

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, March 16, 2009 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 Staudt	Trustee Konig
Absent -Treasurer Bullock	Trustee Olver

1. CALL TO ORDER:

Mayor Schmidt called the meeting to order at 8:00 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 Konig and approved unanimously.

General Fund	\$ 105,860.25
Water Fund	18,611.19
Sewer Fund	6,897.68
Capital Account	3,462.50
Trust & Agency	14,718.40
Total	\$ 149,550.02

Marc Cheshire was appointed Chairperson of the Quadricentennial Committee. He explained that this is a year-long celebration of three events-the 400th anniversary of Henry Hudson's sail of the Half Moon up the Hudson, the discovery of Lake Champlain; and the 200th anniversary of the sail of the Claremont, Fulton's steamship. He continued that this is a New York and Vermont event; the committee will coordinate events in the area and will work with various local organizations. Mr. Cheshire reviewed some of the events that are scheduled including one that will occur the day of Croton's Summerfest.

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

WHEREAS, the New York State Hudson-Fulton-Champlain Quadricentennial Commission was established under Chapter 590 of the Laws of 2002, to plan, develop, and coordinate the 400th anniversary in 2009, of the voyages of exploration made by Henry Hudson and Samuel de Champlain as well as the 200th anniversary of Robert Fulton's steamship voyage up the Hudson River; and

WHEREAS, these historic voyages of exploration in 1609 would change the world forever and lead to the European settlement of the New World and the innovation of steam travel and commerce in 1807, establishing the Hudson River and Lake Champlain as a corridor of trade, communication, politics and ideas, and that further, this vital north-south corridor of water

created other water links such as the Champlain and Erie Canals, which provided opportunities inland and encouraged the westward movement through these water routes; and

WHEREAS, the State and the Federal governments recognize the voyages of exploration and invention to be of historical importance and significance to New York State and the nation and recognize the tradition to observe these contributions made by Hudson, Fulton, and Champlain, by commemorating these events in 2009,

WHEREAS, as an Explore NY 400 Community, the community may use the Explore NY 400 logo, link to the Explore NY 400 website, and may be eligible for other state or federal assistance in Quadricentennial planning, events, and legacy projects; and

BE IT FURTHER RESOLVED the County/City/Town/Village named below supports the mission of the Hudson-Fulton-Champlain Quadricentennial Commission, and requests designation as an Explore NY 400 Community, and will be an active partner by establishing an Explore NY 400 Committee, and will collaborate with the state efforts in making the 400th anniversary a successful historic New York State event.

State of New York)
 ss:
County of Westchester)

I, Pauline DiSanto, Clerk of the Village of Croton-on-Hudson, in the County of Westchester, State of New York, do hereby certify that the annexed resolution is a copy of an original on file in my office and has been duly adopted at a regular meeting of the Board of Trustees of said Village held on March 16, 2009.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the said Village this 18th day of March, 2009.

Village Clerk

(Seal)

3. CORRESPONDENCE:
Village Manager Zambrano read the following correspondence (full text available at the Village Office):
- a) A letter from Leslie Snyder, Snyder & Snyder, LLP, with notification of a Special Permit Application by Verizon to the Town of Cortlandt.
 - b) A letter from the Croton Historical Society members regarding the Harmon Redevelopment Project and status of a historic building.

- c) A letter from NYS Department of Environmental Conservation asking for permission to use Mayo's Landing to monitor river herring from April 1st to May 31st, 2009. The Board gave unanimous support for the request.
- d) A letter from Gioffre, Cuddy & Feder regarding a Special Permit Application for MetroPCS New York LLC to co-locate a wireless telecommunication facility at Veterans Plaza. Mayor Schmidt asked that this be sent to the Planning Board
- e) A letter from Mitchell Klein, Croton Little League, regarding their annual opening day parade and ceremony which will be held on April 18, 2009. The Board unanimously approved the request
- f) A memo from Village Engineer, Dan O'Connor, requesting a six month extension of a Building Permit for 127 old Post Road No. The Board approved the request.

