

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, November 16, 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- <b>absent</b>
Village Attorney Staudt	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 Murtaugh and approved unanimously.

General Fund	\$726,997.63
Water Fund	133.69
Sewer Fund	885.50
Capital Account	141,174.88
Trust & Agency	<u>20,498.22</u>
Total	\$ 889,689.92

3. PRESENTATIONS:

- a) To recognize those who contributed to making the Quadricentennial Celebrations a success. Mayor Wiegman read the names of the recipients who were awarded a certificate of appreciation on behalf of the Village.
- b) Village Manager Zambrano read a memo of recognition of Fred Sorenson for his 25 years of service. Mr. Sorenson has retired as of July 31, 2009.

4. CORRESPONDENCE:

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

- a) A notice of Tentative Special Franchise Assessment from NYS Board of Real Property Services that is now set at 3.30.
- b) A notice of Tentative Railroad Ceiling from the NYS Board of Real Property Services. *Note: These two assessments should generate approximately an additional \$33,000 of taxes to the Village.*
- c) A letter from Westchester Regional EMS Council Transportation Committee regarding the expansion of Ambulance Operating Territory and announcing a public hearing which will be held on Thursday, November 19, 2009 at 7:00 pm at the Westchester County Dept. of Emergency Services Training Center, Valhalla, NY.

- d) A notice from the Mid-Hudson South Mobility Advisory Forum regarding a meeting to be held on December 9, 2009 at the Westchester County Center, White Plains, NY at 10 am.
- e) A letter from Robert Hoch, Cablevision regarding rate changes effective December 1, 2009.
- f) A letter from Robert Hoch, Cablevision, regarding their iO Silver Package and HBO rate changes.

5 CITIZEN PARTICIPATION (agenda items):

- a) Bob Wintermeir, 43 Radnor Ave., addressed the Harmon Plan and referred to a letter read by Trustee Restuccia on behalf of Trustee Olver; he considers some statements made an affront to the residents of Croton; he has not heard the referred-to comments here or in the Gazette; he has heard concerns about increased taxes, additional traffic, congestion and inadequate parking; also a lack of evidence that Croton needs additional housing; that the rezoning plan is illegal and a referendum is required. He added that he also heard there is a lack of green space; this is a plan than requires property owners to give up space and a plan that will be hard to defend if other areas in the Village want similar planning. Mr. Wintermeir stated he has pointed out that some expert opinions were in error; there are no guarantees; we have a lot of people in the Village who need the facilities they are using and it is proposed to tear these down; the American way is freedom of speech. Trustee Murtaugh replied that he agreed with the substance of what Mr. Wintermeier said, but there was more than one letter read at the previous meeting. Trustee Murtaugh read a portion of another letter with differing viewpoint.
- b) Anthony Gagliotti stated that the majority of Village residents do not agree with the Harmon proposal; he has no animosity to any of the members on the Board; however, there are numerous flaws in the proposal; no one knows the real numbers; the School Board has said there is no more room at the schools; parking would become a disaster in an emergency; regarding empty stores, we should be friendly to businesses; the simple answer is you cannot put 10 pounds in a 5 pound bag-the room is not there, it is the most congested area in the Village and the plan cannot work; stop spending money on consultants; this is an ill advised plan that will come back to hurt us; the plan is for housing, not for the commercial area.
- c) Eileen Henry, Albany Post Road, said she has heard horrible and hateful things during this past year and was supportive of Trustee Olver's letter; some issues raised have been answered fully and completely; she supports this plan and thanks those against this plan for offering their respectful dialogue; a lot of issues and questions were raised that made everyone work harder; she applauded the committee, the Trustees and the administration.
- d) Mary Lally, 7 Cedar Lane, stated that she has been supportive of the project; a later thought is that maybe longer term residents are paying lower taxes then those just moving in; those older residents could be a little bit generous and offer consideration to those who pay more; find ways to be generous to each other, especially from those who have been here for a while.

6. PROPOSED RESOLUTIONS:

- a) 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 4 ayes, 1 absent:

RESOLUTION ISSUING SEQRA NEGATIVE DECLARATION AND CONSISTENCY DETERMINATION IN CONNECTION WITH 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

WHEREAS, in 2007 the Village Board formed the Harmon Business Development Committee (HBDC) to study and make recommendations to the Village Board to address the decline of the Harmon Business District; and

WHEREAS, after a lengthy and vigorous period of study with the assistance of expert consultants the HBDC presented its report to this Village Board entitled "Harmon Zoning Change Recommendations August 26, 2008 presentation to Board of Trustees of the Village of Croton-on-Hudson, New York by Harmon Business Development Committee"; and

WHEREAS, this Village Board carefully considered the recommendations of the HBDC and caused to be drafted Local Law Introductory Number 4 which was issued on July 8, 2009 embodying the HBDC recommendations and which, among other things, served as the original proposed action for SEQRA review; and

WHEREAS, the Village Board, as Lead Agency, issued Parts 1 and 2 of an Environmental Assessment Form in connection with the proposed action; and

WHEREAS, the Village circulated the proposed Local Law to various interested agencies including the Village Planning Board, the Westchester County Planning Department and the Village Waterfront Advisory Committee; and

WHEREAS, the Village Board, with the assistance of the Village Planning Board, caused to be prepared an Environmental Assessment Form Part 3 in connection with the proposed action; and

WHEREAS, thereafter, the Village Board and the Village Planning Board held multiple meetings at which the proposed action was publicly discussed and public input was taken; and

WHEREAS, as a result of the public discussion and input process, the proposed action was modified; and

