

Board of Trustees
Village of Tarrytown
Regular Meeting No. 2
April 16, 2007 8:00 p.m.

PRESENT: Mayor Fixell, presiding; Trustees, Basher, Butler, Hoyt, McGee, McGovern, and Zollo; Village Administrator McCabe; Village Treasurer Hart; Chief of Police Brown; Recreation Supervisor Arduino; Village Attorney Shumejda; and Village Clerk Booth

The meeting began with the Pledge to the Flag.

REPORTS

Mayor Fixell reported on the following:

- Mayor Fixell announced a commendation for the Tarrytown Fire and Police Departments who saved a life of a 22-year old man who jumped off the Tappan Zee Bridge on Easter Sunday. He wanted to particularly commend Kelly Murphy, Charlie Boyce, Eugene Gasparri, Frank Morabito, Bill Logan, Sgt. John Barbelet, Sgt. John Daly, and Police Officer Budnar.
- In yesterday's rain storm, the Tarrytown Fire Department had 35 alarms, of which 29 were pump outs; they were busy from 6 p.m. yesterday to this afternoon working all through the night. Also, yesterday at the request of Westchester County's Department of Emergency Services, the Tarrytown Fire Department sent 5 firefighters to Mamaroneck at 8 p.m. for major flooding and fire and then at 4 a.m., Riverside Hose was called out to Mamaroneck and returned at 2 p.m. The Fire Department responded to every single request they received and did a wonderful job.
- Westchester County sent out a news release urging anybody who did have damage due to the rain storm to document losses with photos and receipts. The County will use this information to try to qualify for federal disaster aid. People should gather this information and wait for further instructions.

Trustee McGee reported on the following:

- Monday, April 23rd from 7 – 8:30 p.m. there will be a hundred piece silent auction to take place in the Reading Room, 1st Floor of the Library.
- Thursday, April 28th, there will be a local author fare which will be held on the 3rd floor at 8 p.m. If you have any questions, you can contact the library or you can contact jross@warnerlibrary@gmail.com.

Trustee Hoyt stated that camp registrations are still being accepted at the Recreation Office. For more information, you can contact the Recreation Department at 631-8347.

Trustee Basher reminded the public that on Wednesday, April 25th, from 5:00 – 7:30 p.m., there will be a public meeting at Village Hall on the Tappan Zee Deck Replacement. There will be two presentations at 5:30 p.m. and 6:30 p.m.

ARBOR DAY PROCLAMATION

WHEREAS, In 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, This holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is observed throughout the nation and the world, and

WHEREAS, Trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, Trees are renewable resources giving up paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, Trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, Trees are a source of joy and spiritual renewal, and

WHEREAS, The Village of Tarrytown has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree-planting ways, and

NOW THEREFORE, I, Mayor Drew Fixell, Village of Tarrytown, do hereby proclaim April 27, 2007 as "ARBOR DAY" in the Village of Tarrytown, and I urge all citizens to support efforts to care for our trees and woodlands and to support our community forestry program, and

FURTHER, I urge all citizens to plant trees to gladden the hearts and promote the well being of present and future generations.

PUBLIC HEARING ON THE 2007-08 VILLAGE BUDGET

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

Mayor Fixell read excerpts of Treasurer's Hart's Presentation letter of the 2007-2008 Tentative Budget to the Mayor and Board of Trustees, which is attached to the minutes.

John Lynch, 10 Crest Drive, stated that in keeping with open government, the tentative budget was not available on the web site. Treasurer Hart stated that it will be on the web site tomorrow.

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

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 adopts the revised tentative budget for fiscal year 2007-2008 as presented by the Village Treasurer.

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

John Lynch, 10 Crest Drive, stated that in January, On Track Sports was opened where Prof Tech used to be in an industrial district. Zoning was changed in March 1998 to change the principle uses that basically everything but residential can be allowed on industrial sites. He feels that it basically usurps environmental state law.

RESOLUTION APPROVING THE ACQUISITION OF PROPERTY FOR A DOWNTOWN PARKING LOT

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

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 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 the purchase of property located at 4 Central Avenue, Tarrytown, New York, for \$305,000 for use as a parking lot will not have a significant adverse impact on the environment, and hereby adopts a Negative Declaration.
2. The Mayor is authorized to sign a contract for acquisition of the property located at 4 Central Avenue, Tarrytown, New York for \$305,000, subject to final approval by the Village Attorney.

