

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, June 1, 2009 at the Municipal Building, Van Wyck Street, Croton-on-Hudson, NY 10520.

The following officials were present:

Mayor Wiegman (joined late)	Trustee Gallelli
Village Manager Zambrano	Trustee Olver
Village Attorney Staudt	Trustee Restuccia
Treasurer Bullock	Trustee Murtaugh

1. CALL TO ORDER:

Deputy Mayor Gallelli called the meeting to order at 8:00 p.m. Everyone joined in the Pledge of Allegiance.

2. APPROVAL OF VOUCHERS:

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

Fiscal Year 2008-09

General Fund	\$ 190,014.36
Water Fund	3,083.14
Sewer Fund	254,344.90
Trust & Agency	<u>2,380.04</u>
Total	\$ 449,822.44

Fiscal Year 2009-10

General Fund	\$ 2,461,882.26
Water Fund	443,824.55
Sewer Fund	38,462.30
Debit Fund	<u>252,930.75</u>
Total	\$ 3,197,099.86

3. CORRESPONDENCE:

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

- a) A letter from County Executive, Andrew Spano with an invitation to participate in a County Sustainability forum which will be held on June 8th from 5:30 – 8:30 pm at Hilltop Hanover Farm, with subsequent forums to follow. Village Manager Zambrano stated that this letter will be posted on the Village web site.
- b) A press release from Con Edison, Christine Cummings, Manager, Public Affairs, announcing that Con Ed is investing approximately \$1.5 billion this year to upgrade and reinforce its electric delivery system and helpful energy saving tips are available on their

web site (www.conEd.com/thepowerofgreen). Mr. Zambrano stated that this announcement would also be posted on the Village web site.

- c) A letter from Paul Elconin, Stewardship Coordinator and Mid-Hudson Steward, Open Space Institute regarding their 2009 Conservation Easement monitoring report.
- d) A letter from Doris Daubney, complementing the CAC for the daffodils on Benedict Blvd. and asking for consideration of replacing the daffodils at the Duck Pond. Trustee Olver stated that the CAC has been mulling over expanding into other areas and they will be interested in considering this suggestion.
- e) A letter from Rev. Bradley C. Dyche, Rector, St. Augustine's Episcopal Church, thanking the attendees for the support of the recent 5K Run/Walk Race. Trustee Murtaugh stated that he was there that day, the runners had a nice view of the Hudson, and the police were there on the bikes.
- f) A letter from Village Historian, Joyce Finnerty reviewing the duties and accomplishments of the Historian and the Historical Society.
- g) A letter from Chris Kehoe, Planning Board Chair, regarding the proposed wireless services facility collocation at the DPW site, Veteran's Plaza and their recommendations. Trustee Gallelli stated that the next step is calling for a Public Hearing allowing Metro PCS to collocate on the tower. Trustee Olver made a motion for a Public Hearing to be held on June 15 for the collocation application. Trustee Restuccia seconded the motion; approved unanimously. Trustee Olver stated that this is about an additional provider who wishes to collocate on a tower that has already been approved.

5 CITIZEN PARTICIPATION (agenda items):

- a) Fran Allen stated that the WAC needs to act on the Metro PCS cell tower application and asked that they be given time to get it done before the Public Hearing; they have all the materials but need to schedule a meeting. Trustee Gallelli responded that if a meeting cannot be scheduled, the Board can hold open the Public Hearing until a report is received from the WAC.

6. PROPOSED RESOLUTIONS:

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

WHEREAS, the Village and the New York State DOT have entered into a snow and ice agreement which will expire in 2011; and

WHEREAS, the Village has received an amendment to this contract reflecting the severity of the winter for the 2008/09 period; and

WHEREAS, under this amendment the estimated expenditure has been increased from \$18,287.48 to \$35,210.72;

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to sign Amendment B of the Indexed Lump Sum Snow and Ice Agreement with New York State Department of Transportation expiring in 2011.

