

Board of Trustees
Village of Tarrytown
Regular Meeting No. 23
March 20, 2006 8:00 p.m.

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

The meeting began with the Pledge to the Flag.

CERTIFICATE OF MERIT – WORD MASTER CHALLENGE STUDENTS OF MORSE SCHOOL

Mayor Fixell was happy to award a Certificate of Merit to a group of Morse School students who achieved very high recognition in the Word Master Challenge. This award was recommended to the Board by our Education Committee. Mayor Fixell introduced Judy Hyman who teaches the third grade Challenge and Out Reach program at Morse School. Ms. Hyman stated that we are honoring 19 students who have made phenomenal scores on the first analogy contest. This analogy contest was started over 20 years ago in the Tarrytown's School. The students get compared with other students across the entire country. Our students tied for first place in the nation. However, our second Word Master Contest students came in first place in the nation. You can read the article about our students Word Master Challenge on our home page at www.TUFSD.org. Mayor Fixell awarded the following students: Colin Atkinson, Katie Brennan, Heather Brown, Jordan Brown, Camilla Dickson, Jennifer Dickson, Morgan Dodge, Mina Fassa, John Feigelson, Sara Friedman, Dylan Garvey, Ezra Isaacson, Katie Kachnowski, Vincent Laino, Brendan Murphy, Cara Plotkin, Elizabeth Sobolik, Haley Stern, and Daniel Yawman.

NOW THEREFORE BE IT RESOLVED that I, Drew Fixell, Mayor of Tarrytown, New York, congratulate and commend the students of W. L. Morse School for your achievement in gaining high recognition in the Word Master Challenge and declare you a Student of Excellence.

REPORTS

Mayor Fixell reported the following:

- At the last Planning Board meeting, there was a presentation made by Dr. Paul Mankiewicz, who is an expert in wetlands and lakes restoration and natural means of protecting lakes and wetlands. In addition to replaying the entire Planning Board meeting, we will also replay Dr. Mankiewicz' presentation on our cable channel 78. He has made some general recommendations that our village will find ways to incorporate into our laws and into our procedures the type of protections for the lakes and for other water bodies that he recommends. He presents a remarkable science in ways that we can naturally work within the environment to protect our water courses even while some building does occur.
- Mayor Fixell also stated that tonight is the last Board meeting that Trustee Crucy Burkhardt and Trustee Chillemi will be attending. He would like to thank them both profusely for the work and service they have provided to this community.
- Susan has been here for a year. Susan has been a steady, insightful and articulate member of the Board. We could always rely on her to bring intelligence and reason to every discussion. While we will miss her presence on the Board, he knows that the Village will continue to be graced by her extraordinary involvement in so many aspects of the community.
- Dennis has been on the Board for four years. We originally started out on opposite sides of the political fence, but Dennis quickly proved that he has only one agenda and that is doing the best possible job for Tarrytown. In the four years that we have worked together, he has come to rely on Dennis for his intelligence, his integrity, the strength of his character and his wit. He is proud to

say that he has become his friend. All of us should thank Dennis profusely for the extraordinary service he has provided to this community.

- He would also like to remind everyone that tomorrow is Election Day in the Village.

Trustee Crucy Burkhardt stated that it has been a quick year, but a great opportunity to learn a lot and to work with the Tarrytown residents throughout the Village. She would like to thank the Mayor and her fellow Board members that it has been truly an honor working with all of you. She also thanked the Administrator and the employees of the Village for the terrific work that they do for all of us in our daily lives. Also thanks to all residents and volunteers of Tarrytown who work tirelessly to make our village the wonderful place it is to live.

