

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, April 20, 2009 at the Municipal Building, Van Wyck Street, Croton-on-Hudson, NY 10520.

The following officials were present:

Mayor Wiegman	Trustee Gallelli
Village Manager Zambrano	Trustee Olver
Village Attorney Feldman	Trustee Restuccia
Treasurer Bullock	Trustee Murtaugh

1. CALL TO ORDER:

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

2. APPROVAL OF VOUCHERS:

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

General Fund	\$ 254,841.05
Water Fund	27,789.10
Sewer Fund	6,345.98
Capital Account	150,912.41
Trust & Agency	5,925.00
Total	\$ 445,813.54

3. PRESENTATION:

Village Manager Zambrano introduced Josh Moreinis, Chair, Bicycle/Pedestrian Committee who gave a presentation of their recommendation for a Bicycle/Pedestrian Master Plan.

Members of the committee who were present were introduced. Mayor Wiegman thanked them for their presentation and Master Plan draft. Trustee Gallelli stated that their work was very important to the RBA group's traffic study and grant application which was recently approved; some of the plan will come to fruition as a result of the committee's work. Trustee Olver added that he has been present at many meetings; he has been appalled at the state of the pedestrian facilities and is concerned about pedestrian and bicycle safety especially around the schools; he is grateful the committee has persevered and got this done. Mr. Olssen stated that the Bike Week proposed date is September 3rd through the 13th ; it will include the Westchester Cycling Club's Golden Apple Ride which comes through Croton, and the last day will have the Tough Man Triathlon; last year they had over 30 local business people who offered 10% to 30% discounts to people who supported their business by bicycle and the committee hopes for more involvement this year. Trustee Gallelli spoke to how important this Master Plan is going to be in the future development of the Village; it lays down the groundwork. Trustee Murtaugh stated that, as a new board, this is just what they are looking for, to link businesses with pedestrians and recommendations are welcome.

Mr. Olssen stated that on April 7th, he and Village Manager Zambrano attended the first Westchester Bicycle Summit held in White Plains; several key Westchester figures were present; discussed at the meeting were the Greenway Trail and other Greenway proposals, alternatives to inter-modal transportation, putting racks on buses and then parking bicycles at the train station and specific bike racks. Village Manager Zambrano added that he looking into putting another bicycle rack at the train station.

4. CORRESPONDENCE:

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

- a) A letter from Robert Hoch, Director, Cablevision regarding the launching of Live Well HD network as part of the basic package.
- b) A letter from Robert Hoch, Director, Cablevision regarding the deletion of channel ABC Plus.
- c) A letter from Robert Hoch, Director, Cablevision, regarding channels that are now only available in digital format; they will be offering a free digital box for one year; he can be contacted at 914 378-4515.
- d) A letter from Thomas Taylor, Special Events Manager, National Multiple Sclerosis Society, regarding the upcoming bike ride for MS on October 18, 2009 and asking for permission to use the parking lot as a rest stop. Trustee Olver made a motion to grant the request, subject to the usual caveats; Trustee Restuccia seconded the motion; approved unanimously.
- e) A letter from Christine Cummings, Manager, Public Affairs, Con Edison, encouraging online paperless billing. See www.coned.com/thepowerofgreen
- f) A letter from Anthony Sutton, Commissioner, Dept. of Emergency Services, regarding the Westchester County Special Needs Registry for people who would not be able to leave their homes without help or who rely on special life-sustaining equipment. More information is available at: www.westchestergov.com/specialneeds. .
- g) A notice from the State Board of Real Property Services regarding the tentative Equalization Rate which shows an increase to 3.30 from 3.18 last year; the final rate will be done later this year.
- h) A letter from NY Metropolitan Transportation Council regarding a comment period and hearing for Transit Project Proposals for funding through the American Recovery and Reinvestment Act of 2009 which will be held April 16, 2009 through April 29, 2009.

Discussion: starting May 4th, the Board meeting will go paperless.

