

Board of Trustees  
Village of Tarrytown  
Regular Meeting No. 9  
August 21, 2006 8:00 p.m.

PRESENT: Mayor Fixell, presiding; Trustees, Basher, Butler, Hoyt, McGee, Pollack, and Zollo; Village Administrator McCabe; Village Treasurer Hart; and Village Attorney Shumejda;

The meeting began with the Pledge to the Flag.

MOMENT OF SILENCE – JOHN ARDUINO

Mayor Fixell stated that on August 5, 2006, John Arduino, a former Trustee of the Village of Tarrytown passed away. He was an active member of the Phenix Fire Company and a former President of the Tarrytown Seniors. He was an all around terrific man.

REPORTS

Mayor Fixell stated that the Community Opportunity Center and the Boys and Girls Club have reached a tentative agreement to work together for the following year. During that time we will hopefully work out some long term arrangements that will enable the COC and the Boys and Girls Club to continue beyond that.

Trustee Pollack thanked the Tarrytown Seniors for their invitation to their very successful annual picnic. She also thanked the Riverside Hose Fire Company for their invitation to their successful annual picnic. She commended the Tarrytown Fire Department; especially Conquer Hook and Ladder and Riverside Hose who received two trophies at the Ossining Parade.

Trustee Basher stated that the Tarrytown Police Department's body armored vests only have a shelf life of five years. According to federal regulations, they have to discard them. One of the officers of the Clarkstown Police Department is stationed in Iraq and their police department started a program to collect old vests to send to Iraq to use them in armed vehicles. The Tarrytown Police Department has joined the program and has donated our old vests. Our Police Chief has received a note of thanks from Brian T. Hoffman, a Major in the U.S. Marine Reserves.

PUBLIC HEARING REGARDING LOCAL ARMS LAW REQUIRING PRIOR AUTHORIZATION BEFORE HUNTING ON PRIVATE PROPERTY (Adopted)

Mayor Fixell asked Attorney Shumejda to explain.

Attorney Shumejda stated that this will require anyone hunting on private property to have with them a notarized letter from the owner authorizing them to hunt there along with a survey of the property. This will assist the Police Department to better enforce the current law.

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

**PLEASE TAKE NOTICE** that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 21st day of August, 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 161 of the Tarrytown Code entitled Firearms, specifically §161-1 entitled "Definitions" and §161-2 entitled "Discharge prohibited". 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 161 of the Tarrytown Code entitled Firearms, specifically §161-1 entitled "Definitions" and §161-2 entitled "Discharge prohibited".

#### 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 amend Chapter 161 of the Tarrytown Code entitled Firearms, specifically §161-1 entitled "Definitions" and §161-2 entitled "Discharge prohibited" in order to provide that any individual found in possession of wounded or dead animals, wild birds or game or the possession and carrying in the field of a shot gun or long bow shall be considered presumptive evidence of a discharge of said firearm in violation of Chapter 161 of the Tarrytown Code.

##### B. Legislative Intent.

It is the intention of the Board of Trustees of the Village of Tarrytown to amend Chapter 161 of the Tarrytown Code entitled Firearms, specifically §161-1 entitled "Definitions" and §161-2 entitled "Discharge prohibited" in order to provide that any individual found in possession of wounded or dead animals, wild birds or game or the possession and carrying in the field of a shot gun or long bow shall be considered presumptive evidence of a discharge of said firearm in violation of Chapter 161 of the Tarrytown Code.

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

SECTION 2. Amendment to Chapter 161 of the Tarrytown Code entitled Firearms, specifically §161-1 entitled "Definitions" and §161-2 entitled "Discharge prohibited"

##### §161-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

**FIREARM** - Any pistol, revolver, rifle, shotgun, air gun, sling shot, **cross bow** or bow and arrow which discharges a bullet, cartridge, shell shot, arrow, bolt or other missile propelled by the burning or explosion of gun powder, by high pressure pumping or other means, by a spring which is set by a cocking operation or by the application and release of tension or pressure to a bow spring attached to such weapon or instrument.