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

WHEREAS, the Village of Croton on Hudson ("the Village") and Local 456, International Brotherhood of Teamsters & Chauffeurs ("the Union"), are parties to a collective bargaining agreement covering the period June 1, 2006 – May 31, 2011 ("the Contract"); and

WHEREAS, the Union has requested that the Village voluntarily add the civil service classification of full-time Police Dispatcher to the bargaining unit; and

WHEREAS, the Village presently has one individual, Cari Daddio, employed in the civil service classification of full time Police Dispatcher; and

WHEREAS, the Village and the Union are desirous of resolving this matter without the time and expense of the formal representation process;

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to sign the stipulation of agreement with Local 456, International Brotherhood of Teamsters & Chauffeurs.

Discussion: Village Manager Zambrano gave the background. Trustee Restuccia asked what the financial ramification is to the Village. Village Manager Zambrano replied that there is no impact; she is already an employee and this just clarifies that her hours are flexible and pertains to just this one person and this will become part of the new contract in June 2011. Trustee Murtaugh stated that he wanted to make sure the Village has looked thoroughly into this. Village Manager Zambrano replied that this negotiation has taken over a year to resolve and has been looked into carefully.

- c) On motion of TRUSTEE Olver, 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, on May 18, 2009, the Village Board adopted a resolution authorizing the Energy Action Coalition to explore and develop project proposals for grant applications for potential funding for energy related projects; and

WHEREAS, an Intermunicipal Agreement among the cooperating municipalities has been written; and

NOW THEREFORE BE IT RESOLVED: the Village Mayor is hereby authorized to sign the following Intermunicipal Agreement with Northern Westchester Energy Action Coalition:

This agreement dated _____, 2009 is between the Towns of Bedford, Cortlandt, Lewisboro, New Castle, North Castle, North Salem, Ossining, Pound Ridge, Somers and Yorktown and the Villages of Croton-on-Hudson, Mount Kisco, and Ossining in Westchester County, New York.

WHEREAS General Municipal Law §239-n authorizes cities, towns and villages in New York to create intergovernmental relations councils to conduct surveys and research, to provide for the distribution of information, to cooperate with county, state and federal agencies, to conduct local and intercommunity planning, and to provide a forum for local governments to explore and develop areas for municipal cooperative activities as further authorized under Article 5-G of the General Municipal Law; and

WHEREAS the cooperating municipalities share the goal of increasing energy efficiency throughout their communities, reducing energy costs for municipal, educational, not-for-profit, commercial, and residential entities; and

WHEREAS the cooperating municipalities share an interest in:

- a. Establishing Energy Audit Procedures
- b. Decreasing Energy Demands
- c. Encouraging Renewable Energy Alternatives
- d. Maximizing the Benefits of Recycling and Other Solid Waste Management Practices
- e. Promoting Energy Efficient Land Use Planning
- f. Supporting a Green Innovation Economy
- g. Informing and Inspiring the Public of Energy Saving Opportunities
- h. Create local jobs
- i. Maximize benefits over the longest possible terms

WHEREAS the cooperating municipalities share the objective of establishing mechanisms and strategies for:

- a. implementing an energy management program; and
- b. enhancing the reliability of our electric supply; and
- c. offering the opportunity for homeowners and local businesses to earn money by accessing features of electric markets that pay for intelligent management of energy consumption; and
- d. offering the opportunity for homeowners and local businesses to gain knowledge about their real-time consumption to gain better control over that consumption; and
- e. achieving cost and research savings in the implementation of energy management through collaborative efforts; and
- f. achieving Intermunicipal cooperation in other efficient ways; and

WHEREAS the cooperating municipalities wish to explore mutually beneficial ways of:

- a. securing and sharing Federal, State, and County agency funding to accomplish these efforts and goals; and
- b. coordinating efforts with Federal, State, and County agencies and authorities to assure that activities are compatible with the plans and programs of the cooperating municipalities,
- c. leveraging Federal, State and County resources along with other public and private resources to accomplish these objectives

Discussion: Treasurer Bullock stated that this is for insurance claims which are not budgeted for and are additional revenue with expenses associated with recovery. Village Manager Zambrano added that the accounts being increased are the accounts where the expenses were charged; these figures balance themselves out.

