

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, October 5, 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 8:00 p.m. Everyone joined in the Pledge of Allegiance.

2. APPROVAL OF VOUCHERS:

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

General Fund	\$ 80,892.20
Water Fund	11,767.57
Sewer Fund	283.10
Capital Account	9,594.32
Trust & Agency	2,176.50
Total	\$104,713.69

3. SPECIAL PRESENTATION:

Mark Magel, 18 Briggs Lane and a member of the CAC introduced Mr. William Greenawalt. Mr. Greenawalt gave a presentation about the task force who compiled a report regarding the growing problem of deer in Westchester County; in 1991 the deer population at that time was about 10,000, but is about three or four times that now; a foot survey was done at Ward-Pound Ridge Reservation and they found 69 deer per square mile. He stated that the County is going to allow bow and arrow culling at Muscoot Farm, Lasdon Park and Ward-Pound Ridge because County parks are being devastated by the deer; some other possibilities such as trap and release, sterilization or predators are not practical; a solution is needed that includes private and public lands; the task force has recommended deer management & monitoring, and public education. Trustee Gallelli asked if there will be a follow up report of results at the three parks where this is going to happen. Mr. Greenawalt replied that he has not been asked to tally the results, but will do it if asked; the public should know the results. Trustee Restuccia asked if the ultimate goal is to eliminate the deer population in Westchester County completely and is the meat eaten or wasted from bow & arrow hunting. Mr. Greenawalt replied that this fall, the County has arranged for venison to be picked up and will be given to organizations for consumption by the poor. Trustee Olver asked if the management program goal would be to reestablish equilibrium in the deer population that is more appropriate to the forest. Mr. Greenawalt replied that is true and they have identified some other parks where culling might be appropriate. Trustee Olver

stated that in the densely settled areas of Westchester County, deer wander about like pet dogs; if adjacent parks were opened to this hunting, what effect will it have on populated areas. Mr. Greenawalt replied that they do not believe it would send a lot of deer into more populated areas, some may flee the park area but not too likely; this is something they need to watch. Trustee Murtaugh stated that it is his understanding that 150 years ago, deer were near extinct in Westchester County, but he now sees bucks in his front yard which is near Rt. 9. Mr. Greenawalt replied that this is exactly what has happened, why, he is not sure, but deer have been allowed to propagate without limitations; it is better for the environment to shoot the doe. A resident stated that it sounds like culling is limited to parks and large spaces, what is the solution for homeowners. Mr. Greenawalt replied that it is a question of localities figuring out what is feasible; it may be possible to put together a culling program in an area like this but it must be carefully done; another possibility is a deer damage permit for individual homeowners, but this may be more difficult for a homeowner to get than a farmer; then residents could ask a professional to come in rather than have to shoot the deer themselves. Trustee Gallelli suggested that since the CAC was instrumental in bringing in Mr. Greenawalt; ask them to be the point of contact to keep on top of this issue. The Deer Task Force Report can be found on the Westchester County Parks Department web site and a link will be put on the CAC web site.

4. PUBLIC HEARING:

To consider the special permit application for Happy Hearts to operate a child care center at 10 Old Post Road South.

Desiree Drapala, 150 Maple St., stated that she is looking to expand her business and she has been working with the owner and with plans for construction; they are taking over the whole upstairs.

Public: Don Daubney asked what the pick-up and drop off plan is. Ms. Drapala replied that the schedule is 6:30 to 8:30 am and they will receive students in the rear and bring them into the building; evening pick-up the latest is 6:30 pm but they may be there until 7 pm if needed by parents. Mayor Wiegman asked if there is an enrollment cap you are targeting. Ms. Drapala replied that they will max out at 78 children, but not that many are needed to stay in operation; the space is broken up into 7 classrooms and an indoor play area. Mr. Franzoso, Hickson Rd., stated that he thinks this is a marvelous way to bring in commerce to the upper village.

Trustee Restuccia made a motion to close the Public Hearing; seconded by Trustee Murtaugh, approved unanimously.

