

Board of Trustees
Village of Tarrytown
Regular Meeting No. 22
March 6, 2006 8:00 p.m.

PRESENT: Mayor Fixell, presiding; Trustees Basher, Butler, Crucy Burkhardt, and Pollack; Village Attorney Shumejda; Village Engineer McGarvey; Village Clerk Booth

ABSENT: Trustees Chillemi and Zollo

The meeting began with the Pledge to the Flag.

MOMENT OF SILENCE – EDWARD VETRANO

Mayor Fixell stated that on March 3, 2006, Edward Vetrano who was a former Mayor of the Village of Tarrytown passed away. He was the Mayor from 1951 to 1955, a Trustee from 1947 to 1951, Supervisor of the Town of Greenburgh from 1957 to 1967 and the County Clerk from 1970 to 1973.

REPORTS

Mayor Fixell reported the following:

- There will be a St. Patrick's Day Parade this Sunday. It will kick off in front of Music Hall and make its way to Sleepy Hollow along Broadway.
- Trustee Chillemi could not be here tonight due to the severity of his Dad, Gene Chillemi's illness. We will keep Gene in our thoughts and prayers.

Trustee Crucy Burkhardt stated that she would like to congratulate Coffee Labs who was awarded most creative drink at the Sterling Signature Beverage Open at the Coffey Festival Trade Show in Washington, D.C. It's very nice to have our local merchants recognized in a national event.

Trustee Pollack reported the following on behalf of the Recreation Department:

- Day Camp planning and organizing is going well. A flyer is going out and it can also be obtained at the Recreation Department. This will also include the Sports Clinic and Tot Camp.
- The TNT Baseball and Softball season is also being planned at this time.
- The Spring/Summer Recreation brochures will be in the mail at the middle of this month.
- Yoga and Pilate classes are filling up fast. Contact the Recreation Office if you wish to participate at 631-8389.

Trustee Pollack also reported the following on behalf of the Senior Center:

- There's a St. Patrick's Day party for the Tarrytown Seniors on Tuesday, March 14th at 12 noon at the Senior Center. If anyone needs a ride, please call 631-7873.
- Exercise classes are held every Thursday at 11:00 a.m. at the Senior Center.
- Movie day is every Friday at 1:00 p.m.; fee is \$2.00 which includes popcorn, soda and a movie.
- The Senior Center is open every day Monday to Friday 10 a.m. to 4 p.m. For information, please call 631-2304.

Trustee Basher reported the following on behalf of the Police Department:

- The installation process of our new state of the art digital communications systems has been completed. New radio units have been installed in all departmental vehicles, both ambulances, the console at the Police Headquarters and portable units have been distributed to all officers. The Police Department would like to thank our vendor Kevin Roland of Metro Cam, his employees and particularly two of our own, Sergeant John Daly and Police Officer Jose Ojito whose dedication, direction and coordination made the project very successful.
- The Village of Tarrytown along with the Police Department would like to recognize two of our sergeants who have recently retired. Sergeant Dennis DeCuffa retired on January 20, 2006 after 28 years of service and Sergeant Paul

Aiello retired on January 19, 2006 after 20 years of service. The Board of Trustees wish them both the best of luck in their future endeavors.

Mayor Fixell stated that Mr. Fred Mauhs, Chairman of the Village of Tarrytown's Ethics Board will now make a presentation.

Mr. Fred Mauhs, 17 Walden Road, reported that one year ago this Board established an Ethics Committee, which he is honored to be its Chairman. We have proposed to the Board converting the Ethics Committee to an Ethics Board under New York State General Municipal Law. Currently, Tarrytown does have an Ethics Code established in 1960; amended in 1965, 1991, and 2003. It was never amended to reflect something very important that happened with respect to municipal ethics committees in 1987. In that year, New York State passed a law which gave structure to ethics programs on county and local municipal levels to encourage municipalities to establish ethics boards but did not require them to do so. They established a temporary state commission on local government ethics which in turn promulgated a model ethics code for municipalities. Quite a few municipalities in New York State adopted that model code, for example, the Village of Sleepy Hollow. The temporary state commission was disbanded in 1992 pursuant to the sunset provision in the law. Tarrytown's ethics code basically prohibits certain narrowly defined conflicts of interests by municipal officers and employees. For example, no officer or employee shall engage in or accept private employment when such employment depends upon the manner in which such officer or employee discharges his official duties. Another important provision is a disclosure provision for officers and employees. Any officers or employees who have a direct or indirect financial interest or other interest in any proceeding that's before any agency of the Village shall publicly disclose the nature and the extent of this interest. The following are not in our ethics code, but could be. The fact that he is reading this list, however, doesn't mean that he actually endorses each of these provisions.