Trustee Chillemi stated that he would like to thank everyone who was very supportive of his family and his father for the past few months and his final days. He would also like to wish his mom a Happy Birthday. Serving on the Village Board the past four years has been a life enriching experience in many ways. He has met many wonderful, smart, community minded people along the way. He has grown as a person and has learned much about the processes of local government. He is grateful and honored to have served the Village of Tarrytown and he takes great pride in our community. He thanks the Village department heads who literally run the day-to-day operations and have done a fantastic job. He thanks all of our dedicated employees who come to work every day and get the job done in a professional manner. He thanks the many volunteers who unselfishly give their time and energy to run our Fire Department, Ambulance Corps, Planning Board, Zoning Board, Architectural Board, Recreation Commission and all of the committees that serve our community. Without these volunteers and employees, Tarrytown could not function as the village we all know and love. He wants to thank each member of this Board for their tireless energy and dedication to Tarrytown. It has been a privilege to work with you. Lastly, he wants to thank Mayor Fixell for his leadership and vision. This past year has been the most productive in the village's history. All Village Boards have worked tirelessly to bring about great change. We all have a vision for Tarrytown and we don't always agree but with skillful stewardship and thoughtful facilitation, Mayor Fixell has crafted a future for Tarrytown that combines many of our various concepts and visions into the best outcome for Tarrytown. Yet, there is much work to be done. He leaves this Board with the utmost confidence that the Mayor and the Board of Trustees will continue to work toward fulfilling the goals of the citizens in a professional and ethical manner.

Trustee Butler reported the following:

- Susan and Dennis will greatly be missed and he wishes them both the best of luck.
- The Tarrytown Lakes Committee is currently analyzing the zoning maps and ownership of parcels around the lakes and pertinent regulations regarding the lakes. They are also planning to have a Tarrytown Lakes Clean-up Day to be held on April 22nd with a rain date of April 23rd. The Environmental Advisory Council has also arranged for a public presentation on Energy Conservation/Solar Energy. This is being replayed on our cable TV Channel 78.
- The Planning and Zoning Code Review Committee has issued a final draft and recommendation regarding tear downs and in fill construction, over sized lots, heights, floor area ratio and view shed protections. These committees have been doing very good work and the next step will be getting together with BFJ Planning Consultants and working on the Comprehensive Plan for Tarrytown.

Trustee Zollo reported the following on Recreation:

- Residents should be receiving the Recreation brochure this week in the mail.
- TNT Baseball/Softball registration will be coming to a close soon. The kick off parade is Saturday, April 8th.
- Registration is open for the day camp, sports clinic and tot camp. Scholarships are available for all programs. For information, please call the Recreation Department at 631-8347 or 631-8389 or e-mail www.ttrec@aol.com or go to the Recreation office at 238 West Main Street.

Trustee Pollack stated that information on events regarding the Tarrytown Senior programs are on the scroll. We always welcome new members.

Trustee Basher reported the following:

- Police Department/Community Opportunity Center – Approximately 400 youths from Tarrytown and Sleepy Hollow attend the Boys/Girls Club of Northern Westchester at COC. Each month a club member is chosen as youth of the month. The winner must excel within an age group in certain areas such as volunteer work, school work, homework, and overall club participation. The youth of the year is selected from over 250 finalists throughout the County. Detective Brian Byrnes, Tarrytown's Youth Officer sits on the panel which will select the winner. The Police Department and COC would like to recognize that we have three finalists this year for the County's youth of the year. They are Anna Rodrigues from Tarrytown, Maryann Hidalgo from Sleepy Hollow and Keldan Delgado from Sleepy Hollow. All three youths should be congratulated for their accomplishments and making it to the final round and good luck to all of you.
- He would like to compliment Susan and Dennis for their fine work. Susan has been on the Board one year and has brought insight that has educated all of us immensely. Trustee Basher stated that he has learned from Dennis and appreciates Dennis' work on pushing forward the Ethics Board and Ethics Code that we know have in place. It's a great accomplishment. He thanks both of them for serving.

Mayor Fixell stated that Jim Hart, Village Treasurer will now make a brief presentation on the preliminary budget that was officially submitted tonight. It is a preliminary budget that the Board will review and will then hold a public hearing.