CROTON POINT LANDFILL LITIGATION FUNDING

Attorney Shumejda stated that this is a law suit that the Village of Tarrytown along with a number of municipalities in Westchester County was served by the companies that paid for part of the Croton Point Land Fill Reclamation Project. The State of New York paid several millions of dollars, Westchester County paid several million of dollars and also private contracting firms and larger corporations also paid to have that site cleaned up. This is an attempt now to collect from the municipalities involved a certain portion of their expenses. The amount allocated to the Village of Tarrytown in their demand is \$85,000. This law firm is representing the Village and about 20 other municipalities and the matter is currently in arbitration in the federal court and will determine what if any responsibility the Village of Tarrytown along with numerous other municipalities has in this regard.

Trustee McGee 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 the appropriation of \$5,050 for the Croton Point Landfill Joint Defense Group in order to defend the Village and the consortium of municipalities in the group against a lawsuit to recover expenses incurred to clean up the defunct Croton Point Landfill, at which the municipalities deposited waste.

RESOLUTION TO APPROVE A BOND ANTICIPATION NOTE (BAN) AS RECOMMENDED BY THE VILLAGE TREASURER

Trustee Basher moved, seconded by Trustee McGovern, and unanimously carried that the following be approved: Approved: 7-0; Trustee Basher voted yes with a question with regard to all the library expenses; are those to be shared by the normal percentage with the Village of Sleepy Hollow. Treasurer Hart stated that the debt service is still on the 60/40 split.

BOND RESOLUTION, DATED APRIL 16, 2007, AUTHORIZING THE ISSUANCE OF UP TO \$7,619,664 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 AND CONSTRUCTION OF TWO VILLAGE FIREHOUSES, (II) THE ACQUISITION OF REAL PROPERTY, (III) THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF VILLAGE LIBRARY HVAC IMPROVEMENTS, (IV) THE ACQUISITION OF

A FIRE ALARM SYSTEM FOR THE VILLAGE LIBRARY, (V) THE ACQUISITION AND RECONSTRUCTION OF IMPROVEMENTS TO THE VILLAGE LIBRARY ROOF, AND (VI) THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO THE VILLAGE WATER SYSTEM, ALL IN AND FOR THE VILLAGE.

WHEREAS, the Board of Trustees of the Village of Tarrytown (the “Village”), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the acquisition and construction of two Village firehouses (\$5,205,515), (ii) the acquisition of real property (\$320,000), (iii) the acquisition, construction and reconstruction of Village Library HVAC improvements (\$650,650), (iv) the acquisition of a fire alarm system for the Village Library (\$84,499), (v) the acquisition and reconstruction of improvements to the Village Library roof (\$29,000), and (vi) the acquisition, construction and reconstruction of improvements to the Village water system (\$1,330,000), and, all in and for the Village, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$7,619,664, all in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

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 the action will not have a significant adverse impact on the environment, and hereby adopts a Negative Declaration.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Tarrytown, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$7,619,664, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes, or classes of objects or purposes, hereinafter described.

Section 2. The specific objects or purposes, or classes of objects or purposes, to be financed pursuant to this bond resolution (collectively, the “Project”), the respective estimated maximum cost of such specific objects or purposes, the principal amount of serial bonds, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, authorized for such specific objects or purposes, and the period of probable usefulness of such specific objects or purposes, or classes of objects or purposes, pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The acquisition and construction of a Village firehouse, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$5,205,515 for which \$5,205,515 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefor, having a period of probable usefulness of thirty (30) years pursuant to subdivision 11(a)(1) of paragraph a of Section 11.00 of the Local Finance Law (such building being of “Class A” construction as that term is defined in Section 11.00 of the Local Finance Law). Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(b) The acquisition of real property for the Village, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$320,000 for which \$320,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated

therefor, having a period of probable usefulness of thirty (30) years pursuant to subdivision 21(a) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(c) The acquisition, construction and reconstruction of Village Library HVAC improvements, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$650,650 for which \$650,650 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefor, having a period of probable usefulness of ten (10) years pursuant to subdivision 13 of paragraph a of Section 11.00 of the Local Finance Law (such building being of "Class A" construction as that term is defined in Section 11.00 of the Local Finance Law). Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(d) The acquisition of a fire alarm system for the Village Library, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$84,499 for which \$84,449 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefor, having a period of probable usefulness of ten (10) years pursuant to subdivision 25 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(e) The acquisition and construction of improvements to the Village Library roof, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor or any preliminary and incidental costs related thereto, at an estimated maximum cost of \$29,000 for which \$29,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefor, having a period of probable usefulness of twenty-five (25) years pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law (such building being of "Class A" construction as that term is defined in Section 11.00 of the Local Finance Law). Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(f) The acquisition, construction and reconstruction of improvements to the Village water system, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$1,330,000 for which \$1,330,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefor, having a period of probable usefulness of forty (40) years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project are not to exceed \$7,619,664; (b) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (c) no money has heretofore been authorized to be applied to the payment of the costs of the Project, except certain general fund monies which shall be reimbursed with a portion of the proceeds of such obligations authorized herein; (d) the maturity of such serial bonds authorized herein shall not be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Village, the Board of