1. Our code does not contain a recusal requirement.
2. Our code does not contain any limitation on receiving gifts.
3. There's no prohibition on private use of village property or services.
4. There's no confidentiality requirement.
5. There's no prohibition on holding office in a political party.
6. There's no prohibition on soliciting political contributions.
7. No post service lobbying restrictions. There is a provision that if you are an officer or employee of the Village, you cannot appear on behalf of private interest before any agency, but there's no provision that says that a year or two after your service or employment you're restricted in that way also. It's typical for ethics codes to have that prohibition for a year or two.
8. The Board of Trustees has no power to void contracts that violate the ethics code.
9. There's no disclosure requirement for those doing business with the village.
10. There are no sanctions for violations of the code.
11. There's no establishment of an Ethics Board.

Pursuant to the resolution that the Ethics Committee proposed tonight, the Board of Ethics would have the power set forth in the general municipal law as the minimal powers of an Ethics Board on a municipal level. It would render advisory opinions upon the request of any officer or employee of the Village. It would adopt rules for rendering those opinions and it could make recommendations for amendments to the code, but only upon request of the Board of Trustees. The proposal also sets forth the composition of the Board. It will be composed of a (7) seven member board with staggered terms at least (1) one of whom, but not a majority is an officer or an employee of the Village. It could recommend or suggest expanded powers to the Board itself. Possible expansions of power could include 1) the power to conduct voluntary investigations and 2) review financial disclosure statements that are filed by officers and employees of the Village. He would encourage the Board to undertake the publication of the Code and to take educational efforts. It would be his goal as Chairman of the Ethics Board to see to it that everyone in the Village is aware that there is an Ethics Code and that every officer and employee of the Village is aware of what the requirements are. He would be happy to

give educational sessions to Village officers and employees upon the Board of Trustees request.

RESOLUTION TO ESTABLISH AN ETHICS BOARD FOR THE VILLAGE OF TARRYTOWN

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

WHEREAS, the Village of Tarrytown has determined that a Board of Ethics which would render advisory opinions with respect to the Tarrytown Code of Ethics upon the written request of a Village employee or official would facilitate adherence to the desired ethical standards as required of all Village officers and employees as noted in the Village Code, and

WHEREAS, the Board of Trustees of the Village of Tarrytown would benefit from the establishment of a Board of Ethics which would be empowered to render advisory opinions and recommendations upon request of the Board of Trustees with respect to the Tarrytown Code of Ethics.

NOW, THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby establish a Board of Ethics of the Village of Tarrytown (the "Ethics Board") pursuant to Section 808, Subsection 3 of New York State General Municipal Law (the "NYSGML") and said Ethics Board shall be established pursuant to the following provisions:

1. The Ethics Board shall consist of seven members. All members shall be residents of the Village of Tarrytown during the entire tenure of their term. The Board of Trustees may at any time by resolution increase or decrease the number of members who shall sit on the Ethics Board; however, the Ethics Board must have a minimum of three (3) members.
2. At no time shall a majority of Ethics Board members consist of municipal employees or officers; however, there shall always be at least one municipal employee, officer or Board of Trustee member on the Ethics Board.
3. The term of office for Ethics Board members who are not municipal employees, officers or a member of the Board Trustees shall be three years; however, the terms of office for the initial Ethics Board shall be as noted herein and shall be varied in order to insure that at least three seats on the Ethics Board renews each year. Except as noted below, the Reappointments and/or new appointments shall commence on the first day of May and terminate three years later, on 30th day of April of said year. The terms of initial members shall terminate on the 30th day of April of the year designated below. The term of office for Ethics Board members who are municipal employees, officers or members of the Board of Trustees shall be for one year commencing on the first day of May and terminating on the 30th day of April the following year. In the event that the Board of Ethics contains more than one municipal employee, officer or Board of Trustee member and, said seat reverts to a non-municipal member, the term for said member shall be adjusted to insure that the terms remain staggered.
4. Pursuant to NYSGML Section 808, Subsection 3, this Board of Trustees is hereby designated as the appointing authority for all members of the Ethics Board.
5. The following residents of the Village of Tarrytown are hereby appointed to the Ethics Board for the term indicated:

Name	Term
Frederic M. Mauhs, Chairman	2006-2009
(vacant)	2006-2009
Sarah Gillespie	2006-2008
Dr. Klaus Schreiber	2006-2008
Dr. Paul J. Rinaldi	2006-2007
Dr. Joan C. Kosta	2006-2007
Dennis Chillemi	2006

6. The Board of Trustees shall fill all vacancies on the Ethics Board. No member of the Ethics Board shall serve more than two consecutive terms.
7. Each member of the Board of Ethics shall comply with the annual financial disclosure requirements of NYSGML Section 812 as a "local officer", as such term is used therein, and shall make the required disclosure on a form substantially similar to the one set forth in such Section unless and until a different form is adopted for such purpose by the Board of Trustees. All forms are to be submitted to the Village Clerk and shall be subject to civil penalties for false statements as set forth in NYSGML Section 812.
8. All prospective candidates for membership for the Ethics Board shall comply with the financial disclosure provisions of NYSGML Section 812 prior to said nominee being considered by the Board of Trustees.
9. The Ethics Board shall have all of the powers and duties of a board of ethics set forth in NYSGML Section 808, Subsection 3, including the duty to render advisory opinions to officers and employees of the Village of Tarrytown upon their request, the duty to prescribe the rules and regulations pursuant to which such advisory opinions are rendered, and the power to make recommendations with respect to the drafting and adoption of amendments to the Tarrytown Code of Ethics upon the request of the Board of Trustees.

ANNOUNCEMENT OF A PUBLIC HEARING TO BE HELD ON MARCH 20, 2006
TO DISCUSS THE CONSIDERATION OF AN ENLARGED RECREATION
COMMISSION

PUBLIC HEARING REGARDING A PROPOSED AMENDMENT TO THE VILLAGE
CODE WITH RESPECT TO REQUIRED STREET FRONTAGE; ACCESS (PAPER
ROADS) (adopted)

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 6th day of March, 2006, at 8 PM, in the Municipal Building, 21 Wildey Street, Tarrytown, New York 10591, to hear, discuss and to act upon a proposed amendment to the Code of the Village of Tarrytown by amending §305-13 entitled "Required street frontage; access" of the Tarrytown Code. 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 amending §305-13 entitled "Required street frontage; access" of the Tarrytown Code.

SECTION 1. LEGISLATIVE INTENT AND FINDINGS OF FACT.

A. Findings of Fact.

The Board of Trustees of the Village of Tarrytown has determined that there is a need to restrict the use of paper streets and other unimproved rights of way, easements, lanes and private roadways and/or driveways to provide the frontage required pursuant to §305-13(a) of the Village Code.

B. Legislative Intent.

It is the intention of the Board of Trustees of the Village of Tarrytown to amend §305-13 entitled "Required street frontage; access" of the Tarrytown Code in order to restrict the use of paper streets and other unimproved rights of way, easements, lanes and private roadways and/or driveways to provide the frontage required pursuant to §305-13(a) of the Village Code.

Material to be deleted appears in parenthesis, material to be added is in **bold typeface**.

SECTION 2. Amendment to §305-13 entitled "Required street frontage; access" of the Tarrytown Code.

§305-13. Required street frontage; access.

(A) No building permit shall be issued for the establishment of any use or construction of any dwelling or building unless the lot upon which such use is to be established or such dwelling or building is to be built has the minimum required frontage as stated in the zoning schedule for the applicable district to which the lot belongs on a street or highway which has been suitable improved to village, county or state road standards. (or a bond posted therefore and unless the actual access to such use or such structure will be over such frontage or over a right-of-way or easement satisfactory in location and physical condition to the village, for such purposes as set forth in §7-730 of the Village Law, all in accordance with the provisions of §7-736 of the Village Law.) **Paper streets (whether on an official map, a filed subdivision map or demapped by the Village Board of Trustees), rights of way, easements, lanes, private roadways and/or driveways, and any other streets shown on the official map or a filed subdivision map that are not improved public streets as of the date of this local law cannot be used to provide frontage as required by §305-13 (A).**

[No further changes to section]

SECTION 3. EFFECTIVE DATE

This local law shall take effect immediately, as provided by law.

