

Board of Trustees
Village of Tarrytown
Regular Meeting No. 15
October 4, 2006 8:00 p.m.

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

The meeting began with the Pledge to the Flag.

REPORTS

Mayor Fixell reported on the following:

- Tomorrow night at 7:00 p.m. at the Senior Center we will be hosting a public forum with the project leaders of the Tappan Zee Bridge/I287/87 Corridor project. Representatives will provide an update and will also be available for questions and answers.
- He received a letter from a 78 year-old woman from North Carolina who is looking for her World War II sweetheart, Salvatore George Carfe, who was from Tarrytown. If anyone in the public knows this person, give a call to the Administrator's Office at 631-1885.

Trustee McGee reported on the following Library items:

- The Friends of the Library are holding their Book Sale the weekend of October 14th and 15th from 10:00 a.m. to 5:00 p.m. This is one of the principal ways the library raises money.
- The Hudson Independent has donated 600 bulbs to the Library and they are looking for gardeners who would like to help plant starting October 21st at 10:00 a.m.

Trustee Hoyt reported on the following Halloween events coming up with our Parks and Recreation:

- The Scarecrow Making event will be held on Saturday, October 14th at 10:30 a.m. at Patriots Park.
- The Pumpkin Hunt/Ragamuffin Parade will begin at the Patriots Park on Saturday, October 21st.
- The Window painting event on Route 9 will take place on Wednesday, October 18th. Please have the children pre-register with the Recreation Department or the Chamber of Commerce.
- The 5th Annual Halloween parade will take place on Saturday, October 28th starting at 4:30 at Patriots Park. The parade is followed by a block party on Main Street. It's a great event.

Trustee Butler stated that he will be meeting with the Tarrytown Lakes Committee tomorrow to finalize their scope of work and vision.

Trustee Pollack reported on the following:

- The Senior Citizens membership has expanded to over 290 members. Please look at the Village scroll for the activities and events coming up at the Senior Center.
- She would like to thank the Tarrytown Ex-Fire Chiefs for sponsoring their annual spaghetti dinner for the seniors of Tarrytown and Sleepy Hollow being held tonight. There were over 100 seniors in attendance. They also played bingo.
- Riverside Hose Fire Company will be holding their annual car and bike show on October 15th at the commuter parking lot. Rain date is October 22nd. Hope you can go and enjoy the day and support our local firemen.

Trustee Basher announced that Emily Spaulding of Cablevision would like to make an announcement.

Emily Spaulding of Cablevision stated that every year at this time, in the fall, we experience “sun sparkles”. Between now and the 13th of October, no matter who you have as your cable provider, the sun is in alignment with the earth and the satellite that is providing the cable signals. Therefore, while you are watching your television, it will start to sparkle and then go to black, then sparkle again and then come back. This will happen about twice a day to each channel that is received on the satellite. She wanted to make the people aware and also note that it’s temporary until October 13th.

RESOLUTION IN SUPPORT OF WESTCHESTER COUNTY’S EFFORTS WITH RESPECT TO CON EDISON AND POWER OUTAGES

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

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby expresses its support for the Westchester County Environment and Energy Committee’s efforts to improve conditions with respect to such incidents as the Labor Day 2006 power outages, particularly with respect to better communication from Con Edison during such occurrences.

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

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

(The entire public hearing transcript is attached to the minutes in its entirety.)

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

ANNOUNCEMENT OF A PUBLIC HEARING TO BE HELD ON OCTOBER 16, 2006 REGARDING THE PROPOSED CONTINUATION OF THE LOH PARK DRAINAGE BASIN BUILDING MORATORIUM

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

Diane Tuohy, 11 Storm Street, stated that she respectfully requests restitution for damages she incurred upon her property due to a Village tree. It was determined that tree roots had invaded her sewer line causing several backups of waste into her basement. She incurred a total of \$1,870.25 to correct the problem. She hopes that the Village Board will concur with her and that she shouldn’t have to endure this payment. Attorney Shumejda stated that the pipe from your home to the sewer line in the street is the responsibility of the homeowner. When a pipe is put in properly and maintained properly over a period of years, roots do not intrude into it. Tree roots enter a crack, a split, or hole in the pipe and they certainly can clog the pipe. The pipe is the property owner’s responsibility to maintain. The Village is not in a position to reimburse you for your pipe. Village Engineer McGarvey stated that it is his opinion that there is absolutely no way a tree root can get into a pipe that does not have some kind of crack, split or opening so that the tree root fibers or hairs can get in there and once they reach the water, they start growing and pushing and get thicker and thicker.