Treasurer Hart reported that today, March 20, 2006, is the legal filing day for all village municipalities' budgets. He plans to make the budget available on our web site in a day or two. Attached is the 2006-2007 Tentative Budget for the Village of Tarrytown. The budget has been filed with the Village Clerk and is available for your review. During the budget process he has worked diligently with the Department Heads to compile all relevant information. For example all department heads were instructed to expect a 0% increase relating to discretionary expenses. The mandated retirement costs have not stabilized and continue to rise. We still have double digit increases in our health insurance premiums. Sales tax and mortgage tax revenues along with other non property tax revenues have increased moderately to help defray some increases in mandated expenses. A rise in interest income rates and our increased fees in the Building Department have also helped to defray the mandated costs stated above. Again this year we have been pro-active in pursuing overdue taxes. We have collected 99.40% of our current tax revenues. As a result of the fiscal policies over the last five years we have built up a reasonable fund surplus that has allowed us to again reduce this year's tax burden. For the next two years until we may have new development added to our tax roles we are trying to match current revenues with current expenses and maintain our services. The bottom line to be presented to the Mayor and the Board of Trustees is a Tentative Budget calling for a property tax increase on 6.48% increasing the levy from \$194.91 to \$207.55. This is an increase in the tax rate of \$12.63. For example, a Tarrytown resident with a home assessed at a value of \$15,000 would pay Village taxes of \$3,113.25, an increase of \$189.60 over last years taxes. This is the smallest increase in 5 years. The Village's Assessment Roll has remained stable for the first time since 2001-2002. The decrease was only from \$60,306,834 to \$60,225,633. He is submitting to the Mayor and the Board of Trustees a proposed tax levy at a level that is consistent with the existing local financial situation and other areas across New York State. The Board should note that we are proposing an increase only after estimating revenues and expenses based on past history, current trends, information gathered about the future and a judicious partial use of our fund surplus.

Other items considered in this budget process are:

1: Through negotiations we have reduced the Libraries initial request for an 11.12% increase to a more modest 7.23% increase. This was done through a joint effort of both Villages and the Library Board by asking that they not increase services at this time.

2: Because health insurance costs are still increasing at double digit rates we have already begun to look at various costs saving methods.

3: Retirement costs have not yet begun to stabilize as earlier predicated by State Controller Allan Hevesi when he took office.

4: We have made an effort this year and will continue next year to review our job structure to reduce payroll through attrition where it is prudent in all departments.

5: This year we will have a joint day camp with the Village of Sleepy Hollow. We are looking at economy of services to reduce expenses while not sacrificing the quality of the day camp itself. This is one of a few initiatives the Mayors of both Villages are considering in the area of joint services to avoid duplication of costs to our residents.

This tentative budget will allow the Village of Tarrytown to continue to provide for the many programs and services residents have come to rely on from Tarrytown's employees and public officials. He would like to thank Village Administrator Stephen McCabe for his assistance in this year's adoption process. This tentative budget can be modified based on input from the public, and from you, the policy making body for the Village. He looks forward to working with the Board to review and analyze any proposals you believe should be considered during this process. Please contact him at any time to review any items deemed appropriate. A public hearing should be scheduled for Monday April 17, 2006 to discuss this budget in an open forum.

ANNOUNCEMENT OF A PUBLIC HEARING TO BE HELD ON APRIL 3, 2006
REGARDING A PROPOSED AMENDMENT TO THE CODE OF THE VILLAGE OF
TARRYTOWN BY ADDING A CHAPTER ENTITLED "FIRE DEPARTMENT
RESIDENCY REQUIREMENT."

PUBLIC HEARING REGARDING THE CONSIDERATION OF EXPANDING THE
RECREATION COMMISSION (adopted)

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 20th 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 §51-2 entitled "Composition; terms of office; compensation" of Chapter 51 entitled "Recreation Commission" 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 §51-2 entitled "Composition; terms of office; compensation" of Chapter 51 entitled "Recreation Commission" 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 increase the current membership of the Recreation Commission from five persons to nine persons.