4. CITIZEN PARTICIPATION (agenda items):

No speakers

5. PROPOSED RESOLUTIONS:

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

WHEREAS: Sections 5-504, 5-506, and 5-508 of New York State Village law set forth certain procedures and dates for the adoption of the annual Village budget; and

WHEREAS : in accordance with Section 5-504 the Village Manager, as Budget Officer, will be filing the tentative budget in the office of the Village Clerk on March 20th ; and

WHEREAS: Section 5-508.3 provides that a public hearing shall be held upon the tentative budget, as changed, altered or revised, on or before the fifteenth day of April,

NOW, THEREFORE BE IT RESOLVED: that a Public Hearing is hereby called on the 2009-2010 Tentative Budget for Monday, April 13, 2009 at 8:00PM in the Meeting Room of the Stanley H. Kellerhouse Municipal Building.

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

WHEREAS, the Village Board at a work session has discussed the operation of a seasonal outdoor farmers' market; and

WHEREAS, the farmers' market would provide to the community access to farm products that are locally grown and truly fresh as well as be able to interact with the people who grow, raise or process foods; and

WHEREAS, farmers' markets can stimulate shopping at nearby stores by providing an attraction to people from outside the immediate community; and
WHEREAS, the Village property at Municipal Place is currently underutilized and centrally located with adequate space to operate a farmers' market.

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to sign the Farmers' Market Agreement with Zeltsman Associates, Inc. d/b/a Community Markets for the period of March 1, 2009 to December 31, 2010 subject to Village Counsel approval.

- c) On motion of TRUSTEE Konig 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 retainer agreement with Bond, Schoeneck & King for labor relations and employment law matters has expired on January 17, 2009, and

WHEREAS, the Village has received a new retainer agreement covering the period from January 18, 2009 through January 17, 2011; and

WHEREAS, the base rate for the retainer will remain at \$5,500 for professional services up to twenty (20) hours per year; and

WHEREAS time expended in excess of twenty (20) hours will be billed at an hourly rate of \$305.00 for Terry O'Neil's time, \$275.00 for Craig Olivo's time, \$225.00 -305.00 for other partners'; time and \$185.00 -215.00 for associate time.

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to sign the retainer agreement with Bond, Schoeneck & King for the period from January 18, 2009 through January 17, 2011.

- d) On motion of TRUSTEE Konig, 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, there was a bid opening on February 22, 2009 for athletic turf care; and

WHEREAS, this is for soil testing, fertilizing, pest control, core aeration at five (5) ballfields, Croton Landing, Duck Pond, Dobbs Field, Manes Field, and Firefighters field ;and

WHEREAS, seven companies submitted bids; and

WHEREAS, the Superintendent of Parks and Recreation has specific reservations about the low bidder as outlined in her March 10, 2009 memo to the Village Board and she recommends awarding the bid to Suburban Maintenance & Landscaping, and

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to award the contract for athletic turf care to Suburban Maintenance & Landscaping in the amount of \$9,345.00 for the five Village fields,

AND BE IT FURTHER RESOLVED: that the amount for the Village fields should be charged to Account #A7140.4000.

- e) Trustee Konig submitted the following bond resolution and moved for its adoption. The motion was seconded by Trustee Brennan. The Board of Trustees of the Village was polled. The motion was adopted by a vote of 5 affirmative votes (being at least two-thirds of the voting strength of the Board of Trustees of the Village) with 0 negative votes and 0 votes absent.

BOND RESOLUTION, DATED MARCH 16th, 2009, AUTHORIZING THE ISSUANCE OF UP TO \$59,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF CROTON-ON-HUDSON, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) THE ACQUISITION OF MACHINERY AND APAPRATUS FOR CONSTRUCTION AND MAINTENANCE, (II) THE INSTALLATION AND RECONSTRUCTION OF HVAC SYSTEMS FOR THE VILLAGE FIRE DEPARTMENT (III) THE ACQUISITION OF ALARM AND SIGNAL SYSTEMS FOR THE VILLAGE FIRE DEPARTMENT.