All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; a request must be made to the Village Clerk at least five days in advance of the meeting.

**BY ORDER OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF TARRYTOWN**

DATED: February 21, 2006

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

Mayor Fixell questioned whether anyone wished to address the Board on this matter. No one appeared. He also stated that Mr. Walter Johnson, Headmaster of Hackley School sent an e-mail stating that he is pleased to support this proposed amendment.

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

Trustee Basher moved, seconded by Trustee Pollack, and unanimously carried that the following local law be adopted:

WHEREAS, the Proposed Action is an Unlisted action pursuant to the State Environmental Quality Review Law, and

WHEREAS, an Environmental Assessment Form [EAF] was filed and,

WHEREAS, a notice of public hearing was published in the Journal News on February 7, 2006, and February 24, 2006, and

WHEREAS, a public hearings were held for the proposed action February 21, 2006, and March 6, 2006, 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 6 NYCRR 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. 3 of 2006.

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

Susan Sincero, Neperan Road, stated that she would like to know how she received in the mail anonymously, a copy of someone's application for the Ethics Committee with a very sarcastic note on the bottom. Mayor Fixell stated that he would have the Chief of Police look into it. Ms. Sincero also stated that with respect to the Waterfront, could we tell the developer no thank you to their incentives and then ask the developer for less height and less density. Mayor Fixell stated that what we have here is a very good project on all fronts. We were very conscience of protecting view sheds as much as possible. Trustee Basher stated that he wanted to make a clarification that of all the buildings down there, three of the ten buildings will be 42 feet and all the rest will be less than 40 feet.

William Cerbone, Miller Avenue, stated that he would like to share with the Board some of his research on the Tarrytown Lakes particularly critical to the issue of runoff and the sources of water on the land. There was a report made for the Village by Hudson and Pacific Alliance, Steve Yarabek. Mr. Cerbone summarized Mr. Yarabek's letter dated April 26, 1985 and addressed to Mr. Robert Snyder, the Greenrock manager of the Rockefeller's property and copying Mr. Faiella, the Village Administrator. "Mr. Frank Demers and Ms. Carole Griffiths met with him at Marymount to discuss the forest management work at the woodland along the eastern portion. As a matter of public record, it should be noted: The culvert system directing spring runoff to the Lakes from the former pond must be limited to this use in order to protect the reservoir. It is not to be used for storm runoff at present or in the future." There is currently a large development going on. There's been a great deal of public input to speak out on the issue of runoff and to define the runoff to protect anything from going into the Tarrytown Lakes. But the developer is proposing to run runoff onto the other side of the public park land through the culvert which seems to be a contradiction from the previous Village position back in the 1980's. Mayor Fixell stated that this public hearing which is before the Planning Board has not been closed and the plans for runoff have not been finalized. He will pass this information to the Planning Board and he will make sure it is followed up on.

Michael Farley, Neperan Road, stated that when the Board passed the law on the setbacks to the Tarrytown Lakes, you changed the definition of runoff where it did not include

sub-surface runoff. He would like to know why the Board changed that definition. By not taking into account sub-surface water, we allow this developer to ignore springs underneath. Mayor Fixell stated that the degree of study that is being done is not ignoring sub-surface water and it is not ignoring springs. The company that we hired is particularly involved in natural restoration of the lakes. The condition of the Lakes and what happens to the Lakes and how the water gets in there and how runoff affects it is front and center in the analysis that's being done and on any decision that's made. Trustee Butler stated that obviously Mr. Farley has some information on sub-surface water and since he is a civil engineer he asked Mr. Farley to explain it. Mr. Farley stated that he doesn't need that kind of sarcasm.

Ms. Loretta London, 185 Wilson Park Drive, stated that Trustee Butler was inappropriate.

Angela Schneider, 16 Fairview Avenue, stated that she is also concerned that the Village is not taking a correct stand as landlords of adjoining property with the developer. This is a big concern of the Village. Residents are constantly sending e-mails to the Tarrytown Conservation Committee stating that they feel that they are not being properly represented.