RESOLUTIONS:

- a) 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 July 6, 2009 Desiree Drapala, of Happy Hearts, applied for a special permit to open a child care center located at 10 Old Post Road South; and

WHEREAS, on July 13, 2009 the application was referred to the Planning Board for its recommendation and review; and

WHEREAS, the Village Board of Trustees has received a favorable recommendation from the Planning Board regarding this application, and

WHEREAS, the Village Board of Trustees has caused to be drafted Part 2 of the Short Environmental Assessment Form which the board has reviewed and hereby adopts; and

WHEREAS, a Public Hearing was held and closed on October 5, 2009;

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees does hereby determine, based on the Environmental Assessment Form submitted to and reviewed by the Board, that this is an unlisted action,

AND BE IT FURTHER RESOLVED: that based upon the Environmental Assessment Form, and documents submitted by the applicant, the Village Board of Trustees hereby adopts a Negative Declaration with respect to this matter.

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

WHEREAS, on July 6, 2009 Desiree Drapala, of Happy Hearts, applied for a special permit to open a child care center located at 10 Old Post Road South; and

WHEREAS, on July 13, 2009 the application was referred to the Planning Board for its recommendation and review; and

WHEREAS, on August 31, 2009, the Village Board of Trustees received a favorable recommendation from the Planning Board regarding this application, and

WHEREAS, a Public Hearing was held and closed on October 5, 2009;

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby approves the Special Permit for the operation of a child care center located at 10 Old Post Road South subject to the following conditions:

1. To keep current all mandated New York State licensing
2. This permit is renewable every 3 years
3. That an employee of the center would be present at the back parking lot to accompany the children in and out of the center
4. That, on determination by the Village Administration, if in the future spaces in the rear parking lot are required for area businesses, parking spaces for Happy Hearts employees may be limited.

5) CORRESPONDENCE:

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

- a) A letter from Dr. Richard Izzo, ToughMan Triathlon organizer, expressing a thank you for assistance at their recent event.
- b) A notice from Rosalind Morrissey, Community Blood Program, regarding the annual community blood drive scheduled for December 16, 2009; this will be the last year for the drive at the High School on a Sunday.
- c) A letter from Alexander B. Grannis, Commissioner, State of NY, DEC, offering congratulations on Croton's adoption of the Climate Smart Communities pledge.
- d) A press release from Sandra Galef regarding the upcoming forum on improving real property assessments to be held at the Municipal Building.

6. CITIZEN PARTICIPATION (agenda items):

Lewis Montana, 5 Ackerman Court, stated that the presentation concerning deer was timely and long overdue. Mr. Montano stated that he wants to hear from Trustees what factors would prompt the Board to say that the Harmon rezoning was not a good proposal. Mayor Wiegman replied that he cannot answer as a board, but the impetus is driven by the empty storefronts; they have taken the cues from properties that are more successful and those who avoid vacancies and these were taken into account. Trustee Murtaugh stated that it is his intent to revitalize the area and not negatively affect the school or tax base. Trustee Gallelli stated that any and all potential impacts he raised, if shown to be an adverse impact in a cumulative way, this would cause her to take another look and possibly oppose it. Trustee Restuccia stated that she doesn't think anyone is spinning their wheels and wouldn't want to discourage anyone from expressing their concern; she has been reading reports, attending committee meetings and paying attention; the committee has been grappling with a lot of concerns; the goal is to help Croton reach its potential; she doesn't like all those empty stores and property owners need help right now. Trustee Olver stated that he would like to join in his commitment to the goal of rational development of Harmon to improve the business climate and streetscape; he assured everyone that steps have been taken to have technical experts look at the issues and the Board members have looked themselves and modified the proposal in response. Mr. Montano stated that he doesn't think anyone is in disagreement that filling up empty storefronts is a good idea but would like to identify the factors this board is concerned with when it comes time to vote; please keep an open mind; people may be voicing opposition, but are there in good faith; take all opinions seriously.

Don Daubney, Bungalow Road, stated that it is his understanding that two restaurants will be reopened and some type of auto business where the Dodge dealership will be reopened which would eliminate the need for rezoning because of empty store fronts in Harmon. He added that restaurants need parking; please save the community money and abandon the whole idea.