5 CITIZEN PARTICIPATION (agenda items):

- a) Mike Mamone, 19 Young Ave, stated that the State vehicle and traffic law specifically has laws regarding bicycles along with automobiles and trucks; a law said bicycles cannot impede the flow of traffic; he is not sure it is still in there, but if it is, Croton needs to follow the law; people are not driving at the posted speed limit; state law needs to be followed. Mayor Wiegman responded that much of the work the committee did was focused on the roadways that are not in the State DOT realm. Mr. Mamone replied that a road is still a road and bicycles cannot impede the flow traffic. He asked if we really have the money to build

overpasses and infrastructures; Westchester County taxes are out of sight and we cannot have everything; with due respect to the committee who did a lot of work, he would like to see the Village do the right thing.

b) Tex Dinkler, Batten Road, stated that they have been having water problems on Batten Rd for over 7 years and it seems he will be getting relief soon. He added that the Length of Service Award Program for the fire department, which rewards an individual for doing extra work, is successful and picks up extra people who get extra credit during the year; these people are doing more work for the fire department.

c) Joe Biber, 4 Cleveland Dr., stated that he does not see that bicycles will impede traffic; there will be a lane separation where there is more traffic. He added that the report does not mandate any spending; they are looking at grants and private spending; it will be a piece-meal implementation over time; expenditures are a wish list for when funds do come available; there are some low cost improvements suggested such as striping for crosswalks. Mr. Biber stated that Trustee Gallelli was more than just a liaison and thanked her. He also gave thanks to Josh Moreinis who got the committee through the lengthy processes. Mr. Biber stated that several people were implemental in getting bike racks installed in several places throughout the Village.

6. PROPOSED RESOLUTIONS:

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

WHEREAS, the Bicycle Pedestrian Committee was established in 2006; and

WHEREAS, since that time its members have conducted several public outreach meetings, and

WHEREAS, the Committee has identified several critical issues relating to bicycle and pedestrian safety in the Village and has made a number of recommendations to the Village Board and staff; and

WHEREAS, the Committee also worked closely with the RBA Group in identifying recommendations specific to the traffic issues surrounding the Croton-Harmon Train Station; and

WHEREAS, the Committee has now completed a Bicycle/Pedestrian Master Plan which is the product of many months of hard work and careful planning; and

WHEREAS, the Village Board of Trustees would like to publicly acknowledge the work of each committee member, specifically, Josh Moreinis, Chairman, Joseph Biber, Justin Casson, Jeremy Goldsmith, Karen Moy, and Robert Olsson, and

WHEREAS, the Village has analyzed the plan under the State Environmental Quality Review Act and its implementing regulations and, under SEQRA, the adoption of the plan is an unlisted action for which an Environmental Assessment Form was prepared: and

WHEREAS, it is not anticipated that adoption of the plan will have any adverse effect on the environment; rather, it is anticipated that the plan will be beneficial to the environment and the residents of the Village,

NOW, THEREFORE BE IT RESOLVED: by the Village Board of Trustees that the Bicycle/Pedestrian Master Plan is an unlisted action under SEQRA and that the board determines that the plan will not result in any significant adverse environmental impacts,

AND BE IT FURTHER RESOLVED; that the Village Board hereby adopts the Bicycle/Pedestrian Master Plan,

AND BE IT FURTHER RESOLVED: that this Plan will be utilized by the Village Board and staff as another planning tool along with other planning documents such as the Local Waterfront Revitalization Plan and the Comprehensive Plan when considering future initiatives.

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

WHEREAS, the Village of Croton on Hudson has entered into an agreement with the SPCA of Westchester Inc. to provide animal shelter care on an annual basis; and

WHEREAS, it is necessary to renew this agreement for the next fiscal year commencing June 1, 2009 through May 31, 2010;and

WHEREAS, there will no increase for this fiscal year;

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to sign the agreement with the SPCA of Westchester, Inc. to provide certain services to the Village for seized, stray and homeless dogs and cats in accordance with the terms of the agreement at the annual cost of \$6,416.55.