Domenic Morabito, Church St., asked the Board what they are doing about the waterfront traffic. Mayor Fixell stated that the waterfront traffic was primarily dealt with by the reduction of commercial and retail density which reduced 50 percent of the traffic that was projected in the original proposal from the developer. We are going to gain traffic. It is impossible to build anything without there being traffic impacts. Traffic will also be reduced by the removal of the asphalt plant. Mr. Morabito also asked about problems with car traffic on Route 9 and the H-Bridge during the rush hours. He wanted to know if there have been any solutions to these problems. Mayor Fixell stated that the traffic consultants have looked at it and there are some minor measures and some of the improvements will take place as the development occurs. Trustee Basher stated that the Board cut the traffic in half by reducing commercial and retail development.

John Lynch, 10 Crest Drive, stated that the acquisition of the Marymount Campus and transformation to a consolidated fully integrated elementary school unleashes wonderful possibilities for the young minds of Tarrytown and Sleepy Hollow. The benefits from the proposed elementary school nestled on the Marymount College campus would take more time than given here. However, to name a few would be the following: 1) efficiently increase student capacity of the school system, 2) reduce substantially the construction disturbance for current students, 3) eliminates the capital cost redundancy in expanding mobile schools, 4) lowers school overhead costs and related taxes, 5) arts and athletic opportunities are immense and offer staggering potential aspects and 6) very real health benefits of set backing young students off of Route 9. Mr. Lynch also stated that Tarrytown is taking the brunt for truck traffic. If we regulated trucks on Route 9 using scale, we could reduce truck traffic by 25 percent. Mayor Fixell stated that the notion of getting scales for trucks has been brought up by Trustee Chillemi a couple of months ago. As far as the Marymount idea, it's certainly something to consider, although, he doesn't believe that Fordham is looking to sell the campus.

Dr. Roger London, 185 Wilson Park Drive, summarized the letter addressed to the Board of Trustees and Planning Board from Carpenter Environmental Associates regarding the Tarrytown Lakes. The letter reviews the two environmental studies that have been done related to the sub-division of the Legends at Wilson Park. The Dvirka and Bartolucci study of storm water management plan does not address the Wilson Park development. These studies relied on unsupported and optimistic assumptions about the pollutant removal rates that can reasonably be expected from the proposed storm water management practices relied on incorrect information for the design and sizing of those practices, completely lacked of pollutant loading analysis for the critical construction phase of the project. It also relied on a soil erosion and sediment control plan that cannot properly be reviewed in its current form and lacked a storm water pollution prevention plan. We ask the Village to go back to their consultants to fully evaluate the proposed storm water management plan as discussed in the DEIS for the project to assess the

adequacy of the plan and to determine if the plan would adversely impact the water quality of the Tarrytown Reservoirs.

Meg Greenberg, 283 Crest Drive, stated that she is concerned about the Tarrytown Lakes, the environment that surrounds the lakes, the wild life that's there and she hopes the Board will protect the Lakes the best that we can.

William Cerbone, 27 Miller Avenue, asked with respect to the former pond with a drainage system sub-terrarium under the earth as opposed to a pond, would it have gone up or down in the ground where the present piping system is that leads to the conduit underneath the park land. Are they in fact draining an entire spring area and everything else that goes through? Also, what's the actual status, the baseline of the flow from that land? This was never inventoried. There should have been a baseline inventory some time ago. Because it appears that there is a far greater flow of water going through that conduit through park land toward the Tarrytown Lakes that was ever intended under the original pond. Mayor Fixell stated that if Mr. Cerbone can provide all the documents in writing, we will review them and have our experts and attorneys review them.

Michael Farley, Neperan Road, stated that it does not take an expert to know that if we build down on the waterfront that we will have more traffic problems. It doesn't take an expert to know if they build at the General Motors site, we will probably be inundated with traffic that Tarrytown will not be a good place to live anymore. It doesn't take a civil engineer to say if you drop fertilizer on your lawn next to the Tarrytown Lakes, eventually it's going to get in there. Mayor Fixell stated that it doesn't take an expert to know that whatever is done is going to have some impact. However, what we are working to do, particularly at Wilson Park and waiting for the report from the Gaia Institute is a plan that will actually purify the water before it comes into the Lakes. We are looking to reduce all the flows from the surrounding areas. We're also looking toward creating a plan which will allow the natural filtration through the ability of the earth to filter the water before it goes into the Lakes.