Bob Wintermeir, 43 Radnor, thanked Mr. Kehoe and Mr. Aaron for pointing out the concerns regarding insufficient parking spaces and the financial impact on the school district; we are not ready for SEQRA; a change was made just last week; this process has been going on for about a year and half or more and it may be a little late. Trustee Gallelli stated that this is just how SEQRA works; you get information and make changes based on that information. Mr. Wintermeir added that at a recent work session, the Village Board unanimously approved part 3

of the EAF after the village attorney raised the specter of Harmon of being non-green. Trustee Restuccia stated that Mr. O'Connor asked if developers were going to be asked to contribute to develop a park; however, there are already several little parks in the area, they decided it would be an additional burden on developers and they would not ask them to do this. Mayor Wiegman stated that they decided to not mandate a park contribution for any development; there already is a recreation fee associated with certain kinds of developments. Mr. Wintermeir asked if it is possible to reestablish audio taping the work sessions. Village Manager Zambrano replied that they stopped taping a little over a year ago; there is no requirement to have work sessions taped; there was some trouble with the recording device and his recommendation is to not record the work sessions. Mayor Wiegman added that when they were taped, the Village had hundreds of tapes and no one requesting to listen to them. Trustee Gallelli clarified an earlier point stated that there is a misconception that every property that exists in the proposed area can be developed to 0.8 FAR and this is a lack of understanding; if a business comes and applies and cannot meet the parking requirement, they will not be allowed to have the 0.8 FAR; this cannot be allocated in advance.

David Goldman, 76 Young Ave., asked when the final report will be ready. Mayor Wiegman replied that they have a draft of the EAF, Part 3 and have asked the village attorney to make changes. Mr. Goldman asked if you are waiting for comments from the Planning Board. Mayor Wiegman replied that he is sure the Planning Board will give feedback. Mr. Goldman stated that he does not see how the Village will maintain a small village character when this plan is in place; his opinion is to see zoning kept to .6 FAR and not mixed use.

Mark Franzoso stated that he has concerns about Harmon district rezoning when it is rebounding with restaurants opening up and Mr. Palladino wanting to reopen the auto business. Mr. Franzoso added that the original plan was everyone on one side of the street would sell their property and we will have a brand new complex; turns out most weren't told about this project; he is a property owner and local business owner and wants to see a healthy, vibrant community, but not sure mixed use is the way to go; it looks like commercial vacancies are being filled; he asked the Board to not vote for a public hearing on the 19th; he suggested something be put into the next village newsletter; more people need to know what is going on. He added that he would like an amendment saying day care is an allowable use; he has hired an attorney to look into this to keep the ball rolling. Trustee Murtaugh replied that they have been talking a lot about what is going on in the Village and doesn't think the scheduled date for the public hearing is too soon. Mayor Wiegman stated that property owners and/or attorneys are welcome to direct their questions to the Village Manager. Mr. Franzoso concluded that he doesn't think the plan is feasible and will not happen; it is not fair to the people on Young Avenue to have a three story apartment in front of them.

Phyllis Morrow, Nordica Drive, encouraged people to attend committee meetings. She stated that they made it a point to not draw heaving traffic to the Village, then the report seems to create something that will bring traffic to the Village. She asked why we need mixed use when there is a need for small office space; the issue is all the little details and how the puzzle fits in; the committee has to communicate better; what is the difference between affordable and subsidized housing; there is an issue of architecture. She asked the Board to do more getting facts and information out before it becomes rumor and also the parking thing is confusing. Ms. Morrow

asked if the Board will be voting right after the public hearing. Mayor Wiegman replied that sometimes they vote after the Public Hearing and sometime the Board leaves it open; he cannot predict what will be done.

