

A Regular Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, November 17, 2008, at the Municipal Building, Van Wyck Street, Croton-on-Hudson, NY 10520.

The following officials were present:

Mayor Schmidt	Trustee Brennan
Village Manager Zambrano	Trustee Gallelli
Village Attorney Feldman	Trustee Olver
	Trustee Konig – absent

1. CALL TO ORDER:

Mayor Schmidt called the meeting to order at 8:05 p.m. Everyone joined in the Pledge of Allegiance.

2. APPROVAL OF VOUCHERS:

Trustee Brennan made a motion to approve the vouchers as follows, subject to review by the Audit Committee. The motion was seconded by Trustee Gallelli and approved unanimously.

General Fund	\$638,611.95
Water Fund	349.65
Sewer Fund	615.52
Capital Account	511,127.22
Trust & Agency	6,779.44
Total	\$1,157,483.78

a) Mayor Schmidt introduced Sandra Bullock who has been chosen from among several candidates to be the new Village Treasurer.

On motion of TRUSTEE Brennan, seconded by TRUSTEE Gallelli, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, Village Treasurer Abraham J. Zambrano was appointed Village Manager on September 2, 2008; and

WHEREAS, the Village Manager formed an interview committee and over the past several weeks, interviewed a number of highly qualified individuals: and

WHEREAS, of the individuals interviewed by the committee, three were recommended to the Village Board of Trustees for their consideration, and

WHEREAS, Sandra Bullock, who currently works in the budget office of the City of White Plains and who previously held the position of Village Treasurer in the Village of Spring Valley, New York, has been selected for the position of Village Treasurer of the Village of Croton-on-Hudson.

NOW THEREFORE BE IT RESOLVED: that the Mayor's appointment of Sandra Bullock to the position of Village Treasurer is hereby approved at a salary of \$105,000 effective December 8, 2008

b) Mayor Schmidt also announced the appointment of Missy Corvinus to the Recreation Advisory Board.

c) A group of students from Croton Harmon High School, representing the Future Business Leaders of America, Jason, Edwin, Timmy, Thomas and advisor Amanda, spoke on behalf of the Midnight run which is hosted by Croton-Harmon High School; they stated that their organization welcomed donations for upcoming runs; chhsfbla@croton-harmonschoools.org is the email address. The students added that they will be selling Entertainment books for 2009 at a cost of \$20.00 each; people can contact them at the above email address or telephone 271-8927.

d) Mayor Schmidt reported that there was a completed investigation regarding a microphone that was found in the ceiling of the meeting rooms; they found that it was nothing suspicious, but a part of the voice system that was installed in the 1981-89 time frame; this system was the precursor of taping meetings and was used as a recording system.

3. CORRESPONDENCE:

Village Manager Zambrano read the following correspondence (full text available at the Village Office)

- a) A letter from Andy Spano; asking for support for the Climate Communities and ICLEI USA Blueprint for the new President and 111th Congress; more information can be found at www.climatecommunities.us . Mayor Schmidt asked for approval to sign on as an endorser and perhaps put out a flyer similar to Bedford's. Trustee Gallelli added that residents don't have to wait for the flyer to do this and people can go to the www.westchestergov.com web site where there are many pages of steps individual households and government can do.
- b) A letter from Lisa Fine, Teatown Lake Reservation, asking for permission to erect an eagle viewing site at the boat camp adjacent to the Croton-Harmon MetroNorth station for their 5th annual EagleFest to be held on Saturday, February 7th. Trustee Brennan made a motion to approve the request with the usual caveats, seconded by Trustee Gallelli, approved by all.
- c) A letter from Jennifer Latham, St. Augustine's Episcopal Church, requesting permission to hold a 5K road race on Saturday, May 2nd. Mayor Schmidt asked Village Manager Zambrano to discuss details with Ms. Latham and bring the request back. Trustee Olver stated that he has contacted them and they are aware that there will be further discussion.
- d) A letter from NYS Board of Real Property Services with Notice of Tentative Special Franchise Assessment; this reduction would incur a loss of \$9,600 in tax revenues.
- e) A letter from US Senator Schumer regarding National Cyber Security Awareness Month (October); see website www.consumer.gov/idtheft
- f) A letter from Robert Hoch, Cablevision, regarding upcoming changes to rates for certain Cablevision services effective 12/1/08.