Angela Schneider, 16 Fairview Avenue, stated that the PCI Tarrytown Lakes Water Management Study's first recommendation was that a year long study be conducted on the Lakes using the same sites that the 2001 Manhattan College study used. They said that only after this year long study can they determine what needs to be done to resolve the water issues. She wants to know why nobody is talking about this recommendation from the water management study. Trustee Pollack stated that if we conduct studies she agrees that we have to follow through with them. She also stated that she will be committed to do whatever she can to preserve the Tarrytown Lakes. Trustee Butler stated that he appreciates Ms. Schneider's comments and we will look into it.

John Lynch, 10 Crest Drive, stated that the voluntary clean up agreement dated July of 2003 at the Waterfront site shows that 70-75 percent was meant to be commercial. It was never intended for people to be on top of it. In this agreement, you will not find that the Department of Health has signed off on it. The only signatures on this agreement are Con Edison, Department of Environmental Conservation and Joe Cotters. The protection of a 2 foot cover up is not sufficient. Administrator McCabe stated that it is his understanding that the Department of Environmental Conservation is the lead agency and that their approval is predicated by the approval of the Department of Health.

CONSIDERATION OF A RESOLUTION TO AUTHORIZE FUNDING OF THE COMPREHENSIVE PLAN UPDATE

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

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves the update to the Village Comprehensive Plan as proposed by BFJ Planning not to exceed \$50,000.

CONSIDERATION OF A RESOLUTION AUTHORIZING THE TRANSFER OF
SURPLUS PROPERTY ON NEPERAN ROAD

Trustee Basher stated that this sale is part of the Neperan Road park land that was discussed for a few years. This \$510,000 is going to be put back into the open space fund to preserve other land throughout the Village. This was a compromise with the previous Board that certain members didn't want to sell any of it off, other members wanted to retain the flat section where the park would be and sell this lot and the one right next to it, which would have brought in another \$500,000. He is glad that we did sell off this one piece of property and received \$510,000. He only wishes it could have been doubled which would have given us more money perhaps to buy land at Wilson Park.

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

WHEREAS, the Village of Tarrytown currently owns a certain parcel of land located within the Village of Tarrytown, specifically:

- a) A 15,959 square foot parcel of land as shown on a survey dated November 9, 2004 b Riley Land Surveyors LLP: and

WHEREAS, it is no longer necessary for the Village of Tarrytown to retain said property and therefore can be considered "surplus property;" and

WHEREAS, the appraised value of the subject property is Four Hundred and Seventy Five Thousand (\$475,000) Dollars; and

WHEREAS, Mr. Chris Roland has made an offer to pay Five Hundred and Ten Thousand (\$510,000) Dollars, being the highest bidder, which is an amount greater than the appraised value for said property.

NOW, THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize and direct the Mayor of the Village of Tarrytown to execute the contract of sale and all necessary documents for the transfer of the surplus parcel to Mr. Chris Roland.

CONSIDERATION OF A RESOLUTION AUTHORIZING THE VILLAGE TO
SUBMIT AN ERADICATION OF INVASIVE AQUATIC PLANT SPECIES GRANT
APPLICATION

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

BE IT RESOLVED that Michael J. McGarvey, P.E., Village Engineer, is hereby authorized and directed by the Board of Trustees of the Village of Tarrytown to file an application for funds from the Aquatic Invasive Species Eradication Grant Program in an amount not to exceed Fifteen Thousand (\$15,000) Dollars, and upon approval of said request to enter into and execute a State Assistance Contract with the New York State Department of Environmental Conservation for such financial assistance to the Village of Tarrytown for the Eradication of Invasive Aquatic Plant Species in the Tarrytown Lakes and further, to carry out and comply with the terms of such project agreement.

APPROVAL OF THE MINUTES OF THE BOARD OF TRUSTEES MEETING HELD
ON FEBRUARY 6, 2006

Trustee Basher moved, seconded by Trustee Pollack that the Board of Trustees minutes of February 6, 2006 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 #16

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

RESOLVED: The following Abstract bearing No.16, dated March 6, 2006 containing Vouchers No. 003181 through No. 003317 is hereby ordered paid in the following amounts as presented:

General	\$ 89,879.37
Water	21,951.81
Capital	208,894.99
Library	4,144.59
Trust & Agency	<u>93,168.74</u>
Total	\$ 418,039.50

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

ADJOURNMENT TO EXECUTIVE SESSION

Trustee Basher moved, seconded by Trustee Crucy Burkhardt, and unanimously carried, that the meeting be adjourned to Executive Session regarding a personnel matter at 9:40 p.m.

Carol A. Booth
Village Clerk