Mark Aarons, 18 Georgia Lane, a member of Planning Board, stated that he would like to have a copy of the revised EAF at least a week prior to the Public Hearing. He stated that the school board is working on demographics and will be ready with a report in about 60 days; he asked why the Village Board is not waiting for that report. Trustee Gallelli replied that the consultants have had discussions with the Superintendent of Schools and they have had several conversations; the school consultant has been asking Saccardi and Schiff for information for their report. Mr. Aarons asked to get a copy of the school report before making a decision. Trustee Restuccia stated that she will ask when the report is due to be published; the school district is not just in the Village, it takes in parts of other towns; there is not now, and doesn't see in the near future, a desire to stop the building of single family homes outside of or in the school district; waiting for that report will not shed light on this particular issue. Mr. Aarons stated that they are not talking about existing zoning; they are talking about modifying zoning to allow further development. He added that at the Sept 15th HDC meeting there was discussion about financing; the only financing available right now is for the affordable housing market; is this one of the primary motivates for this project. Trustee Olver replied that has never been a motive behind this project; they have taken steps to discourage multi-bedroom residents within this plan; the focus is how to make small commercial spaces work in this Village. Mayor Wiegman added that the fact is that federal money comes with tremendous administrative paperwork and red tape and for that reason alone, it is not worth pursuing federal money unless you put in multi-hundred units; this scale is far too small to put in the work. Mr. Murtaugh stated that at the September 15th meeting, Mr. Biber stated these types of developments using the lost-cost money typically do not happen for structures that have less than 75 units.

Anthony Gagliotti stated that when the school board and village board had a meeting, the school board said they were at the saturation point; any more children in the Village would require an addition or a new building. He added that according to Village zoning, a family constitutes up to 5 people; a 1 bedroom apartment could have 4 people. Mr. Gagliotti stated that small pockets of affordable housing is working okay but should not be in the Harmon area; there have been people of all types who want to move into these vacant buildings; the Village Board must stop spending money on consultants. Mr. Gagliotti suggesting putting something in the Village newsletter to see if people are for or against it.

Joanne Minnett, 5 Van Cortlandt Place, stated that we have incomplete reports, changes are being made and relevant information from schools is missing so why consider having a public hearing scheduled in two weeks. She asked the Board to be rational public officials and give the public in the Village a chance to check out the revised report. Ms. Minnett asked how this will become revenue for the Village. Mayor Wiegman replied that this is not a housing plan and the question cannot be answered; a square foot of commercial space pays the same as a square foot of residential. Ms. Minnett stated that residential brings in people and increased expenses. Trustee Gallelli stated that people should be reading what is on the web site, not listening to rumors.

Bob Armanini, Thompson Ave., stated that if he was very new to this, he would see the number of 208 units in the Saccardi & Schiff report; he recommended holding off on any type of vote in the near future.

Regina Montana, 5 Ackerman Ct., admits she has not read a lot of the web site information, but thinks this plan would be more agreeable to residents if it focused on the problem of empty store fronts; hundreds of people will be coming into Croton for the Pumpkin Blaze but will come in and go right out of Croton without seeing the Village; mixed use is not a viable solution; if it focused on beautifying that area or encouraging business to come to the area, that would make our jobs easier; not so sure housing is where the Village should be focusing energies; it would be a lot easier to solve this without apartments and school issues. Trustee Olver stated that he agrees; several years ago consultants were hired to look at what kind of business would make a go of it in Croton, they concluded that the draw area for business wouldn't justify bigger stores, but should focus on smaller stores. Trustee Gallelli stated that many thousands will be coming into the Village and this Board, especially Trustee Murtaugh, has been actively working with these organizations to include information about restaurants and things to do in this Village, but there has been a very poor response from restaurants.

Anthony Gagliotti added that we have numerous businesses coming into Croton; he asked that the boards fast-track all these new businesses and hopefully the Village will see more business come in.

7. PROPOSED RESOLUTIONS:

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

WHEREAS, the Village Board is considering making certain revisions to its Zoning Law to expand the Harmon/South Riverside Gateway area and to modify the regulations for that area to encourage commercial development by facilitating market rate mixed use of properties; and

WHEREAS, the Village Board has caused to be drafted a Local Law to expand the area of, and modify the regulations for the Harmon/South Riverside Gateway area; and

WHEREAS, the Village Board has caused Parts 1 and 2 and 3 of a Full Environmental Assessment Form (the "EAF") to be drafted in connection with the Proposed Action; and

WHEREAS, the Village Board has caused a Coastal Assessment Form to be drafted in connection with the Local Law; and