- g) A letter from Marjorie Castro, on behalf of the Croton on Hudson Rotary Club, thanking the Village for support of their Annual Classic and Collectible Car Show. Mayor Schmidt added that Rotary International has been instrumental in almost eradicating polio in the world through vaccination and sanitation.

4. CITIZEN PARTICIPATION (agenda items):

- a) Fran Allen, 7 Finney Farm, questioned the chemical treatment of Kaplan's Pond and the Duck Pond and what the adverse effects would be for creatures that live in those areas. She looked on the web and one chemical is an algaecide but there is a note that this herbicide cannot be sold in a few states, of which New York is one; she feels that there is a need to determine if this can or should be used here. Ms. Allen continued that the second chemical is a liquid concentrate with a margin of safety to fish, but she doesn't know what the impact is to the wildlife in the area; also, after an application, the water has to be held in Kaplan's Pond for 7 days and runoff from Kaplan's Pond goes through a lot of backyards via open streams; if applied during a rainstorm and water flows out, she doesn't know the implications. Ms. Allen suggested there is no need to make this arrangement right now, look into this and ask for more information. She added that several people have information about what creatures are out there and the lifecycles; they need to treat that area with care. Trustee Gallelli stated that she is inclined to think Fran raised some good questions, particularly the issue of its being used and/or for sale in NY State; it is best to delay and take this off the agenda tonight. Mayor Schmidt stated that right now the health of the ponds is rapidly declining because of the overgrowth of algae from over use of fertilizer; if we don't do anything, the ponds are going to die; the company that was going to do these treatments is based in New York and should know what chemicals are allowable. Village Manager Zambrano added that Bedford and Mt. Pleasant have used this company to treat similar situations.
- b) Demetra Tseckares-Restuccia, 3 Cedar Lane, stated that there is nothing completely natural or organic that can kill this stuff; however, there are things that can be done like dredging, taking material out by hand, capturing run off before it reaches the pond and the use of barley straw, especially at the Duck Pond. Mayor Schmidt replied that these procedures were done but didn't work, but perhaps if completely killed, it may work. Ms. Tseckares-Restuccia stated that this chemical has not been tested on amphibians and urged to look into it before adding it to the water. Mayor Schmidt stated that they may be able to get volunteers to do hand harvesting after getting it under control, but it is beyond that point right now. Trustee Olver stated that, based on discussions around this issue, he took a decision to stop using chemical fertilizers on his property and urged all to begin considering how to move on this issue of over-nutrition which affects the waterways. Ms. Tseckares-Restuccia added that she feels it is perfectly correct for the Village to pass a law banning chemical fertilizers since virtually all properties eventually affect either the Croton River or Hudson River as well as many ponds or streams and thinks that is the way the Board should go.

PROPOSED RESOLUTIONS:

- a) On motion of TRUSTEE Brennan, seconded by TRUSTEE Gallelli, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, on March 2, 2000 Westchester County entered into an agreement with Cablevision Lightpath for the provision of full voice, video and data transmission services along a high-speed telecommunications network for a five-year term commencing on January 1, 2001; and

WHEREAS, the agreement provided that Cablevision would allow municipalities in Westchester County to have access to these services under the same terms and conditions for a five year term; and

WHEREAS, the County and Cablevision have renewed the Cablevision agreement for an additional five year term commencing January 1, 2006; and

WHEREAS, the Villages utilizes Cablevision Lightpath for phone service and high-speed internet,

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to sign the intermunicipal agreement with Westchester County *upon approval of the Village Attorney* to allow the Village to continue to receive services from Cablevision Lightpath for the period between January 1, 2006 and December 31, 2011.