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

WHEREAS, one bid proposal for a 25 yard garbage truck body was opened on April 08, 2009; and

WHEREAS, the bid received was in the amount of \$69,990.00 from Sanitation Equipment Corporation, and

WHEREAS, after reviewing the documentation submitted and their credential the Superintendent of Public Works, Marco Gennarelli, has recommended that the contract be awarded to Sanitation Equipment Corporation,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to award the contract to Sanitation Equipment Corporation, of North Paramus, New Jersey at the price of \$69, 990.00

AND BE IT FURTHER RESOLVED: that the amount of \$69,990.00 be charged to capital account number H5130.2010.09174

- d) On motion of TRUSTEE Murtaugh, 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 2008-2009 contract with Con-Tech Construction Technology, Inc. for the sidewalk improvement program for sidewalk and curb has expired; and

WHEREAS, the contract was written for one year but allows for an extension of an additional year at the same prices if both parties agree; and

WHEREAS, it is the opinion of the Assistant Building Inspector that the extension of the contract would be in the best interest of the Village as the contractor's price is favorable and their performance is adequate; and

WHEREAS, the base contract amount would be \$243,375.00, excluding change orders; and

WHEREAS, change order number one will be at the cost of 15,000.00 for removal of existing asphalt and restoration of areas with top soil and entirely the responsibility of the Village; and

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to extend the contract for sidewalk and curb improvements with Con-Tech Construction for the amount of \$258,375.00 including change order number one;

AND BE IT FURTHER RESOLVED: that this amount should be charged to capital account #H-5110.2106.09158.

- e) On motion of TRUSTEE Gallelli, 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 bids for the Batten Road Drainage Improvement Project were opened on April 13, 2009; and

WHEREAS, 17 bids were received ranging from \$411,796 to \$707,030 including the alternates; and

WHEREAS, Bradhurst Site Construction Corporation had the lowest bid at \$411,796; and

WHEREAS, Bradhurst Site Construction Corporation has successfully completed the Croton Landing Project; and

WHEREAS, the Village Engineer recommends awarding the contract to Bradhurst Site Construction Corporation,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to award the Batten Road Drainage Improvement Project contract to Bradhurst Site Construction Corporation in the amount of \$411,796.00,

AND BE IT FURTHER RESOLVED: that all costs associated with this project will be charged to capital account #H8120.2106.07141.

- f) On motion of TRUSTEE Olver, 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 owners of Bari Manor challenged the 2008 assessment of its property, and

WHEREAS, the petitioner has agreed to settle the case so that the 2008 assessed value is \$267,915 and

WHEREAS, the Village Board agrees that settlement is in the best interest of the Village;

NOW THEREFORE BE IT RESOLVED: that the Village Attorney is hereby authorized to sign the Consent Judgment received on March 30, 2009 correcting the assessment roll, and the Village will refund the owner \$3,314.39 in excess taxes paid in the current fiscal year.

- g) On motion of TRUSTEE Murtaugh, 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 Volunteer Fire Department Service Award Program was approved by referendum in 2003; and

WHEREAS, Article 11-A of the New York State General Municipal Law requires that the list of members of the Fire Department indicating those who earned a year of service credit

during the calendar year, those that did not earn a year of credit, and those who waived participation must be certified under oath by the Fire Department; and

WHEREAS, once certified, this list must be approved by the Village Board and then posted for 30 days; and

WHEREAS, the Village Board of Trustees approved the list on February 02, 2009,

NOW, THEREFORE BE IT RESOLVED: that the Mayor is hereby authorized to sign the 2008 Sponsor Authorization Form.