WHEREAS, on July 13, 2009 the Village Board declared itself Lead Agency for SEQRA purposes in connection with the Local Law; and

WHEREAS, on July 13, 2009 the Village Board referred the draft Local Law, the EAF and the Coastal Assessment Form to the Planning Board, Waterfront Advisory Committee, and Westchester County Planning Board in accordance with Law; and

WHEREAS, the Village Board has received favorable response letters from Westchester County and the Waterfront Advisory Committee; and

WHEREAS, the Planning Board has had 4 meetings in connection with the Local Law and the Village Board has had a work session in connection with the Local Law, and

WHEREAS, as a result of public input and feedback to date the Village Board has caused a revised draft of the Local Law to be prepared (Local Law Introductory No. 4 of 2009);

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Village Board hereby schedules for a public hearing to consider Local Law Introductory # 4 of 2009, a Local Law to amend the Village of Croton on Hudson Gateway Overlay District by Expanding the Area of, and Modifying the Regulations for, the Harmon/South Riverside Gateway Area. The Public Hearing will be held in the meeting room of the Stanley H. Kellerhouse Municipal Building, 1 Van Wyck Street, Croton-on-Hudson, NY at 8pm on November 2, 2009 with the understanding that if the Saccardi and Schiff final report is not received within the two week review period, the Public Hearing can be rescheduled.

- b) 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; on July 13, 2009 the Village Board approved a proposal from Saccardi & Schiff for the expanded scope of the SEQRA review of the proposed zoning changes to the Harmon Gateway area of the Village; and

WHEREAS, at the September 24, 2009 Work Session the Village Board identified necessary changes to the proposed law; and

WHEREAS, it is necessary to revise the Draft Part 3 EAF to reflect these changes and to finalize the EAF; and

WHEREAS, Saccardi & Schiff has provided an additional proposal which will examine the potential impacts of the revisions to the law and incorporate this review in a final Part 3 EAF, and

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to approve the proposal from Saccardi & Schiff in the amount of \$3,000 for the completion of the Part 3 EAF for the proposed Harmon Gateway law.

c) On motion of TRUSTEE RESTUCCIA, seconded by TRUSTEE MURTAUGH, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with the following vote: Trustees Restuccia, Gallelli, Murtaugh and Mayor Wiegman voting "aye", Trustee Olver voting "nay"; motion passed.

WHEREAS; the Village was recently awarded a grant from the U.S. Department of Health Human Service and Substance Abuse and Mental Health Services Administration under the Drug Free Community Support Program; and

WHEREAS, Student Assistance Services Corporation will be providing services as part of the grant program; and

WHEREAS, Student Assistance Services Corporation has provided a contract for the services this agency will provide to the Village under the grant program; and

WHEREAS, the contract costs will not exceed \$14,580 of which the entire amount will be reimbursed under the grant program,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to execute the contract with Student Assistance Services Corporation subject to the review of the

d) On motion of TRUSTEE MURTAUGH, 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 Croton EMS had an opportunity to purchase a used ambulance from the Village of Mount Kisco at a cost of approximately \$50,000 and

WHEREAS, on February 7, 2009, the Village Board of Trustees unanimously approved a resolution authorizing such purchase utilizing funds previously approved for the purchase of a vehicle for the EMS captain in the amount of \$31,000 and the balance to be appropriated from the General Fund's fund balance, and

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

WHEREAS, on June 1, 2009, the Village Board of Trustees rescinded the previously authorized allocation of fund balance for the purchase of such ambulance, and

WHEREAS, the Croton EMS is still in need of an ambulance,

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees authorizes the purchase of a new ambulance and the addition of this project to the 2009-2010 capital budget, and

BE IT FURTHER RESOLVED, that the purchase of the ambulance be partially funded by the previously approved \$31,000 for the EMS Captain's vehicle and the balance to be financed by issuing a short term note for a period not to exceed five years in accordance with New York State Municipal Finance Law.