WHEREAS, the Board of Trustees of the Village of Croton-on-Hudson (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 of machinery and apparatus for construction and maintenance (\$17,000), (ii) the installation and reconstruction of HVAC systems for the Village Fire Department (\$20,000), and (iii) the acquisition of alarm and signal systems for the Village Fire Department (\$22,000), including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$59,000, all in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Croton-on-Hudson, 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 \$59,000, 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 of machinery and apparatus for construction and maintenance, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$17,000 for which \$17,000 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 therefore, having a period of probable usefulness of ten (10) years pursuant to subdivision 28 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

(b) The acquisition and installation of HVAC systems for the Village Fire Department, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$20,000 for which \$20,000 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 therefore, 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 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 of alarm and signal systems for the Village Fire Department, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$22,000 for which \$22,000 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 therefore, 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.

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 \$59,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) 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; (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 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 and the Gazette, newspapers 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 at the date of the 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 are 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 (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 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 or 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.

f) Trustee Brennan submitted the following bond resolution and moved for its adoption. The motion was seconded by Trustee Konig. The Board of Trustees of the Village was polled. The motion was adopted by a vote of 5 affirmative votes (being at least two-thirds of the voting strength of the Board of Trustees of the Village) with 0 negative votes and 0 votes absent.

BOND RESOLUTION, DATED MARCH 16, 2009, AUTHORIZING THE ISSUANCE OF UP TO \$38,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF CROTON-ON-HUDSON, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE ACQUISITION OF A FIRE CHIEF VEHICLE IN AND FOR THE VILLAGE.

WHEREAS, the Board of Trustees of the Village of Croton-on-Hudson (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 acquisition of a fire chief vehicle, in and for the Village, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$38,000, all in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Croton-on-Hudson, 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 \$38,000, pursuant to the Local Finance Law, in order to finance the costs of the acquisition of a fire chief vehicle in and for the Village, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto (collectively, the "Project").

Section 2. 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 \$38,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) 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; (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 3. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, as described in subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is five (5) years. The serial bonds authorized herein shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of issuance of such serial bonds, or (b) the date of issuance of the first bond anticipation notes issued in anticipation of the issuance of such serial bonds.

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 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 and the Gazette, newspapers 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 at the date of the 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 are 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 (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 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 or 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.

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

WHEREAS, Local Law No. 3 of 2003 was approved at a regular Village Board Meeting held on October 7, 2003; and

WHEREAS, this Local Law called for the setting of Village Fees through Board Resolutions; and

WHEREAS, the fee for Telecommunications Tower special permit has been set by the Board; and

WHEREAS, the fee schedule does not include the fee to be charged for a special permit application for co-locators on the Telecommunications Tower, and

WHEREAS, it has been recommended that this fee should be \$5,000.00 per application,

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby amends the Master Fee Schedule to add a fee for the use of co-locators on the Telecommunications Tower at the cost of \$5,000.00 per application.

6. The following resolutions were previously adopted at a special meeting held on March 3, 2009. The resolutions were scheduled for the March 2nd Board Meeting which was cancelled due to the snow.
- a) A change order for Croton Landing Athletic Field \$201,140.70
 - b) A change order for Riverwalk (Phase I) for \$40,719.56
 - c) The appointment of a new police officer