##### §161-2. Discharge prohibited.

No person shall, except in self defense and when reasonably necessary for the protection of life and property, fire or discharge or cause to be fired or discharged any projectiles (firing ammunition) from any firearm, as defined in this chapter, within the boundaries of the Village of Tarrytown. **The possession of wounded or dead animals, wild birds or game or the possession and carrying in the field of a shot gun or long bow shall be considered presumptive evidence of a discharge of said firearm in violation of this Chapter; furthermore, any person – other than the owner – hunting on private property must have in his or her possession a notarized letter from the owner stating that he or she has permission to hunt on said property and, a survey of said property delineating the area where he or she has permission to hunt.**

[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: July 18, 2006

Mayor Fixell questioned whether anyone wished to address the Board on this matter. No one appeared.

Trustee Basher moved, seconded by Trustee McGee, 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 August 2, 2006, and

WHEREAS, public hearing was held for the proposed action on August 21, 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:

1. In accordance with Article 8 of the State Environmental Conservation Law and 6NYCRR 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. 9 of 2006. Vote passed 7-0.

**PUBLIC HEARING WITH RESPECT TO AN AMENDMENT TO THE FIRE  
SPRINKLER LAW CLARIFYING THE REQUIREMENTS FOR A SPRINKLER  
SYSTEM (Adopted)**

Mayor Fixell asked Attorney Shumejda to explain.

Attorney Shumejda stated that this proposed amendment adds one word “existing” to the current statute. This will aid the Building Department in applying the law. There has been some ambiguity up to this point. With the insertion of this one word “existing”, it will be very clear and easier to enforce.

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

**PLEASE TAKE NOTICE** that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 21st day of August, 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 §166-2 entitled "Regulated buildings and structures" of Chapter 166: Fire Sprinklers 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 §166-2 entitled "Regulated buildings and structures" of Chapter 166: Fire Sprinklers 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 amend §166-2 entitled "Regulated buildings and structures" of Chapter 166: Fire Sprinklers of the Tarrytown Code in order to clarify that additions which exceed 50% of the **existing** livable floor area shall be required to have an approved sprinkler system as defined in said Chapter of the Tarrytown Code.

##### B. Legislative Intent.

It is the intention of the Board of Trustees of the Village of Tarrytown to amend §166-2 entitled "Regulated buildings and structures" of Chapter 166: Fire Sprinklers of the Tarrytown Code in order to clarify that additions which exceed 50% of the **existing** livable floor area shall be required to have an approved sprinkler system as defined in said Chapter of the Tarrytown Code.

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

#### SECTION 2. Amendment to §166-2 entitled "Regulated buildings and structures" of Chapter 166: Fire Sprinklers of the Tarrytown Code

##### §166-2. Regulated buildings and structures.

A. All buildings constructed after the effective date of this chapter shall be required to have approved sprinkler systems as hereinafter listed and defined. Such systems shall be approved by the National Fire Protection Association.

B. All buildings shall be required to have approved sprinkler systems, as hereinafter listed and defined, where an addition(s) has been constructed after the effective date of this chapter and the addition(s) exceed 50% of the **existing** livable floor area (as defined in Chapter 305, Zoning) for all residential occupancies and occupied space (as defined by the New York State Uniform Fire Prevention and Building Code) for all nonresidential occupancies.

C. All buildings shall be required to have approved sprinkler systems, as hereinafter listed and defined, where 50% **or more** of the **existing** livable floor area (as defined in Chapter 305, Zoning) for all nonresidential occupancies has been renovated, altered, repaired or reconstructed. The 50% **threshold** shall be computed over a period of two years, commencing after the effective date 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**

DATED: July 17, 2006

Mayor Fixell questioned whether anyone wished to address the Board on this matter. No one appeared.

Trustee McGee moved, seconded by Trustee Hoyt, and unanimously carried that the public hearing be closed.

Trustee McGee moved, seconded by Trustee Zollo, 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 August 2, 2006, and

WHEREAS, public hearing was held for the proposed action on August 21, 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:

1. In accordance with Article 8 of the State Environmental Conservation Law and 6NYCRR 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. 10 of 2006. Vote passed 7-0.