- e) On motion of TRUSTEE RESTUCCIA, 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, after multiple inspections, the Village Engineer, has determined that the retaining wall , located at 30 Hunter Place, which is in the Villages Right of Way, is in severe disrepair and needs to be replaced in its entirety; and

WHEREAS, the curbside will also need to be repaired and stockade fencing replaced; and

WHEREAS, the Village Engineer has received three proposals for the replacement of the retaining wall and curb work; and

WHEREAS, the three proposals received were from Laemmler's Landscapes and Construction Inc. in the amount of \$19,400, Con-Tech Construction Technology, Inc. in the amount of \$19,615 and Harper Construction Corporation in the amount of \$44,000; and

WHEREAS, the Village Engineer has also received three proposals for the fencing; and

WHEREAS, the three proposals received were from Dave's Fences in the amount of \$1,600, Quality Fence Company in the amount of \$1,860 and S.A.M Fence at \$2,375; and

WHEREAS, the Village Engineer has reviewed the proposals and recommends that the Village accept the two lowest proposals;

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to approve the proposal from Laemmler's Landscapes and Construction, Inc. for the replacement of the retaining wall located at 30 Hunter Place at a cost of \$19,400 and Dave's Fencing at the cost \$1,600

AND BE IT FURTHER RESOLVED: the total amount of \$21,000.00 should be charged to account number A5110.4000 Street Maintenance

AND BE IT FURTHER RESOLVED: that the Village Treasurer is authorized to transfer \$21,000.00 out of the contingency account number A1990.4000 to account number A5110.4000.

- 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, at a Board of Trustees Work Session on July 6, 2009, the Croton EMS was granted permission to operate its department on Village Owned property located at 44 Wayne Street for a two year period; and

WHEREAS, there were many necessary improvements that were needed before the property could be occupied; and

WHEREAS, most of the improvements have been accomplished by the members of the Croton EMS and with donations of goods and services from local organizations; and

WHEREAS, the oil burner and hot water heater are in need of replacement; and

WHEREAS, the Superintendent of Public Works has received two proposals for furnishing and installing a new oil burner and hot water heater; and

WHEREAS, the two proposals were from Castle Plumbing and Heating Inc. in the amount of \$7,470 and from North State Mechanical Corporation in the amount of \$11,650;

WHEREAS, the Superintendent of Public Works has reviewed the proposals and recommends that the Village accept the lowest proposal;

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to accept the proposal from Castle Plumbing and Heating Inc. in the amount of \$7,470 to furnish and install a new oil burner and hot water heater,

AND BE IT FURTHER RESOLVED: that the Village Treasurer is authorized to transfer \$7,470 out of the contingency account number A1990.4000 to account number A1620.2000.

- g) 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 Village Treasurer, Village Manager, Asst. Village Manager, and Financial Auditor reviewed the open capital projects as of fiscal year end 2008/09, and

WHEREAS, as a result of this review, it was determined that several projects had been satisfactorily completed, and

WHEREAS, in accordance with Generally Accepted Accounting Principles and General Municipal Law, a municipality's governing body must approve the closing of completed projects and authorize the transfer of balances back to the respective funds,

NOW THEREFORE BE IT RESOLVED: that the Village Treasurer is authorized to transfer funds as necessary as detailed below effective May 31, 2009.

**VILLAGE OF CROTON ON HUDSON
 CLOSED PROJECTS
 AS OF MAY 31, 2009**

PROJECT#	PROJECT NAME	PROJECT BALANCE	TRANSFER TO
94049	BALL FIELD COMPLEX	9.00	GENERAL FUND
97085	MISC. EQUIPMENT 96/97	1,518.00	GENERAL FUND
01050	GENERATORS/FOUNDATIO	2,896.00	DEBT SERVICES
06131	SIDEWALK REPLACEMENT	0.00	N/A
07143	VARIOUS EQUIPMENT	0.00	N/A
07144	GENERAL ROAD REPAIRS	0.00	N/A
8168	PHYSIO METRONICS LIFE PACK 12	0.00	N/A

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

WHEREAS, the Annual Audit of the 2008/09 fiscal year has been completed and the following budget transfers are necessary,

NOW THEREFORE BE IT RESOLVED: that the Village Treasurer is authorized to make the following amendments to the 2008/09 Sewer Fund budgets to reflect these changes:

SEWER FUND

INCREASE

Dept	Item	Amount
G8120	4000	5,500.00
G9010	8000	1,505.00
Total Increases		\$ 7,005.00

DECREASE

G8120	2000	105.00
G8120	4200	6,900.00
Total Decreases		\$ 7,005.00

8. APPROVED RESOLUTIONS:

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

WHEREAS; bids for the infrastructure work for the installation of the pay stations and the raising of the light poles were opened on September 25, 2009; and

WHEREAS, 3 bids were picked up and 2 were received; and

WHEREAS, the bid from PRM Electric Inc. came to \$111,200 for the pay station infrastructure work and \$24,000 for the raising of the light poles and the bid from F. A. Burchetta came to \$107,000 for the pay station infrastructure work and \$3,750 for the raising of the light poles; and

WHEREAS, the Village Engineer has reviewed the bids and recommends that the bid be awarded to F.A. Burchetta; and

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to award the bid to F.A. Burchetta in the amount of \$110,750 for the infrastructure for the pay stations and the raising of the lot poles at the parking lot,

AND BE IT FURTHER RESOLVED: that this amount should be charged to H5650 2101 98015.

Date: 9/28/09

9. CITIZEN PARTICIPATION (non-agenda items):

Bob Wintermeir 43 Radnor, commended the board for their deferral of the Public Hearing to Nov 2nd. He added that he supports a speedy resolution to any activity surrounding Mr. Franzosa's development plan; the process should go rapidly; he has heard some instances of difficulty for approval of other permits. Mr. Wintermeir stated that at a work session, there was discussion to get a bus around the Village as access to restaurants during the Blaze. Trustee Murtaugh replied that this didn't go through; he encountered difficulties; he encouraged restaurants to post their web sites or provide copies of their menus, but only 4 out of 25 restaurants responded; he will try again next year and he will be at Historic Hudson Valley's planning sessions starting in February. Mr. Wintermeir stated that there was a transit oriented study done in 2004 and a new study has to be done to assure there are acceptable traffic patterns in and out of the garage; he assumes there will be no apartments on top of the parking structure. He added that he is looking forward to a feasibility study for the parking garage project, but all are concerned about sinking; when the DPW was installed, they used over 100 pylons around the building to keep it from sinking. He asked if we can use that prior engineering study; pylons were put in the peripheral of the building, not the center. Trustee Restuccia stated that the VEB is not slowing down businesses, but are a group of talented professionals who are giving advice to people who want their businesses to succeed; streamlining what people need to do to open a business is a concern of all.

Don Daubney asked how the Village garden is doing. Mayor Wiegman replied that the soil testing is complete and has no problem; a 2 foot bed will be done this fall for planting next spring. Mr. Daubney asked if the participants are sharing the current costs. Trustee Restuccia replied that they are going to incur the expense of this; the fence & water line was put in by the Village; the top part of soil was removed by the DPW and tested; from here on out, the gardeners

are building the garden. Mr. Daubney asked if the space is going to be available to different gardeners each year. Trustee Restuccia replied that when gardeners want to leave, the plot will go to the next person on the list and they all will pay their water bill. Mr. Daubney stated that he does not view the Village sponsoring a garden as a bad thing, but does not believe the Village should subsidize the gardens.

Phyllis Morrow asked if the Village could get some energy efficient lighting at the train station.

10. APPROVAL OF MINUTES:

Trustee Restuccia made a motion to approve the minutes of the Board Meeting held on September 21, 2009 as corrected. Trustee Olver seconded the motion. The Board voted unanimous approval.

Trustee Olver made a motion to approve the minutes of the Work Session held on September 28, 2009. Trustee Restuccia seconded the motion. The Board voted unanimous approval

11. REPORTS:

There were no reports due to the late hour of the meeting.

Trustee Murtaugh made a motion to adjourn to Executive Session to discuss a personnel matter. Trustee Gallelli seconded the motion; approved unanimously.

Trustee Restuccia made a motion to adjourn the general meeting. Trustee Olver seconded the motion; approved unanimously. The meeting was adjourned at 12:10 am.

Respectfully submitted,

Phyllis A. Bradbury

Phyllis A. Bradbury, Secretary

Village Clerk