e) On motion of TRUSTEE Restuccia, 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; the EMS Department had an opportunity to purchase an ambulance from Mount Kisco at a purchase cost of approximately \$50,000; and

WHEREAS, the EMS Chief had agreed to forego the Duty vehicle that was approved in the 2007-08 Capital Budget; and

WHEREAS, the funding (\$31,000) for the Duty vehicle had already been appropriated; and

WHEREAS, on February 17, 2009, the Village Board authorized the Village Manager to appropriate \$29,000.00 from the Fund Balance to pay the balance of the ambulance; and

WHEREAS, the Village of Mount Kisco has sold the ambulance to another agency for \$78,000;

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to return the \$29,000 back to the General Fund Balance.

Discussion: Trustee Restuccia asked when the purchase of an ambulance will be returned to discussion. Village Manager Zambrano explained the process that led to the reason for this resolution. Trustee Murtaugh stated that now that we are short a vehicle will Capt. Diggs be looking elsewhere. Village Manager Zambrano replied that he has spoken with Camp. Diggs who would like to attend a work session to discuss further with the Board.

Two additional resolutions not on the agenda:

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

WHEREAS, the Village has been awarded \$256,548 from Westchester County for an Urban County Community Development project; and

WHEREAS, this is for the High Street Infrastructure Improvement Project; and

WHEREAS, the contract has been extended by Westchester County until December 31, 2009,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to execute the contract with Westchester County when it is received to receive funds of

\$256,548 for the High Street Infrastructure Improvement Project.

2) On motion of TRUSTEE Olver, 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 High Street Infrastructure Improvement Project consists of the replacement of water and sewer mains, street paving, drainage improvements, and new sidewalks and curbs; and

WHEREAS, the Village has been awarded \$256,548 of CDBG funds for this project although the contract with Westchester County has not yet been executed; and

WHEREAS, the bids for the High Street Infrastructure Improvement Project were opened on March 17, 2009; and

WHEREAS, 13 bids were received; and

WHEREAS, Acocella Contracting had the lowest bid at \$899,675; and

WHEREAS, the next lowest bid was \$1,204,685; and

WHEREAS, Acocella Contracting has performed a variety of construction projects for the Village in the past and the Village has been satisfied with their work; and

WHEREAS, because of the poor state of the infrastructure in High Street it is essential for the Village to go ahead with this project this year; and

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to award the contract to Acocella Contracting in the amount of \$899,675,

AND BE IT FURTHER RESOLVED: that the costs of this project will be divided among the following accounts:

Sanitary Sewer

H8120 2106 04110

H 8120 2106 05121

Water

H8340 2106 09179

High Street CDBG

H8120 2106 06134

H8120 2106 07140

7. CITIZEN PARTICIPATION (non-agenda items):

1) Fran Allen, 7 Finney Farm, Chair of the Waterfront Advisory Committee, stated that she is here because of the Journal News article which appeared on Sunday regarding digging that was done at Croton Point and Indian artifacts being mishandled. She added that the WAC looked at this project a number of years ago, they met with the developer, however, something between now and those meetings has gotten lost; the WAC was in support of redoing the erosion controls they proposed, but made a special point with conditions. Ms. Allen read her memo and stated that apparently her memo got lost, perhaps because the project was on hold for quite a while. She added that she is extremely concerned about what has happened and would like a copy of her letter to go to the Dept. of State with a new cover sheet. Trustee Gallelli replied that she had the same thought when she read the article; she was on the WAC at the time the letter was drafted and agrees that they should resend that memo. Trustee Gallelli suggested resending the letter to all the appropriate places including the Army Corp. of Engineers. Fran Allen said that she will arrange to have that happen, but perhaps the cover letter should include the Board and/or Village Attorney's signature. Trustee Murtaugh stated that the Arboretum meeting had some discussion about the golf course and he asked Fran Allen to comment. Fran Allen stated that she has extensive documentation having to do with the water agreements between the golf course and arboretum. Ms. Allen reported that the meeting was an informal meeting and included Mayor Wiegman, Village Manager Zambrano and herself. Trustee Olver stated that there is an agreement between Village and the golf course mandating water supply from the golf course to the arboretum and there is a difference of view determining the appropriateness of this agreement.