7. CITIZEN PARTICIPATION (non-agenda items):

- 1) Ian Murtagh, Young Ave., thanked the sitting board and his fellow candidates for the debate held last week. He added that the farmers' market at the former skate board park which was approved tonight is a good use of that parcel.
- 2) Marge Royce asked if there are enough parking spaces on Riverside for a community market. Mayor Schmidt replied that most cars will be able to park on the skateboard property; it will be cleaned up and someone will be there in the beginning to direct entrance and exit. Ms. Royce stated that she has lost track of the status of the Harmon Economic Redevelopment project. Mayor Schmidt replied that a RFP has been sent out for other proposals and they are being reviewed by the staff. Assistant Village Manager King added that she has received four proposals which Village Manager Zambrano and the Board will

be reviewing. Ms. Royce asked what is going on with the Harmon Committee. Trustee Gallelli replied that there is nothing going on right now; they are waiting for results of the RFPs and there are no plans to move ahead right now. Trustee Brennan stated that they will look at the RFPs and have the consultant look at the existing Harmon plan; the scale of the plan has changed several times which indicates to him it warrants more scrutiny; there are new businesses coming into Harmon and the Board will be moving forward appropriately. Trustee Konig added that the project is ongoing, but they wanted to look at other options.

- 3) Michael Mamone, 19 Young Ave., stated that there was approval to put a chemical into the drinking water, however, Croton water is the best around and he feels there is no need for more chemicals in our lives; we should protect the beautiful water supply, not add unneeded chemicals. He stated the Village should use common sense, clean methods; this chemical will cause more problems and will force the Village to add additional chemicals. Trustee Konig replied that she agreed that this is not something to rush into hastily; one of the reasons it is on the shelf is that it may be mandated by the State to use it and the Board did not want to be behind when it comes down; comments from residents are welcome.
- 4) Leo Wiegman stated that those who love the Croton and Hudson Rivers often look forward to looking for fish in the river and NY State is looking for monitors for herring spawning; contact them at 845 256-3172 or google: [DEC herring monitoring program](#) for more information. He stated also that there is a new radio signal for a local non-profit community radio station; the web address is www.wdfh.org; the station now has an antenna in Mt. Pleasant; it has good local news and can be found at 90.3 FM.

8. APPROVAL OF MINUTES:

- a) Trustee Brennan made a motion to approve the minutes of the meeting held on February 17, 2009 as corrected. Trustee Olver seconded the motion. The Board voted approval with Trustee Konig abstaining.
- b) Trustee Brennan made a motion to approve the minutes of the meeting held on March 3, 2009. Trustee Konig seconded the motion. The Board voted approval with Trustee Brennan abstaining.
- c) Trustee Konig made a motion to approve the minutes of the meeting held on March 9, 2009 as corrected. Trustee Brennan seconded the motion. The Board voted unanimous approval.
- d) Trustee Brennan made a motion to approve the minutes of the Executive Session held on March 9, 2009. Trustee Konig seconded the motion. The Board voted unanimous approval.

9. REPORTS:

Village Manager Zambrano reported that Marco Gennarelli and he met with a representative from NYS Dept. of Transportation regarding the patched paving on Rt.129 and they said it was not done properly because ConEd had not had time to pave before it got cold; they will look into this and ask ConEd to expedite the paving. Village Manager Zambrano added that he is trying to have the State attend to the cleanliness of Rt. 9 and they agreed to address that; he has asked for permission for Croton crews to do the exit ramps which they have done at times this year, but he is asking for permission to do the cleaning on a more regular basis. He reported that they met

with the new Verizon team about the pending franchise agreement; the delay is being caused by the reorganization of the Verizon negotiating team; they can be in the market as quickly as they want to be if they are willing to deal with the Village seriously. Trustee Gallelli added that she believes that other Westchester municipalities have encountered similar difficulties and one has withdrawn from negotiations. Trustee Olver added that Verizon is not coming forward with reasonable proposals to close the deal, although they have laid all the fiber optic and residents are waiting for the service. Village Manager Zambrano reported that he will be filing the budget this Friday; the work sessions are on the web site and the Public Hearing is scheduled for April 13th.