B. Legislative Intent.

It is the intention of the Board of Trustees of the Village of Tarrytown to amend §51-2 entitled "Composition; terms of office; compensation" of Chapter 51 entitled "Recreation Commission" of the Tarrytown Code in order to increase the current membership of the Recreation Commission from five persons to nine persons.

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

SECTION 2. Amendment to §51-2 entitled "Composition; terms of office; compensation" of Chapter 51 entitled "Recreation Commission" of the Tarrytown Code

§51-2. Composition; terms of office; compensation.

The Commission shall consist of (five) **nine** persons who are residents of the village and shall be appointed by the Board of Trustees for five-year terms. The term of each member of such Commission first appointed shall be such that the term of **at least** one Commissioner shall expire annually thereafter. The members of such Commission shall serve without compensation.

[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

Trustee Pollack moved, seconded by Trustee Chillemi, 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.

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

Trustee Chillemi 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 March 9, 2006, and

WHEREAS, a public hearings were held for the proposed action on March 20, 2006, and

WHEREAS, the Westchester County Planning Board has reviewed the Proposed Action under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code and has determined that there are no County or inter-municipal issues, 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, and

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. 4 of 2006.

PUBLIC HEARING REGARDING THE "BUILDING CONSTRUCTION" CHAPTER OF THE TARRYTOWN CODE ESTABLISHING REGULATIONS WITH RESPECT TO RESIDENTIAL DEMOLITION (adopted)

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 20th 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 Chapter 97 entitled "Building Construction" 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 Chapter 97 entitled "Building Construction" 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 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; therefore, the Board of Trustees has determined that before a demolition permit involving a residential structure is granted to an applicant, said applicant must already have an approved site plan for the construction being proposed at the site and a building permit for the new construction.

B. Legislative Intent.

It is the intention of the Board of Trustees of the Village of Tarrytown to amend Chapter 97 entitled "Building Construction" of the Tarrytown Code in order to require that before a demolition permit involving a residential structure is granted to an applicant, said applicant must already have an approved site plan for the construction being proposed at the site and a building permit for the new construction.

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

SECTION 2. Amendment to Chapter 97 entitled "Building Construction" of the Tarrytown Code.

§97-6.A Demolition Permits

Except for residential structures that have been damaged by fire or storm and poses an imminent threat to health and safety, no demolition permit shall be issued involving a residential structure unless the applicant for said permit has an approved site plan for the construction being proposed and he/she has obtained a building permit for the new construction pursuant to §97-6. of this Chapter.

[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

Trustee Basher moved, seconded by Trustee Pollack, 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.

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

Trustee Basher moved, seconded by Trustee Chillemi, 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, the requisite notice pursuant to provisions of Section 239 L, M and N of the General Municipal Law, Section 277.61 of the County Administrative Code and the New York State Village Law were mailed on February 10, 2006, and

WHEREAS, a notice of public hearing was published in the Journal News on February 21, 2006, and

WHEREAS, a public hearings were held for the proposed action on March 20, 2006, and

WHEREAS, the Westchester County Planning Board has reviewed the Proposed Action under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code and has determined that there are no County or inter-municipal issues, 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, and

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. 5 of 2006.

PUBLIC HEARING REGARDING A PROPOSED AMENDMENT TO THE VILLAGE
CODE SECTION 305-22 WITH RESPECT TO A "GRADING PLAN
REQUIREMENT" (adopted)

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 20th 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 § 305-22 entitled "Wetlands, steep slopes, hilltops, ridgelines and hillsides" 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 § 305-22 entitled "Wetlands, steep slopes, hilltops, ridgelines and hillsides" of the Tarrytown Code.

SECTION 1. LEGISLATIVE INTENT AND FINDINGS OF FACT.