2. The proprietor of Good to Go, stated that she bought Jean Jacques last July and is struggling with parking. She asked if the Village could put 30 minute parking signs in front of her store. Village Manager Zambrano replied that they may be able to make a few spaces and will ask for a recommendation from the Police chief; if he agrees, they will have to take out a legal notice which will take 30 days. Trustee Restuccia asked to relook at the morning and evening hours and please add this to the list of concerns. Trustee Murtaugh stated that it seems to make a fair amount of sense to make it 30 minute or 1 hour parking; Franzoso is not having the same type of problem. Trustee Olver stated that the case is very good; this not a good place for off peak train passenger parking but is the only place close to the station for off peak parking; day parking slots are gone by 9 am; he is in favor of shifting those spaces away from those businesses, but will need some place for off peak commuters to park as well.

3. Mike Mamone, 19 Young Ave., suggested allowing 5 minutes at work session for people to come on a more informal basis to speak. Mr. Mamone stated that regarding the Recreation Department, the last couple of years, their brochure has been thick; every program costs money; how many do we need? He added that residents must cut back on their appetite; do without and/or try and get people to pay for the programs on a graduated scale rather than put the burden on taxpayers. He stated that he recalls that the EMS proposal was to provide 3rd party billing and inquired what has happened to that. Village Manager Zambrano replied that it is in the works; the paper work is being processed at the federal level and it takes time. Mr. Mamone stated that the proposed three traffic lights will hold up traffic which needs to flow; it flows fine now except for an hour or two in the morning; pedestrians have a sidewalk, a crossing and crossing guard,

nothing more is needed; 20% of the proposal is going to be footed by the Villager which perhaps is as much as \$220,000; residents should have an opportunity to come and speak about this. Trustee Gallelli responded that when the actual detail work is done on this grant proposal, there will be adequate time for citizens to give their input; we are ways away from that. Trustee Restuccia stated that these are interesting points about the Recreation Department's brochure; however, these programs do pay for themselves, a lot of the programs are subsidized by those who attend; she will look at the others. Trustee Olver added that this week's news included another story that the NYS pension system has suffered a substantial shortfall that will have to be made up and the Board will have to make hard decisions; costs will be passed on to the municipalities.

8. APPROVAL OF MINUTES:

Trustee Olver made a motion to approve the minutes of the Board Meeting held on May 18, 2009 as corrected. Trustee Murtaugh seconded the motion. The Board voted unanimous approval.

9. REPORTS:

Village Manager Zambrano gave an update of the Verizon FIOS contract and read the Village's recommendation which gave the background of the process and provisions for cable franchise; he is still waiting for a complete proposal from Verizon; several items need to be agreed to and are still waiting for response from Verizon. Mr. Zambrano reported that they last met in March and this is June and the contract is still up in the air. Trustee Olver stated that he finds this situation distressing and disgusting; Verizon put in equipment last year and the Board expected to have service by the end of last year; Verizon has dragged their feet and he has lost count of the number of requests he has received from Verizon soliciting for FIOS service; they should cease and desist telling residents that the Village is holding up the service. Village Manager Zambrano replied that he did that and was told the selling is being done by independent contractors and Verizon cannot regulate them. Trustee Olver responded that this is rubbish; they are servants of Verizon and are subject to their actions. Village Manager Zambrano reminded residents that dog park permits expired on May 31 as well as parking permits.

Village Treasurer Bullock reported that tax bills went out today; if not received by Friday, please contact the Village office for a copy as they are due June 30th; the office will be open on Saturdays in June from 9am to 12 noon. She added that all payments should be made payable to Village of Croton on Hudson and mailed to 1 Van Wyck Street.