CONTINUED PUBLIC HEARING REGARDING A PROPOSED AMENDMENT TO  
THE SPECIAL USE PERMIT HELD BY TAPPAN HILL  
RESTAURANT/CONFERENCE CENTER TO PERMIT THE CONSTRUCTION OF  
A 3,500 SQUARE FOOT ADDITION TO THE FACILITY FOR STORAGE

Mayor Fixell asked Attorney Shumejda for an update.

Attorney Shumejda recommended that this hearing be continued. The application is currently being reviewed by the Planning Board. The Planning Board is going to have another public hearing on it at the end of this month.

Trustee Basher moved, seconded by Trustee Hoyt, and unanimously carried that the 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 McGee, and unanimously carried that the hearing be continued.

ANNOUNCEMENT OF A PUBLIC HEARING TO BE HELD ON SEPTEMBER 5, 2006, REGARDING A PROPOSED DEFINITION OF A "FAMILY" FOR ZONING CODE PURPOSES

Mayor Fixell asked Attorney Shumejda to explain.

Attorney Shumejda stated that this proposed legislation will update the current definition of "family" that exists in the zoning code. The current definition was enacted in the early 1990's. It is recommended to make this revision to the law which is consistent to all current case law.

ANNOUNCEMENT OF A PUBLIC HEARING TO BE HELD ON SEPTEMBER 5, 2006, REGARDING A PROPOSED AMENDMENT TO CHAPTER 218 OF THE VILLAGE CODE TO REPLACE EXISTING PROVISIONS WITH RESPECT TO PARADES WITH A FORMAL PERMIT PROCESS FOR ALL PUBLIC ASSEMBLIES

Mayor Fixell asked Attorney Shumejda to explain.

Attorney Shumejda stated this is to create a procedure for someone or an organization from Tarrytown who wants to hold a parade. This new legislation will require the applicant to submit a number of items to the Village Clerk: the type of parade, the duration of the parade, how the parade will be monitored, insurance, etc. This will allow the Village to make a knowledgeable and reasonable decision whether or not to grant the permit. The current law is rather vague, difficult to enforce and some ways difficult to interpret.

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

Linda Viertel, Gracemere, asked if the Board can update the public with respect to the work being done on the trees and debris due to the tornado at Wilson Park.

Administrator McCabe stated that Spectrum, now WCI, the developer of Wilson Park Drive property agreed to clean up the debris from the tornado beginning today. They also promised to trim the trees in the appropriate manner to avoid infestation. Other private properties in the Wilson Park area have also been cleaned up at this point.

RESOLUTION FROM MR. SAM VIEIRA FOR A WAIVER FROM THE LOH PARK DRAINAGE BASIN MORATORIUM IN ORDER TO CONSTRUCT AN ADDITION AT 15 BIRCH WAY

Mayor Fixell asked Attorney Shumejda to explain.

Attorney Shumejda stated that this is a home that the proposed new construction is 324 sq. ft. of new impervious surface. Village Engineer McGarvey recommended the Board of Trustees grant the waiver provision because the applicant has agreed not only to contain on site the water drainage from the 324 sq. ft. of new impervious surface but all the impervious surfaces on the property including the driveway and the house. This will enhance the purpose of the moratorium.

Trustee Butler moved, seconded by Trustee Pollack, and unanimously carried that the following be approved: Vote passed 7-0.

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown, based on the recommendation of the Village Engineer, hereby approves the request of Mr. Sam Vieira for a waiver from the Loh Park Drainage Basin moratorium in order to construct an addition at 15 Birch Way given that the proposed addition will result in diminishment of surface water drainage into the Loh Park drainage basin.

RESOLUTION AUTHORIZING AN APPLICATION FOR DESIGNATION AS A  
“PRESERVE AMERICA” COMMUNITY IN ORDER TO ENHANCE THE  
VILLAGE’S ABILITY TO SUCCESSFULLY APPLY FOR HISTORIC  
PRESERVATION RELATED GRANTS

Trustee Pollack moved, seconded by Trustee Hoyt, and unanimously carried that the following be approved: Vote passed 7-0.