Trustees of the Village took “official action” for federal income tax purposes to authorize the capital financing of such expenditure.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds as authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute on behalf of the Village all serial bonds issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to impress the seal of the Village (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. The faith and credit of the Village are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in The Journal News, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of publication of this bond resolution, or such summary thereof, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. Prior to the issuance of any obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the “obligations”), to finance the costs of the Project. The Village covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the Village, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the “Code”) (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on

such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution, or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made in connection with the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Board of Trustees of the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Village agrees, in accordance with and as an obligated person with respect to such obligations under, Rule 15c2-12 (the "Rule") promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of such obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and are not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney and such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution will take effect immediately upon its adoption by the Board of Trustees of the Village.

RESOLUTION AUTHORIZING AN EXTENSION OF THE SNOW AND ICE
AGREEMENT BETWEEN THE NEW YORK STATE DEPARTMENT OF
TRANSPORTATION AND THE VILLAGE REGARDING THE VILLAGE'S
PLOWING OF STATE ROUTE 9

Trustee Hoyt 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 authorizes an extension of the Snow and Ice Agreement between the New York State Department of Transportation and the Village regarding the Village's plowing of State Route 9 and authorizes the Village Administrator to enter into said Agreement.

RESOLUTION REGARDING THE DISPOSAL OF CERTAIN VILLAGE SURPLUS VEHICLES

Trustee Basher moved, seconded by Trustee McGovern, 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 declares as Surplus to be disposed of the following Village vehicles:

1994 Chevrolet 4DSD, ID #1G1BL52P5RR192167
1996 Chevrolet 4DSD, ID# 1G1B:52P3TR123971
1996 Chevrolet 4DSD, ID# 1G1B152POTR123717
1992 Chevrolet 4DSD, ID# 1G1BL83EXNW117832
1991 Mack – Dump G-3, ID# 1M2AM33C9MM001724
1995 Chevrolet 4DSD, ID# 1G1BL52PoSR173595
1996 Chevrolet 4DSD, ID# 2G1WN52MOT9108016

RESOLUTION AUTHORIZING THE INSTALLATION OF STOP SIGNS AT THE INTERSECTION OF NEPERAN ROAD AND HAMILTON PLACE AND AT THE INTERSECTION OF UNION AVENUE AND MARYMOUNT AVENUE

Trustee Basher moved, seconded by Trustee McGovern, 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, in accordance with the provisions of section 291-11 of the Village Code that, the following described intersections are hereby designated as stop intersections, and stop signs shall be installed as follows:

All new material is set forth in capital letters. Material to be deleted is set forth in parenthesis.

Section 291-73. Schedule VIII: Stop Intersections

In accordance with the provisions of 291-11, the following described intersections are hereby designated as stop intersections, and stop signs shall be installed as follows:

Stop Sign on	Direction of Travel	At Intersection of
NEPERAN ROAD	EASTERLY	HAMILTON PLACE
UNION AVENUE	BOTH	MARYMOUNT AVENUE

RESOLUTION IN SUPPORT OF STATE LEGISLATION REQUIRING THAT CONDOMINIUMS CONSTRUCTED AFTER JANUARY 2008 BE TAXED AS SINGLE-FAMILY DWELLING UNITS

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 urges the New York State Legislature adopt legislation entitled, A1574 and S1058, requiring that condominiums and cooperatives constructed after January 2008 be taxed as single family dwelling units; and the Board of Trustees hereby directs that certified notice of this resolution be forwarded to the New York State Senate and Assembly Leadership, State Senator Andrea Stuart-Cousins, State Assemblymen Richard Brodsky, and the Mayors/Supervisors of all Westchester municipalities and to NYCOM's Board of Directors.