John Lynch, 10 Crest Drive, read a letter regarding the Tarrytown Union Free School District, Sleepy Hollow Middle and High School with respect to asbestos abatement deserving immediate attention and deliberate response to the potential harm it poses to our children. The children should not be allowed on the school site when abatement takes place and the demolition takes place.

Lori Semeraro, 205 Martling Avenue, requested that the Board look into incorporating playground equipment that disabled children can also use. There's only one park in the County that has such equipment. There is grant money and funding available to help off-set the cost. She asks if the Board could consider this as they move forward in the plans for the Neperan Road and Waterfront parks. Mayor Fixell stated that it was a good idea and that the Board will certainly look into it.

RESOLUTION FOR APPROVAL OF A CHANGE ORDER FOR THE
REHABILITATION OF NEPERAN PARK PROJECT

Trustee Basher moved, seconded by Trustee Zollo, and unanimously carried that the following be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves a Change Order for the Neperan Road Park Construction project not to exceed \$28,000 as detailed in the September 27, 2006 correspondence from Lucille Munz, our landscape consultant.

RESOLUTION – FIRE DEPARTMENT PERSONNEL CHANGES

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried that the following be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown approves the following Fire Department membership changes recommended at the September 19, 2006 Board of Fire Wardens meeting: New Membership: David Jacoby for Active membership in Consolidated Engine Company. New Driver: Henry Molina for a driver on Hope Hose.

ANNOUNCEMENT OF GRANTS RECEIVED FROM ASSEMBLYMAN
RICHARD BRODSKY AND STATE SENATOR NICHOLAS SPANO

Mayor Fixell stated that Senator Spano has provided us with two grants; a \$50,000 grant for a handicap accessible elevator in the Phenix Fire House as well as a \$30,000 grant for a naturalized play area for the Neperan Road Park. Assemblyman Brodsky has provided a \$5,000 grant for approved signage for the downtown. He thanks both of our representatives in the State Legislature for their help in improving our Village.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD
OF TRUSTEES HELD ON SEPTEMBER 18, 2006

Trustee McGee moved, seconded by Trustee Hoyt, and unanimously carried that the following be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves the minutes of the regular board meeting held on September 18, 2006 as submitted by the Village Clerk.

APPROVAL OF THE MINUTES OF THE EXECUTIVE SESSION MEETING OF
THE BOARD OF TRUSTEES HELD ON SEPTEMBER 18, 2006

Trustee Basher moved, seconded by Trustee Butler, that the following resolution be approved. Motion carried, all voting "aye" with exception of Trustee Pollack who abstained. Approved: 6-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves the minutes of the Executive Session meeting held on September 18, 2006 as submitted by the Village Attorney.

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF THE BOARD
OF TRUSTEES HELD ON SEPTEMBER 28, 2006

Trustee Basher moved, seconded by Trustee McGee, and unanimously carried that the following be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves the minutes of the Special meeting held on September 28, 2006 as submitted by the Village Administrator.

APPROVAL OF AUDITED VOUCHERS #6

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

RESOLVED: The following Abstract bearing No. 6, dated October 4, 2006 containing Vouchers No. 001407 through No. 001550 is hereby ordered paid in the following amounts as presented:

General	\$ 250,530.04
Water	57,926.52
Capital	463,362.10
Library	11,850.02
Trust & Agency	<u>194,715.21</u>
Total	\$978,383.89

The Board was polled all voting “aye” with the exception of Trustee McGee who abstained from Voucher Numbers 001492, 001493, and 001534. Motion carried 7-0.

ADJOURNMENT

Trustee Basher moved, seconded by Trustee Hoyt, and unanimously carried, that the meeting be adjourned at 9:20 p.m.

Carol A. Booth
Village Clerk