WHEREAS, “Preserve America” is a White House initiative developed in cooperation with the Advisory Council on Historic Preservation, the U.S. Department of the Interior, and the U.S. Department of Commerce; and

WHEREAS, the goals of this initiative include a greater shared knowledge about our Nation’s past, strengthened regional identities and local pride, increased local participation in preserving the country’s irreplaceable cultural and natural heritage assets, and support for the economic vitality of communities; and

WHEREAS, this initiative is compatible with our community’s interests and goals related to historic preservation; and

WHEREAS, designation as a “Preserve America” Community will improve our community’s ability to protect and promote its historical resources; now therefore be it

RESOLVED, that the Village of Tarrytown, located in Westchester County, will apply for the designation of Tarrytown as a “Preserve America” Community; and be it further

RESOLVED, that the Village of Tarrytown will protect and celebrate our heritage, use our historic assets for economic development and community revitalization, and encourage people to experience and appreciate local historic resources through education and heritage tourism programs.

RESOLUTION REGARDING THE APPROVAL OF THE AMENDED 2005  
TARRYTOWN VOLUNTEER FIRE DEPARTMENT WORKER SERVICE AWARD  
PROGRAM RECORDS

Trustee Pollack moved, seconded by Trustee Butler, that the following resolution be approved. Motion carried, all voting “aye” with the exception of Trustee Hoyt, McGee and Basher who abstained. Vote passed 4-0.

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves the amended 2005 Tarrytown Volunteer Fire Department Worker Service Program Records as submitted by the Tarrytown Fire Department.

RESOLUTION AUTHORIZING THE SALE OF A BOND ANTICIPATION NOTE  
(BAN) TO SECURE FUNDING FOR CERTAIN CAPITAL IMPROVEMENTS  
INTENDED TO BE SUBSEQUENTLY FUNDED BY BONDED DEBT, AS  
RECOMMENDED BY THE VILLAGE TREASURER

Trustee McGee moved, seconded by Trustee Pollack, and unanimously carried that the following be approved: Vote passed 7-0.

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves the Bond resolution, dated August 21, 2006, authorizing the issuance of up to \$3,469,900 aggregate principal amount serial bonds of the

Village of Tarrytown, County of Westchester, State of New York, pursuant to the local finance law, to finance the costs of (I) the acquisition of communication systems, (II) the acquisition of aed units, (III) the construction of improvements to village streets, (IV) the reconstruction of village sidewalks, (V) the acquisition of machinery and apparatus for construction and maintenance, (VI) the acquisition, construction and reconstruction of improvements to the village water system, and (VII) the acquisition, construction and reconstruction of improvements to village sewer lines, all in and for the village.

RESOLUTION – FIRE DEPARTMENT PERSONNEL CHANGES

Trustee Basher moved, seconded by Trustee Hoyt, and unanimously carried that the following be approved: Vote passed 7-0.

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown approves the following Fire Department membership changes recommended by the Board of Fire Wardens' July 18, 2006 meeting: New Membership: Stephen D. Thompson Sr. elected to Active membership with Riverside Hose Company. Elena M. Brennen elected to Active membership with Consolidated Engine Company. Ryan Nyarady and Andrew Wilgermein elected to Active membership with Washington Engine Company.

RESOLUTION WITH RESPECT TO THE MAYOR'S APPOINTMENT OF A MEMBER OF THE TARRYTOWN TRANSPORTATION COUNCIL

Trustee Basher moved, seconded by Trustee Hoyt, and unanimously carried that the following be approved: Vote passed 7-0.

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby confirms the appointment by the Mayor of Walter Ferguson as a member of the Tarrytown Transportation Council to a term to expire in April of 2007.