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

WHEREAS, the Village Board of Trustees would like to pursue the option of allowing food vendors in Croton Landing Park and Senasqua Park subject to certain conditions; and

WHEREAS, Local Law Introductory Number 2 of 2009 and Local Law Introductory number 3 of 2009 has been drafted which would allow the use of food vendors in Croton Landing Park and Senasqua Park; and

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby calls for a Public Hearing at 8pm on May 4, 2009 to consider Local Law Introductory No. 2 of 2009 amending Chapters 168 and 172 of the Village Code.

- i) On motion of TRUSTEE Olver 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 Treasurer wishes to open both sides of the General Fund budget to amend the 2008-2009 adopted budget to record the receipt and expenditures related to NYS CHIPS reimbursement aid received by the Village;

NOW THEREFORE be it resolved that the Village Treasurer is authorized to amend the 2008-2009 General Fund budget to reflect the following changes.

Increase Account A1000.3597 \$39,920 (revenue account)

Increase Account A5182.2000 \$39,920 (expense account)

- j) Upon motion by Trustee Gallelli, second by Trustee Murtaugh, the Board approved a requested change order for Croton Landing in the amount of \$1,425.00. The motion was approved unanimously. Village Manager Zambrano stated that the formal resolution will be presented at the next meeting of the Trustees.

7. CITIZEN PARTICIPATION (non-agenda items):

Robert Gazzette, Batten Road, thanked the Board and Village Engineer O'Connor for their participation in passing the Batten Road Drainage Resolution tonight.

Mike Mamone, 19 Young Ave., asked the Board where the ZOP issue stands and is it going to be added to the drinking water or not. Mayor Wiegman replied that it is not in next years' budget.

Phyllis Morrow, Nordica Drive, spoke about the construction going on at the Nordica Dr. Pump House and stated that there are a lot of vehicles and a large excavation and the construction has been going on for two months. She added that a lot of the people who come to Mayo's Landing are not responsible people and could something be done about this becoming an unsupervised swimming hole. Mayor Wiegman replied that he would like to be briefed by the Village staff before making any changes, if any are necessary. Ms. Morrow replied that while there is a gate, the people use the Pump House to get down to the river; it is an open excavated pit next to Mayo's Landing and there is no one to supervise. Village Manager Zambrano stated that last year there was a police patrol boat and until we get that again, the Village will have to increase patrols. Trustee Restuccia stated that she will take a look at it; she is not interested in closing down Mayo's Landing; the kids will go there and swim no matter. Ms. Morrow stated that she also is not interested in closing Mayo's Landing but there should be a constructive way of dealing with this; she didn't buy her house to have police cars patrolling daily; there should be a policy to decide where the cars should park during the construction period; she is supportive of the project, but would appreciate trying to come up with a way to handle this rather than patrol cars.

Michael Mamone, 19 Young Ave., stated that last year he was shocked at how many people were at that point; regulation is not a bad thing and there should be something that can be done to restrict to Village residents only. Village Manager Zambrano replied that Village park registration is required. Trustee Gallelli added that she believes the patrolling from both the river side and land side was quite successful and she would like to see the results before making changes.

Robert Olssen, Hamilton Ave., distributed supplemental requests from the Bicycle/Pedestrian Committee and asked for the Board to review these at a work session. He added that there is a national organization that addresses bicycle/pedestrian designation for municipalities and an application that can be completed which calls for quite a bit of information. Mayor Wiegman stated that the Board will work on this application process.

8. APPROVAL OF MINUTES:

Trustee Gallelli made a motion to approve the minutes of the Annual Organizational Meeting held on April 6, 2009 as corrected. Trustee Murtaugh seconded the motion. The Board voted unanimous approval.

Trustee Restuccia made a motion to approve the minutes of the Board Meeting held on April 6, 2009 as corrected. Trustee Murtaugh seconded the motion. The Board voted unanimous approval.

Trustee Gallelli made a motion to approve the minutes of the Public Hearing on the Budget held on April 13, 2009 as corrected. Trustee Murtaugh seconded the motion. The Board voted unanimous approval.

Trustee Murtaugh made a motion to approve the minutes of the Executive Session held on April 15, 2009. Trustee Restuccia seconded the motion; approved unanimously.