A. Findings of Fact.

The Board of Trustees has determined that a grading plan – which indicates the grading of the site to the building foundation – must be included in all applications made to the Architectural Review Board, the Planning Board and/or the Zoning Board of Appeals.

B. Legislative Intent.

It is the intention of the Board of Trustees of the Village of Tarrytown to amend § 305-22 to require that a grading plan – which indicates the grading (existing and proposed) of the site to the building foundation – must be included in all applications made to the Architectural Review Board, the Planning Board and/or the Zoning Board of Appeals.

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

SECTION 2. § 305-22 entitled "Wetlands, steep slopes, hilltops, ridgelines and hillsides" of the Tarrytown Code.

G. All applications for new construction and additions, whether or not in wetlands, steep slopes, hilltops, ridgelines or hillsides, made to the Architectural Review Board, the Planning Board and/or the Zoning Board of Appeals must include a grading plan. The proposed grading plan must clearly indicate the grading of the site to the building foundation with measurements from the first floor elevation. The plan shall be incorporated by reference and made part of any approval granted by the Architectural Review Board, Planning Board and/or Zoning Board of Appeals.

[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**

Trustee Pollack moved, seconded by Trustee Zollo, 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.

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

Trustee Chillemi moved, seconded by Trustee C, 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, the requisite notice pursuant to provisions of Section 239 L, M and N of the General Municipal Law, Section 277.61 of the County Administrative Code and the New York State Village Law were mailed on February 10, 2006, and

WHEREAS, a notice of public hearing was published in the Journal News on February 21, 2006, and

WHEREAS, a public hearings were held for the proposed action on March 20, 2006, and

WHEREAS, the Westchester County Planning Board has reviewed the Proposed Action under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code and has determined that there are no County or inter-municipal issues, 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, and

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. 6 of 2006.

STATEMENT FROM THE MAYOR

Mayor Fixell stated that quite a few people are here tonight to speak about the proposed firehouse on Meadow Street. First, he would like to apologize for what turned out to be our failure to completely inform the nearby neighborhood of our plans. While we could have done more to notify the residents, we made an honest mistake in believing that they did know about the proposal. Over the course of the last two months, the site was publicly discussed several times at Board meetings and also was well covered in the early February issue of the free monthly newspaper that is distributed to every house in the village. During this period and up until late last week, the Board had not received a comment in opposition to the plans. Secondly, the site we are speaking of is the location of the metal kwanza hut housing Consolidated's fire truck as well as farther out buildings that together have served as Consolidated's fire station for the past four years. During

that time, we similarly have not received any complaints and neither have there been any accidents or other incidents relating to its operation. Consequently, we felt that we were replacing an ugly collection of buildings with a single attractive landscaped facility that would serve exactly the same function. Also, the plans call for the building to be sited farther from any nearby houses than the existing hut and closer to the thruway. There are no plans for the fire horn to be moved to the site. Finally, he wants everyone to understand that the Village will follow all the proper procedures for moving forward with this project. Further, he will commit to meet with any residents who wish to discuss the details of the proposal.

Mayor Fixell read a letter to the Board from Maureen Barbelet, retired Executive Director of Elizabeth Mascia Child Care Center. She stated that she is in support of Consolidated Engine being permanently housed on the corner of Sheldon Avenue and Meadow Street. While she was the Director of the Child Care Center located next to the temporary fire house, there were never any problems or concerns with the fire house. They were a good neighbor. In her opinion, a neighborhood fire house is an asset to the community where it is located. The members of Consolidated Engine are primarily from the Pennybridge neighborhood and are concerned about all safety issues. Never did she fear for the safety of the children in our care or the parents coming and going from the Center. She always felt that we were in a safer place because of this neighborhood fire house and their members. She hopes that this relationship with the local fire department continues for many years to come.