Trustee Olver reported that he was heartened again this year to see numbers continue to grow for the Memorial Day ceremonies; he estimated about 200 people attended. Trustee Olver stated that regarding FIOS, we really want the service and that's why he is so upset about the foot dragging; Verizon should bring service here consistent with patterns of other companies. He added that Cablevision's shift to digital is confusing to people; the Village Manager has been in touch with Cablevision and users will need a box but should be eligible for a free box for 12 months. He suggested that residents call 1 888 776-3135 and select option 3 for existing Cablevision customers who are not getting several channels because of the switch. Trustee Olver stated that he tips his hat to Marco Gennarelli for his success in putting in place crossbar markings across Croton Point Ave.; it is a big thing getting the State to cooperate especially

around ramps. Trustee Olver reported that the Farmers' Market will be opening on Wednesday afternoon and evening starting June 10th and every Wednesday through to the fall. He reported also that compost bins will be available at the wholesale cost of \$48 on June 20th, but need to be reserved before June 17th; residents can send their name, phone number and email to Jhannigan@crotononhudson-ny.gov with "compost bin" in the subject line.

Trustee Restuccia extended congratulations to the two new school board members. She thanked the Croton community for their support of Under the Stars which was a great success and it was sold out for the first time.

Trustee Gallelli reported that on Wednesday night there will be a presentation about the Harmon area potential rezoning by Saccardi & Schiff at the Harmon Firehouse; 7:30 pm to 9:30 pm. Trustee Gallelli stated that a lot of things written quoting her as being very anxious to have the Village buy into this proposal, is said in a somewhat disparaging way; but the committee wants the people in the Village to buy into the proposal. They need to understand, participate, come & listen to the presentation and ask questions; she is in favor of moving ahead. Trustee Gallelli reminded everyone that in February 2009, the Board passed a resolution to look at the feasibility of a parking structure and Janine King attended a parking conference held in Colorado; Miss King came back to the Village with a lot of information and they have decided to move ahead with this but a great many issues come into this beyond just the feasibility, so they are looking at doing a RFQ asking consultants to come to the Village and suggest how they would propose to do this, rather than the Village predefining the project. Trustee Gallelli added that a package will be prepared to send to appropriate consultants. Trustee Gallelli reported that the Saturday news regarding the NYS pension fund will have an adverse financial effect on the Village and could result in as much as a 10% increase for pensions alone; it will be a tough year ahead. Trustee Gallelli reported that Summerfest is Sunday and also River Day which is part of the Quadricentennial event and starts on Saturday with a flotilla of boats sailing up-river from NY harbor; they will be here Sunday morning and will be viewable from Croton Point Park; the Half Moon will anchor near Croton Landing about 11 am and there will be a canon exchange from the Croton Yacht Club & the Half Moon; then the Captain of the ship will disembark and come ashore to Croton Landing where there will be a small ceremony. She added that Summerfest activities will follow in the Upper Village where there will be parades, vendors, two bands, games, food and other activities.

Trustee Murtaugh reported that the compost bins have been well received by Village residents; last week he contacted someone about rain barrels and will propose these as a next initiative; they are passive, collect soft water off the roof of homes, reduce the burden on the infrastructure and saves money. Trustee Murtaugh reported that the Summerfest parade begins at 1 pm on Sunday. Trustee Murtaugh commented on how quickly Marco Gennarelli and Chief Tramaglino were able to convince the State that pedestrians had to be protected walking to the train station during the construction and he gave thanks to both; there was a lot more involved than just putting paint in the roadway.

Mayor Wiegman (arrived while the meeting was in progress) reported that a number of letters have been circulating with quotes from himself & Trustee Gallelli; a year ago, he was approached by the NYCOM to provide some details about how to revitalize business in small

Village Board Meeting

June 1, 2009

Page 12

communities, which he did and they are on the NYCOM web site; he quoted County Planning documents. Mayor Wiegman added that earlier tonight he attended the Croton Harmon HS Booster Club dinner for scholar/athletes; he learned tonight that 62% of Croton-Harmon Middle School and High School students participate in a full season of athletics during the course of a school year. Mayor Wiegman reported that he is looking forward to Summerfest this weekend.

Trustee Olver made a motion to adjourn. Trustee Restuccia seconded the motion; approved unanimously. The meeting was adjourned at 9:50 pm.

Respectfully submitted,

Phyllis A. Bradbury, Secretary

Village Clerk