9. REPORTS:

Village Manager Zambrano introduced Corey Crosbie-Foote who is working with the Village Manager's office as part of the HS CHOOSE program; he will be working with the Village to develop a questionnaire about programs students might want the Village to offer. He added that he will also be working on establishing a protocol for students who want to do volunteer work for the Village. Village Manager Zambrano reported also that the Village has recently been congratulated for 25 years of participation in Tree City USA.

Trustee Olver congratulated everyone who participated in the Little League parade last weekend. He added that the Girl Scout cookies have been received and are being delivered all over town. Trustee Olver reported that Earth Day will be celebrated in the Village on Saturday April 25th from 9 am to 1:30 pm, events are scheduled, such as a clean-up, arts & crafts, Girl Scout bingo, Solar Punch will play followed by David Goldman and there will be tee shirts while the supply lasts. Trustee Olver stated that the Board is working through the budget and he is aiming, along with his colleagues, to lower the budget, not hold the line on increases. He is added that he is very pleased that some departments have lowered their numbers, however some are insisting on increases; these days no one's budget is exempt; he is determined to hold the line this year. Trustee Olver added that they must add maintenance of the new park at Croton Landing; the EMS needs some facilities for the coming year; there are a number of recommendations for useful and low cost improvements that will be studied; he believes they are on track for a less than zero budget

Trustee Restuccia reported that the daffodils on Benedict which were planted last year are gorgeous. She added that it is going to be a warm weekend and be careful at the swimming holes. Trustee Restuccia added that she is interested in starting a community garden and if interested in contributing, please contact her.

Trustee Gallelli reported that she does concur with Trustee Olver's budget statement and they are spending a large amount of time paring the budget down to bring in the lowest budget for the coming fiscal year; next Monday night there will be a meeting to adopt the budget. Trustee Gallelli added that she is pleased about moving ahead with experimenting with park vendors for the summer; feedback from the community is that everyone is looking forward to this.

Trustee Murtaugh reported that he had a great meeting at the DPW garage with employees and a representative from a diesel oil conversion company which would allow vehicles to run on free vegetable oil donated by Village merchants who have to pay to get rid of it. He added that it is a win-win situation for merchants and the Village. Trustee Murtaugh reported that he saw

Congressman Jon Hall last week at the WMOA meeting and he brought up the disposal of pharmaceutical products which are being put into the environment; the county has a drop off site several times a year, but Trustee Murtaugh asked Village Manager Zambrano about having a Village drop-off site for proper and safe disposal. Village Manager Zambrano replied that he did contact the County but the Village must be careful how to proceed; the next County collection is May 8th at FDR Park; there is a need for a secure site to drop off pharmaceuticals in the Village and he will continue to explore this. Trustee Murtaugh stated that he has a letter from a resident (himself) from 2000 asking the Board to consider making left turns illegal from Rt. 129 onto Wood Rd. Village Manager Zambrano replied that he has spoken to someone from the State since Rt. 129 is a state road. Trustee Murtaugh reported that Stonecroft Farms on Rt. 301 will be opening this weekend for a plant sale. He added that Ossining is having a car show on Sunday afternoon by the waterfront.

Mayor Wiegman reported that he did post on the Village web site and sent to the Village list serve subscribers a request for volunteers for committees; he has received many responses and will be reporting on these including a new advisory group for public finance and also a sustainability team. He added that the Board has referred the Harmon Economic options to the attorneys to begin drafting a local law based on those recommendations; a public workshop will be put together in the next 4 to 6 weeks. Mayor Wiegman added that they will be beginning the analysis of other business districts in the Village.

Trustee Olver made a motion to adjourn. Trustee Restuccia seconded the motion; approved unanimously. The meeting was adjourned at 10:45 pm.

Respectfully submitted,

Phyllis A. Bradbury

Phyllis A. Bradbury, Secretary

Village Clerk