer review of the environmental remediation which is part of the FEIS. Haley and Aldrich responded to that and made comments and recommendations that EEA Inc. made, which goes beyond what the DEC required. Their respective reports will be addressed in the findings to establish even further recommendations. Mr. Lynch is invited to submit, in writing, any documentation, while there's still time to be addressed in the findings, and be a part of the future and ongoing remediation.

Joseph Denardo, property owner of 118 Sheldon Avenue, asked the Board the status of the moratorium on "tear downs". Attorney Shumejda stated that there have been discussions at some work sessions about proposed legislations; three sets of documents have been submitted to the Board. The Board is aware that by February 26<sup>th</sup>, a decision has to be made. The Board may continue the moratorium or choose to enact legislation they deem appropriate. Trustee Butler stated that the Planning and Zoning Committee is studying "tear downs" and will be putting together a report to submit to the Board.

John Lynch, 10 Crest Drive, stated that there is an easement on the waterfront property because part of the voluntary agreement required the institutional controls; basically certain areas couldn't allow kids on it. That was the whole intent of the industrial zone envelope. As soon as the industrial zone envelope was rescinded by this Board that's considered a re-opener as to the voluntary agreement. The FEIS is premised on post remediation of the site. It doesn't include the voluntary agreement. It assumes that everything in the voluntary agreement is going to be met. As soon as you rezoned that back to a water business district area, that voluntary agreement was no longer protective of the site because now residential or commercial can be built on the industrial site. This Board should have requested or demanded to make sure that everybody in this area is being protected. When the law was rescinded stating that there was no environmental impact; that's not true. When you rescind that law, the voluntary agreement no longer was in effect.

ANNOUNCEMENT OF A PUBLIC HEARING TO BE HELD REGARDING THE  
HANDICAPPED PARKING SPACES SECTION OF THE VILLAGE CODE

Administrator McCabe stated that this public hearing amendment would allow private property owners to have their handicapped parking spaces be policed by our Police Department.

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

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves the announcement of a public hearing to be held on January 17, 2006, regarding an amendment to the Village Code with respect to handicapped parking spaces.

RESOLUTION – DECLARING THE DATE, POLLING HOURS, DESIGNATED  
POLLING PLACES AND THE PAY FOR ELECTION INSPECTORS WITH  
RESPECT TO THE VILLAGE ELECTION TO BE HELD ON MARCH 21, 2006

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

BE IT RESOLVED, that the Village Election shall be held on Tuesday, March 21, 2006, between the hours of 7 a.m. and 9 p.m.

The following Polling Places have been designated:

District No. 1	- Riverside Hose Firehouse, White and Franklin Streets
District No. 2	- Phenix Hose Firehouse, Mechanics and Central Avenues
District No. 3	- Washington Engine Firehouse, Kaldenberg Place
District No. 4	- First Baptist Church, 56 South Broadway
District No. 5	- Temple Beth Abraham, Leroy Avenue
District No. 6	- Tappan Hill School, 50 Ichabod Lane
District No. 7	- Tarryhill Clubhouse, Tarryhill Road
District No. 55	- Elizabeth Mascia Day Care Center, Sheldon Avenue
District No. 74	- Tappan Hill School, 50 Ichabod Lane
District No. 76	- Tarryhill Clubhouse, Tarryhill Road
District No. 82	- Tarryhill Clubhouse, Tarryhill Road

BE IT FURTHER RESOLVED, that the pay for Election Inspectors shall be \$180.00 for Election Day. The Chairman in each district shall be paid an additional \$20.00 on Election Day. The hours for which the Election Inspectors shall be paid on Election Day shall be from 6:30 a.m. to 9:30 p.m. for a total of fifteen hours.

BE IT FURTHER RESOLVED, that Election Inspectors be appointed to serve on Election Day, Tuesday, March 21, 2006, in accordance with Section 15-116(1) of the Election Law.

BE IT FURTHER RESOLVED that all persons appearing on the permanent Voter Registration List provided by the Westchester County Board of Elections shall be eligible to vote. Pursuant to Section 15-118(3) of the Election Law, the Village no longer conducts a local Village registration day;

BE IT FURTHER RESOLVED that the Village offices to be filled on Election Day, Tuesday, March 21, 2006, and the terms of those offices are as follows:

Trustees (3)

Two-year term

BE IT FURTHER RESOLVED that the Board of Trustees shall hold a Special Meeting on Tuesday, March 21, 2006 at 10:00 p.m. at the Tarrytown Village Hall to canvass the vote of the 2006 Village Election.

BE IT FURTHER RESOLVED that the Board of Trustees request all Election Inspectors vote in their respective, personal designated voting districts and not by absentee vote.

RESOLUTION TO APPROPRIATE FUNDING FOR THE BUILD-OUT OF NEPERAN ROAD PARK

Trustee Pollack moved, seconded by Trustee Butler, 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 appropriation of \$150,000 for the build-out of Neperan Road Park according to the plan approved by the Board, which plan will be attached to the minutes of this meeting as part of the official public record, the source of funding is to come from the Village's Trust & Agency Fund.

RESOLUTION – APPROVAL OF APPOINTMENT OF WATER TREATMENT OPERATOR – STEPHEN COWLES

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby appoints Stephen Cowles to the position of Water Treatment Operator IIB effective retroactive on December 5, 2005, at an annual salary of \$52,918, Step 6 subject to all civil service rules and regulations.

APPROVAL OF THE MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON DECEMBER 18, 2005

Trustee Pollack moved, seconded by Trustee Butler that the Board of Trustees minutes of December 18, 2005 be approved as submitted by the Village Clerk. Motion carried, all voting “aye” with the exception of Trustee Crucy Burkhardt who abstained.

APPROVAL OF AUDITED VOUCHERS #12

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

RESOLVED: The following Abstract bearing No.12, dated January 3, 2006 containing Vouchers No. 002514 through No. 002644 is hereby ordered paid in the following amounts as presented:

General	\$ 109,531.94
Water	62,927.01
Capital	274,195.65
Library	34,245.69
Trust & Agency	<u>27,837.88</u>
Total	\$ 508,738.17

The Board was polled all voting “aye”.

ADJOURNMENT

Trustee Crucy Burkhardt moved, seconded by Trustee Pollack, and unanimously carried, that the meeting be adjourned at 8:35 p.m.

Carol A. Booth  
Village Clerk