RESOLUTION APPROVING THE APPOINTMENT OF A PART-TIME LABORER

Trustee McGovern moved, seconded by Trustee Hoyt, that the following be approved. Motion carried, all voting “aye” with exception of Trustee Butler who abstained. Approved: 6-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby appoints Steven Brady to the part-time position of Laborer in the Police Department Traffic & Parking Department at an hourly rate of \$12.50 effective June 28, 2007 through September 5, 2007 and as needed during school vacations.

RESOLUTION APPROVING THE APPOINTMENT OF A PART-TIME RECREATION ATTENDANT

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

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby appoints Andrew Hofgartner to the part-time position of Recreation Attendant in the Recreation Department at an hourly rate of \$9.50 effective April 17, 2007 through May 13, 2007 for not more than 17 hours per week and on a seasonal basis from May 14, 2007 through September 14, 2007.

RESOLUTION APPROVING THE APPOINTMENT OF A PART-TIME PARK GROUNDSKEEPER

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

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby appoints Johnny Guerrero as a part-time position of Park Groundskeeper for not more than 17 hours per week at an hourly rate of \$11.25, effective April 17, 2007 through October 26, 2007.

RESOLUTION APPROVING THE AWARD OF THE WATER MAIN REPLACEMENT – PHASE II CONTRACT

Trustee Zollo moved, seconded by Trustee Butler, 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 award of a contract for the Water Main Replacement – Phase II project to the low bidder, Ruckel’s Inc. of Congers, New York for the low bid of Eight Hundred Seventy Thousand, Seven Hundred Thirty-Eight Dollars and Fifty Cents (\$870,738.50) conditional upon the receipt of various items missing from the original bid package, as recommended by our water consultants, PCI, Inc. and Michael J. McGarvey, P.E., Village Engineer.

Water Main Replacement – Phase II, Contract No. 2006-9, PCI No. 341
Bid Opening – April 10, 2007

Ruckel’s Inc.	\$ 870,738.50
Rains & Wesh & Sons Contractors	\$ 1,001,258.90
Joken Development Corp.	\$ 1,047,865.00
Montesano Bros., Inc.	\$ 1,091,975.00
Rock Island Contractors, Inc.	\$ 1,101,100.00
ELQ Industries, Inc.	\$ 1,135,321.00
McNamee Construction	\$ 1,474,000.00

Danella Const. Corp. of NY	\$ 1,496,600.00
Bilotta Construction Corp.	\$ 1,273,047.00
58A JVD Industries	\$ 1,319,669.75
Engineers Estimate	\$ 1,100,000.00

RESOLUTION REGARDING THE RFP FOR YARD WASTE, COMPOSTING & WOOD PROCESSING

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 authorizes the Village to enter into a one-year contract with HLI Construction Services of Rye, New York to maintain the compost and yard waste facilities subject to the review of the Tarrytown Environmental Council and subject to the review of the Village Attorney and final sign off from the Mayor.

RESOLUTION AUTHORIZING MAYOR TO CHANGE ATTORNEYS

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

BE IT RESOLVED that the Mayor is authorized to sign consent to change attorneys from Boeggeman, George, Hodges and Corde to Hodges, Walsh and Slater LLP on the Caldwell, Jones and Ibrahim cases, subject to a report from the Village Attorney.

APPROVAL OF THE MINUTES OF THE ORGANIZATIONAL MEETING AND THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON APRIL 4, 2007

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

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves the minutes of the organizational meeting and the regular board meeting held on April 4, 2007 as submitted by the Village Clerk.

APPROVAL OF THE MINUTES OF THE EXECUTIVE SESSION OF THE BOARD OF TRUSTEES HELD ON APRIL 4, 2007

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

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves the minutes of the executive session of the Board of Trustees held on April 4, 2007, as submitted by the Village Attorney.

APPROVAL OF AUDITED VOUCHERS #19

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

RESOLVED: The following Abstract bearing No. 19, dated April 16, 2007 containing Vouchers No. 003841 through No. 004004 is hereby ordered paid in the following amounts as presented:

General	\$ 380,495.34
Water	106,654.33
Capital	230,300.97

Library	3,372.35
Trust & Agency	<u>9,466.61</u>
Total	\$ 730,289.60

The Board was polled all voting “aye” with the exception of Trustee McGee who abstained from Voucher Numbers 003860 and 003931, and Trustee Hoyt who abstained from Voucher Number 004003, 003892, 003852, 004002, 003934, and 003947 and Trustee Butler who abstained from Voucher Number 004004. Motion carried 7-0.

ADJOURNMENT

Trustee Basher moved, seconded by Trustee Butler, and unanimously carried, that the meeting be adjourned at 8:55 p.m.

Carol A. Booth
Village Clerk