Trustee Konig reminded everyone that Wednesday is Election Day in the Municipal Building; if anyone needs a ride, they can call 271-3041 or 271-2476. Trustee Konig reported that this is the last Board meeting of her term and she thanked the staff and the community. Trustee Konig congratulated the Middle School students for their recent Aladdin play; the kids were fantastic and it was great to see the community support. Trustee Konig added that there was a CET disco night and the high school students who came to dance with the kids were terrific.

Trustee Olver thanked this Board; it has been an honor and pleasure to serve with all this past year. He added that however the results come out this Wednesday, it has been a treasured memory for him to have worked will all for the betterment of Croton; he has seen that people want to be involved and contribute their ideas and are a vibrant and highly skilled community. Trustee Olver reminded everyone that this is the last week to buy Girl Scout cookies; please look out for Scouts in your neighborhood; it is a worthy cause and teaches girls how to assert themselves in a positive way and how to handle money. He added that, hopefully, they will have better news about FIOS shortly. Trustee Olver reported that the Arboretum group met for its annual meeting; the Arboretum is in good shape; please take a look at the beautiful place; it is managed on behalf of the Village by fellow citizens. Trustee Olver asked residents to please come out on Wednesday and vote; freedom does have a price and the price is well worth paying; we have the right to choose representative and the right to be self governing.

Trustee Gallelli reported that the Seniors are now in the process of nominating a new slate of officers for next year. Trustee Gallelli reminded everyone that on the 27th and 28th, the High School will be producing South Pacific. Trustee Gallelli added that after the election Wednesday, there will be a reorganizational meeting in early April which will constitute who is elected and the holdovers from the Board; this is the last official meeting of this Board's term; some things didn't happen this year, but she is committed to be working with the next Board to move ahead with the study of the Harmon Development Committee proposal and the Bicycle/pedestrian Committee Master Plan adopted.

Trustee Brennan wished everyone Happy St. Patrick's Day tomorrow. He stated that it has been his pleasure to serve on this Board and with the staff for the last 4 years; it was a pleasure to work with these professional people. Trustee Brennan added that over the last year, some tremendous things have happened, such as the opening of Croton Landing Park, the opportunity to get the parking lot fixed, the changes in Village staff and he is proud that he has had an input. Trustee Brennan added that regarding Mr. Mamone's comments, the Village is on the brink of

mandated water treatment and this didn't get pushed through; hearings went on over several months; it was not pushed through by Republicans. He added that New York City has had no health related events over 40 years using this chemical (zinc orthophosphate) and this is the solution the consultant came back with. Trustee Brennan wished everyone well no matter how the election turns out.

Village Attorney Staudt wished everyone a Happy St. Patrick's Day.

Mayor Schmidt reported that he attended two Scouting events recently; one was to have them interview an elected official which qualified scouts for a merit badge; he received interesting questions; He added that he also attended a Cub Scout event where they moved on up to Boy Scout; about 120 people attended. Mayor Schmidt stated that Election Day is an important day; he hopes residents get out and vote. Mayor Schmidt stated that regarding the recent clean up of the highway; the reason staff could clean up the highway is because they are doing a much more efficient job; Marco Gennarelli and his staff have taken a committed effort to make Croton cleaner; the community has to look good to attract people here; the State is not always the best partner with this or doesn't necessarily have the resources, they are taking a big step allowing Croton to do this but it is time and money well spent. Mayor Schmidt added that people have stepped up to be on committees, but it is up to the residents to decide what this community is going to do; the entire Board feels some work needs to be done, but that will be decided by future boards. He stated that he is very happy having served the last 4 years; he thanked everyone who supported him and added that it has been an incredible process. Mayor Schmidt also thanked his family for allowing him to do this.

Trustee Brennan made a motion to adjourn. Trustee Olver seconded the motion which was approved unanimously. The meeting was adjourned at 9:30 pm.

Respectfully submitted,

Phyllis A. Bradbury
Secretary

Village Clerk