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

Kelly Chafizadeh, 106 Stephen Drive, stated that she is opposed to the proposed Consolidated Engine's location at the corner of Sheldon Avenue and Meadow Street. She has 50 signatures of neighbors who also oppose. Dawn Carelli has 200 more signatures that have already been submitted to the Village. She finds the proposal unconscionable for the following points of concern: safety, neighborhood has grown, the park and field parallel to the proposed location is a gathering spot for hundred of children, the Child Care Center is only a few feet away, traffic flow issues, traffic congestion, bus routes, and child care drop off and pick up. She thinks that Route 119 is a far more appropriate site. It's a five lane road; it's not residential and kids are not playing near it.

Dan McMahan, 32 Stephen Drive, stated the following: 1) He and his neighbors did not know about the new location for the fire house at the corner of Sheldon Avenue and Meadow Street until two days before the ground breaking ceremony. 2) The two fire houses are 3/10 of a mile away from each other; why do we need two? 3) He would like to know how you arrived at saving \$700,000 by building two fire houses rather than of one. 4) He is requesting a special meeting with the neighbors on this subject.

Kathy McMahan, 32 Stephen Drive, stated that she wants a promise from the Board to hold a special meeting before moving forward with this project. Mayor Fixell stated that we will have a meeting within three weeks.

Julia Fullenweider, 1 River Plaza, stated that there have been fire houses in existence in highly densely areas and people survive. We are extremely thankful that the fire houses are where they are.

Lloyd Hartog, 101 Stephen Drive, stated the following: 1) he agrees we need fire houses; but not to build two fire houses 3/10 of a mile away from each other. 2) he believes the buses at the Child Care Center can cause congestion. 3) he would like to see what the plans were for that two-bay fire house that would allow \$700,000 to be saved.

Les Jacobs, 47 Stephen Drive, stated that he believes there's bad faith with this decision on the proposed Meadow Street site and would like to ask the Board to not approve the

resolution tonight to declare the Board of Trustees lead agency for this project. He would also like to know why the Planning Board is not the lead agency.

Cherry Chorost, 279A S. Broadway, stated that he would like to correct the errors in the Democratic letter the residents received in his neighborhood. He stated that Trustee Basher did not attend more than 2 GUARD meetings in 4 years. He did not participate in any executive board or planning meetings. This Board had the opportunity to continue the GUARD program and nothing was done. Mayor Fixell stated that he attended many GUARD meetings and he is still participating in the task force. We have not abandoned our role in this program. Trustee Basher stated that he has attended a minimum of 6 GUARD meetings. Trustee Basher also stated that he found it strange that the Board of Directors at Mr. Chorost's complex sent an e-mail recommending one political slate over the other without a debate.

Angela Schneider, 16 Fairview Avenue, stated that she takes exception to a statement that was in a political flier that she received. The statement says "The Village will not allow the developer to drain any water from its property directly into the Lakes." The developer is currently allowing runoff to be piped directly into the Lakes. Water from this pipe flows year round. She supports PCI Consulting who recommends a full year study for 2006 in order to determine exactly where the pollution is coming from and then enable to advise on how to resolve it. The other two studies (Dvirka and Bartilucci and Gaia Institute) only address development. They don't address drainage from the developer's land at Wilson Park, which is currently being piped directly into the Tarrytown Lakes. Ms. Schneider showed a picture of an actual 2-ft. pipe as an example. Mayor Fixell stated that this Board is very committed to make sure that any work that's done there will not continue to drain anything directly into the Tarrytown Lakes. We have the opportunity here to divert other waters that don't come off the property into a system that will purify it.

Michael Farley, Neperan Road, asked the Mayor if we can have that 2 ft. pipe removed. Mayor Fixell stated that we would have to examine the whole drainage system in that area. Right now that is draining what is undeveloped. It has to be carefully examined by Engineers. The already developed areas that have drainage has to be fixed. We are committed to not permit those conditions that are harming the Lakes to continue. Mr. Farley stated that the two water studies are very different with respect to drainage. How do we decide? Mayor Fixell stated that it would be through the Planning Board process with the consultants. Mr. Farley stated the Dr. Mankiewicz' is a nice approach, but not workable. What it required is changing vast quantities of mulch every six months and he doesn't know if we as a Village have power to enforce that. Mayor Fixell stated that the two set of recommendations will be reconciled and there is a process by which it will be done.