- b) The resolution was tabled for further discussion
- c) On motion of TRUSTEE Gallelli, seconded by TRUSTEE Brennan, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the Village Board has previously approved the contract with Bradhurst Site Construction Corporation for the Phase I portion of the Croton Landing/Riverwalk Improvement Project; and

WHEREAS, additional work not included in the contract is required consisting of the stabilization of a section of RiverWalk Trail near the edge of the Hudson River and the construction of the sea wall; and

WHEREAS, the stabilization consisted of the following: test holes were dug showing the existing fill soil to be unsuitable, two feet of the unsuitable fill soil needed to be removed and replaced with geotextile fabric and two feet of select fill material, and the section of shore line rip rap in the area of the unsuitable soil was reconstructed to protect the RiverWalk Trail; and

WHEREAS, the bridge over the sandy beach was replaced with a precast concrete sea wall system to protect the RiverWalk Trail and although the cost for the bridge was deducted from the sea wall cost additional funding is required; and

WHEREAS, the additional work has been reviewed by the Village Engineer and Hahn Engineering and found to be necessary;

WHEREAS, the additional work is located in Phase 1 of the project and therefore will be charged to Westchester County,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to sign Change Order No. 4 of the Riverwalk (Phase I) in the amount of \$73,334.50

Discussion: Trustee Gallelli stated that she has no doubt that this is a step that needs to be taken but has asked for an accounting of all the costs for Croton Landing; they need to keep track of the total numbers. Village Engineer O'Connor did come to a work session and brought the Trustees up to date on all the change orders.

d) On motion of TRUSTEE Brennan, seconded by TRUSTEE Gallelli, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the Village Board has previously approved the contract with Bradhurst Site Construction Corporation for the Phase 2 portion of the Croton Landing/Riverwalk Improvement Project; and

WHEREAS, additional work not included in the contract is required consisting of the reconfiguration of a section of the RiverWalk Trail between the parking lot and Comfort Station to accommodate emergency vehicles, the connection of the existing CSX service line to the end of the new water main to promote a continuous flow of water in the pipe to prevent freezing and stagnant water, an application of antigraffiti coating to the Comfort Station, and the upgrading of the guide rail to a rustic metal guide rail; and

WHEREAS, the additional work has been reviewed by the Village Engineer and Hahn Engineering and found to be necessary,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to sign Change Order No. 4 of the Croton Landing – Athletic Field (Phase 2) in the amount of \$11,607.17.

5. CITIZEN PARTICIPATION (non-agenda items):

Demetra Tseckares-Restuccia asked for an update of the proposed Harmon zoning recommendations. Mayor Schmidt stated that a work session is scheduled for Monday, November 24, to discuss this matter. Trustee Gallelli added that the Committee was very pleased with the presentation response and have been working hard on identifying specific questions, answers and solutions including FAQs; the committee will send that report to the Board shortly. Mayor Schmidt stated that this is a situation that will take a lot of time and thought; he did not believe after the meeting that the majority of the public was in favor of that particular solution and he reminded everyone that Board work sessions are open to the public.

6. APPROVAL OF MINUTES:

Trustee Olver made a motion to approve the minutes of the Regular Board Meeting held on November 3, 2008 as corrected. Trustee Brennan seconded the motion. The Board voted approval with Trustee Gallelli abstaining.

Trustee Brennan made a motion to approve the minutes of the Work Session held on November 10, 2008. Trustee Olver seconded the motion. The Board voted unanimous approval.

8. REPORTS:

Village Manager Zambrano reported negotiations were held with Verizon for FIOS services; will have to meet one more time before final agreement is reached which will be done in January, after which they will call for a Public Hearing; then it will have to go to the Public Service Commission for their approval. Trustee Olver added that citizens have received flyers offering this service, but it is not available yet; the delay is not the Village's doing; Verizon's super cautious approach required changes in legislation which delayed the process significantly. Village Manager Zambrano reported that leaf pick up will continue; in some areas leaves could not be picked up because of the weather, but those areas will be covered; the schedule for a new round of pick up is on the web site; bagged leaf schedule is posted also. Village Manager Zambrano reported that he went to Albany for the NYCOM meeting which addressed legislative issues; 4 topics were voted on as top concerns to be addressed; the NYCOM annual winter meeting will be held February 22-24.