RESOLUTION REGARDING THE AWARD OF THE CONTRACT FOR THE WATER DISTRIBUTION SYSTEMS CONTROL VALVES REPLACEMENT PROGRAM

Trustee Basher moved, seconded by Trustee Butler, and unanimously carried that the following be approved: Vote passed: 7-0

In response to a Request to Bidders, the following proposals were received:

Control Valve Replacement Program    Bid Date: July 11, 2006

<u>Contractor</u>	<u>Bid Amount</u>
1. Arben Group LLC.	\$148,890.00
2. Eventus Construction Co.	\$152,998.00
3. Wilken Construction Corp.	\$177,617.00

WHEREAS, the Village received three (3) sealed bids for the Water Distribution Systems Control Valves Replacement Program, Contract No. 2006-08, PCI No. 343, and

WHEREAS, it is the recommendation of the Village's consultant PCI and the Village Engineer that the bid be awarded to the low bidder, Arben Group LLC.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown, hereby awards contract #2006-08 for control valves replacement within the Tarrytown water distribution system to the low bidder Arben Group, LLC of Pleasantville, New York in the amount of \$148,890.00.



RESOLUTION –APPOINTMENT TO THE PLANNING BOARD – JOAN RAISELIS

Trustee Butler moved, seconded by Trustee Pollack, and unanimously carried that the following be approved: Vote passed: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby confirms the appointment of the Mayor of Joan Raiselis to the Tarrytown Planning Board to fill the unexpired term of Robert Stone which will expire April of 2009.

RESOLUTION DECLARING OLD WASHINGTON ENGINE FIRE TRUCK #78 TO BE SURPLUS AND DONATE TO THE PINECREST FIRE DEPARTMENT IN TENNESSEE

Trustee Basher moved, seconded by Trustee Hoyt, and unanimously carried that the following be approved: Vote passed: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby declares the old Washington Engine fire truck #78 to be surplus and approves donating it to the Pinecrest Fire Department in Tennessee.

APPROVAL OF THE MINUTES OF THE REGULAR MEETNG OF THE BOARD OF TRUSTEES HELD ON JULY 17, 2006

Trustee Hoyt moved, seconded by Trustee Pollack, and unanimously carried that the following be approved: Vote passed: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves the minutes of the board meeting held on July 17, 2006 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS #3

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

RESOLVED: The following Abstract bearing No. 3, dated August 21 containing Vouchers No. 000645 through No. 001085 is hereby ordered paid in the following amounts as presented:

General	\$ 448,190.05
Water	99,829.00
Capital	541,005.49
Library	26,644.02
Trust & Agency	<u>341,169.38</u>
Total	\$1,456,837.94

The Board was polled all voting “aye” with the exception of Trustee McGee who abstained from Voucher Numbers 000681, 000781, 000782, 000822, 000935, 000936, 000937, 001064, and 001083; Trustee Butler abstained from Voucher Numbers 000687, 000849, 000956, and 000901. Trustee Pollack abstained from Voucher Numbers 000687, 000849, 000901, and 000956. Motion carried 7-0.

PUBLIC HEARING REGARDING A PROPOSED FRANCHISE AGREEMENT BETWEEN THE VILLAGE OF TARRYTOWN AND THE VERIZON, NEW YORK INC.

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

**NOTICE IS HEREBY GIVEN PURSUANT TO LAW**, that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 21st day of August , 2006, at 8 PM, in the Municipal Building, 21 Wildey Street, Tarrytown, New York 10591 concerning the application of Verizon New York Inc. for an initial cable television franchise. At such time and place all persons interested in the subject matter thereof shall be given full opportunity to participate and be heard concerning same.

Copies of the application of Verizon New York Inc. for an initial cable television franchise are available for public inspection during normal business hours at the office of the Village of Village Clerk, Village of Tarrytown, 21 Wildey Street, Tarrytown, New York 10591

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.

Dated: July 20, 2006  
Village of Tarrytown

BY ORDER OF THE BOARD OF TRUSTEES  
CAROL A. BOOTH, VILLAGE CLERK

Mayor Fixell stated a few ground rules before the hearing began. There are a lot of people here. The hearing on this issue can go on for a long time. What we've decided is to allow Verizon to speak for ten minutes, then allow Cablevision to speak for ten minutes, and give them each five minutes for response. (The public hearing transcript is attached to these minutes in its entirety.)

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

#### ADJOURNMENT

Trustee Basher moved, seconded by Trustee Butler, and unanimously carried, that the meeting be adjourned at 9:25 p.m.

Carol A. Booth  
Village Clerk