Tori Weisel, 8 Washington Place, stated that not until she volunteered to be on the Planning and Zoning Code Committee did she understand that sometimes common sense and the end product is not going to happen right away because the Village is bound by New York State law. We are looking into changing some of the zoning laws that are no longer working for our neighborhoods. This is a slow process. She would like to thank the Board for having the Advisory Committees. She would also like to thank Mayor Fixell for arranging for the committee and other residents to attend seminars through the Land Use Law Center with the Pace Law School.

Carole Griffiths, 251 Martling Avenue, Chair of the Environmental Advisory Council, stated that they just started up a new Tarrytown Lakes Committee who will be looking for public input as to what people want to see at the Tarrytown Lakes in the future. She also stated that she would like to discourage people from using fertilizer on their lawns. This could help a lot in saving the Lakes.

John Lynch, 10 Crest Drive, stated that the consultant, EEA who did a peer review on the remediation work basically said that what's underneath is safe. He questions if they complied with the Department of Environmental Conservation. He also questions if the

contaminated soil down there is safe. The Tarrytown Lakes watershed drainage study storm water management plan indicates there's a management plan for the entire Lakes; where it only looks at the drainage area at Wilson Park. He believes that you have to study all sections of the Lakes. With respect to the firehouses when you build one larger unit versus two smaller units with the same square footage, you save roughly 35% of the costs. He thinks the \$700,000 savings is fraudulent.

Pat DiBenedetto, 110 Stephen Drive, stated that if the Board has intentions to build a firehouse on the corner of Sheldon Avenue and Meadow Street, you're going to build it no matter what we say. Mr. DiBenedetto stated that he used to be a general contractor and knows construction from top to bottom. If the Board wants to save \$700,000 on the building of a new firehouse, he will be happy to do that at the Route 119 site with a two-bay fire house. He would like to see the proposal of the 2-bay fire house and see if he can help to make it work. He would like to volunteer to supervise the building of the new firehouse on Route 119. He respects all firemen, but he doesn't understand why we need two new firehouses so close to each other and wants the Board to consider the safety of the children.

BOARD OF TRUSTEES DECLARATION OF INTENT TO BE LEAD AGENCY FOR THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) WITH RESPECT TO THE CONSTRUCTION OF A NEW VILLAGE HALL

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

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby proposes to declare itself Lead Agency for the relocation of the new Village Hall to Depot Plaza, an existing surface parking lot on the east side of the H-bridge in Tarrytown, NY pursuant to the SEQR procedures (6NYCRR Part 617.6) of the Environmental Conservation Law of the State of New York.

BOARD OF TRUSTEES DECLARATION OF INTENT TO BE LEAD AGENCY FOR THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) WITH RESPECT TO THE CONSTRUCTION OF A FIRE HOUSE ON ROUTE 119

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

BE IT RESOVLED that the Board of Trustees of the Village of Tarrytown hereby proposes to declare itself Lead Agency for the construction of a new fire house on Route 119, which was a donation of land from Mr. Silverman of Silverman Realty on Route 119 in Tarrytown, NY pursuant to the SEQR procedures (6NYCRR Part 617.6) of the Environmental Conservation Law of the State of New York.

BOARD OF TRUSTEES DECLARATION OF INTENT TO BE LEAD AGENCY FOR THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) WITH RESPECT TO THE CONSTRUCTION OF A FIRE HOUSE AT THE INTERSECTION OF SHELDON AVENUE AND MEADOW STREET

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

BE IT RESOVLED that the Board of Trustees of the Village of Tarrytown hereby proposes to declare itself Lead Agency for the construction of a new fire house at the intersection of Sheldon Avenue and Meadow Street in Tarrytown, NY pursuant to the SEQR procedures (6NYCRR Part 617.6) of the Environmental Conservation Law of the State of New York.