Trustee Olver reported that the Croton-Harmon HS Tigers, for the first time, are in state playoffs and this is a great thing for the community. Trustee Olver reported that the daffodil planting last month went well, they ran out of daffodils; the Benedict Blvd. site seems to be a good one. He said "Well done" to the committee who proposed Sandra Bullock for Treasurer; the Board's unanimous pick of her says a lot of what is thought of her. Trustee Olver reported that some may have seen the announcement of a high school presentation at 7:30 pm of the results of the survey of high school students on substance abuse. He added that on the 24th, the Board will be discussing economic development and will be talking in broader terms than just the presentation, including alternate options. He added that the CAC will be making a presentation on a proposal for a recycling law which Croton does not have; the CAC is sponsoring a replanting of the flower bed near the train station on Sat. Dec 6th at 9:30 am. Trustee Olver reported that the next blood drive is Sunday December 7th; this is very important, supplies are tighter than usual.

Trustee Gallelli congratulated and welcomed Sandra Bullock and looks forward to working with her. Trustee Gallelli congratulated the Croton-Harmon football team who did a fantastic job on a misty Friday night. She noted that the Hendrick Hudson HS girls' volleyball team won states for the 3rd year. Ms. Gallelli reported that she attended a one day conference on Historic Hudson towns; it was very good, centered around the quadricentennial starting 1/1/09 and running for the entire year; there is a quadricentennial flag, but must be requested via resolution by the Board; they also focused on making a community marketable and how to do this and how to attract groups to the community. Trustee Gallelli reported that, regarding the cell tower, a public hearing was called for at the Planning Board meeting on 11/25. Trustee Gallelli reported that NYCOM has started a fantastic web site: www.stopthetaxshift.org ; a very clear and

understandable detail of mandates. Trustee Gallelli reported also that the Westchester County Board of Legislators passed an emissions law that will make it illegal for cars to idle for more than 3 minutes; it does apply to most of us and will take effect in 90 days. Trustee Olver stated that the Village will need an education campaign for Village vehicle users also. Mayor Schmidt added that this law will be enforced locally.

Trustee Brennan offered congratulations to the Croton-Harmon football team; he hopes they can go all the way; there is plenty of pride for the team. Trustee Brennan welcomed Ms. Bullock; she will be a great addition to the team. Trustee Brennan reported that he is more than pleased and proud that this Village is in excellent financial condition; sharing services with the Town of Cortlandt and the County are better than ever before. He added that he would like to go to Albany in February to review and discuss unfunded mandates; this Board has undertaken fiscal responsibilities which should be positive for the coming year and keeping it affordable to the people who live in this Village is job number one for him and the rest of the Board.

Mayor Schmidt thanked Pat Calcutti and the Central Veterans' Committee for hosting the Veterans Day ceremony; there was a large turnout; he also thanked Linda Puglisi for hosting a ceremony in the Town of Cortlandt. Mayor Schmidt suggested the CAC may want to consider planting daffodils in the hill area that was cleared across from St. Augustine's Church. Mayor Schmidt reported that the school/village presentation of the drug and alcohol report is a joint effort; hopefully this presentation may lead to applying for a grant to hire a coordinator that will work with the community. Mayor Schmidt wished everyone a Happy Thanksgiving and offered thanks to the staff who all do a wonderful job; transition is tough and everyone stepped up to the plate; all are dedicated employees who do a great job.

Trustee Brennan made a motion to go into executive session to discuss ongoing litigation regarding 1A Croton Point Ave. The motion was seconded by Trustee Gallelli, approved unanimously

Trustee Brennan made a motion to adjourn. Trustee Olver seconded the motion; approved unanimously. The meeting was adjourned at 9:45 pm.

Respectfully submitted,

Phyllis A. Bradbury
Secretary

Village Clerk