CONSIDERATION OF A RESOLUTION AUTHORIZING \$69,000 FOR DESIGN AND BID PREPARATION SERVICES WITH RESPECT TO WATER SYSTEM UPGRADE PROJECTS

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

BE IT RESOVLED that the Board of Trustees of the Village of Tarrytown hereby authorizes the \$69,000 for design and bid preparation services to Professional Consulting, LLC with respect to Water Projects as follows:

Approximately 4,500 L.F. water main replacement:	\$39,000.00
Automation of Shaft 10 Pump Station:	\$12,500.00
Replacement of control valves at Shaft 10:	\$ 9,700.00
Chemical System Modifications:	\$ 7,800.00

CONSIDERATION OF A RESOLUTION GRANTING FUNDING TO THE JAZZ FORUM ARTS (MARK MORGANELLI) IN THE AMOUNT OF \$2,000 FOR A CONCERT SERIES

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

BE IT RESOVLED that the Board of Trustees of the Village of Tarrytown hereby approves the granting of funding to the Jazz Forum Arts (Mark Morganelli) in the amount of \$2,000 for a concert series.

CONSIDERATION OF A RESOLUTION TO WAIVE THE CONSULTING FEES COSTS RELATED TO SILVERMAN REALTY DONATION OF LAND TO THE VILLAGE

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

WHEREAS, the Village of Tarrytown received a donation of land from Mr. Silverman of Silverman Realty on Route 119 in order to construct a fire station, and

WHEREAS, Mr. Silverman has assumed the cost to survey the property, and

WHEREAS, Mr. Silverman will permit the Village to utilize numerous parking spaces on his property during the construction of the new fire station on Route 119, and,

WHEREAS, Mr. Silverman has agreed to shared parking on his property once the new fire station is completed in order to provide parking for firemen during drills, meetings and other fire department related activities, and

WHERE, the Village of Tarrytown has incurred Eighteen Thousand Three Hundred and Fifty Six (\$18,356.00) Dollars in consulting fees with respect to the Silverman Realty Application.

NOW, THEREFORE BE IT RESOLVED, that the Village Treasurer is authorized to waive the amount of Eighteen Thousand Three Hundred and Fifty Six (\$18,356.00) Dollars for consulting fees incurred with respect to the Silverman Realty Application.

APPROVAL OF THE MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON FEBRUARY 21, 2006

Trustee Pollack moved, seconded by Trustee Chillemi that the Board of Trustees minutes of February 21, 2006 be approved as submitted by the Village Clerk. Motion carried, all voting “aye” with the exception of Trustee Basher and Zollo who abstained.

APPROVAL OF THE MINUTES OF THE SPECIAL BOARD OF TRUSTEES
MEETING HELD ON FEBRUARY 23, 2006

Trustee Pollack moved, seconded by Trustee Chillemi that the Board of Trustees minutes of the Special meeting of February 23, 2006 be approved as submitted. Motion carried, all voting “aye” with the exception of Trustee Butler, Crucy Burkhardt, and Zollo who abstained.

APPROVAL OF AUDITED VOUCHERS #17

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

RESOLVED: The following Abstract bearing No.17, dated March 20, 2006 containing Vouchers No. 003318 through No. 003562 is hereby ordered paid in the following amounts as presented:

General	\$ 192,823.39
Water	71,151.04
Capital	0.00
Library	11,377.17
Trust & Agency	<u>182,828.49</u>
Total	\$ 458,180.09

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

ADJOURNMENT TO EXECUTIVE SESSION

Trustee Basher moved, seconded by Trustee Crucy Chillemi, and unanimously carried, that the meeting be adjourned to Executive Session regarding a personnel matter at 10:00 p.m.

Carol A. Booth
Village Clerk