WHEREAS, the draft EAF Part 3 was modified to analyze the revisions to the proposed action; and

WHEREAS, the EAF Part 3 was duly issued by the Village Board; and

WHEREAS, thereafter a public hearing on Local Law Introductory Number 4 2009 was duly held on November 2, 2009 where all interested parties were heard; and

WHEREAS, the Village Board has carefully considered all of the information and public comment which it has received regarding the proposed additions and modifications to the Harmon South Riverside Gateway District; and

WHEREAS, the Village Board members have carefully considered the criteria set forth in Section 617.7(a)-(c) of the SEQRA Regulations.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Village Board of the Village of Croton-on-Hudson hereby issues the written Negative Declaration which is attached hereto in connection with the proposed Local Law Introductory

Number 4 entitled "Local Law to Amend the Village of Croton-on-Hudson Gateway Overlay Zoning District by expanding the area of, and modifying the regulations for the Harmon/South Riverside Gateway Area"; and

2. The Village Board of the Village of Croton-on-Hudson hereby determines that the adoption of the above referenced Local Law complies with and is consistent with the policies, standards and conditions set forth in the Village's LWRP for the reasons set forth in the Environmental Assessment Form and Negative Declaration which have been issued in connection with the proposed Local Law, all of which are incorporated herein by reference, and in accordance with the recommendation of the Village's Waterfront Advisory Committee.

Discussion: Trustee Restuccia stated that it is an odd wording that it is a negative declaration which means it has been found there are no environmental issues. Trustee Gallelli stated that this is the first of several resolutions; she is very much in favor of moving this zoning proposal forward; they have been doing the SEQRA process for some time; thanks to everyone who took the trouble to become involved; she came to the conclusion we are on the right track; the process started in 2007 with a fine group of concerned citizens who worked very hard and came forward with an excellent analysis; increasing the commercial tax base decreases residential taxes; developing a marketing approach was part of the committee's first proposal and they also proposed streamlining Village processes; tonight is just one step of what will become a healthy, viable area in Harmon; they are not planning to knock anything down or build anything up, just providing an opportunity for property owners to do this if they wish. Mayor Wiegman concurred and offered thanks to everyone who raised questions which the committee, Trustees, Attorney and the staff analyzed; it is very important that simply allowing property owners to do something if they choose will not happen unless there is a marketing plan; the opposite of red tape is green tape and we are looking carefully at working with property owners to explain the process.

- b) On motion of TRUSTEE GALLELLI, seconded by TRUSTEE MURTAUGH, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 4 ayes, 1 absent:

RESOLUTION FOR ADOPTION OF LOCAL LAW # 4 of 2009

WHEREAS, in 2007 the Village Board formed the Harmon Business Development Committee (HBDC) to study and make recommendations to the Village Board to address the decline of the Harmon Business District; and

WHEREAS, after a lengthy and vigorous period of study with the assistance of expert consultants the HBDC presented its report to this Village Board entitled "Harmon Zoning Change Recommendations August 26, 2008 presentation to Board of Trustees of the Village of Croton-on-Hudson, New York by Harmon Business Development Committee"; and

WHEREAS, this Village Board carefully considered the recommendations of the HBDC and caused to be drafted Local Law Introductory Number 4 which was issued on July 8, 2009 embodying the HBDC recommendations and which, among other things, served as the original proposed action for SEQRA review; and

WHEREAS, the Village Board issued Parts 1 and 2 of an Environmental Assessment Form in connection with the proposed action; and

WHEREAS, the Village circulated the proposed Local Law to various interested agencies including the Village Planning Board, the Westchester County Planning Department and the Village Waterfront Advisory Committee; and

WHEREAS, the Village Board, with the assistance of the Village Planning Board, caused to be prepared an Environmental Assessment Form Part 3 in connection with the proposed action; and

WHEREAS, thereafter, the Village Board and the Village Planning Board held multiple meetings at which the proposed action was publicly discussed and public input was taken; and

WHEREAS, as a result of the public discussion and input process, the proposed action was modified; and

WHEREAS, the draft EAF Part 3 was modified to analyze the revisions to the proposed action; and

WHEREAS, the EAF Part 3 was duly issued by the Village Board; and

WHEREAS, thereafter a public hearing on Local Law Introductory Number 4 2009 was duly held on November 6th, 2009 where all interested parties were heard; and

WHEREAS, as a result of public comment and further consideration the Village Board has determined that tax lots 76, 77, 78, 83 and 84 in Section 79.13, Block 1 will not be included in the Gateway Zone, and their zoning status shall remain unchanged; and

WHEREAS, the members of this Village Board, after due consideration of all of the information and input described above, have heretofore enacted a Negative Declaration for SEQRA purposes in connection with the proposed Local Law.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. With the lot deletion described above, the Village Board hereby adopts Local Law Number 4 of 2009 entitled a "Local Law to Amend the Village of Croton-on-Hudson Gateway Overlay Zoning District by expanding the area of, and modifying the regulations for the Harmon/South Riverside Gateway Area".

Discussion: Trustee Restuccia, read a statement from Trustee Olver who was unable to attend this meeting. Trustee Restuccia, speaking for herself stated that this has been a complicated, layered process and read her statement. Trustee Murtaugh stated that the goal he believes in is to revitalize this area which is struggling, to allow individual property owners to maximize their investment; the report was thoroughly reviewed, modified and adjusted to where it is tonight. Trustee Gallelli stated that she is very confident this is moving to a more vibrant community. Mayor Wiegman stated that the committee is interested in looking at other business districts in the Village; the Harmon area has significant federal grant awards for better and safer pedestrian and bicycle routes to the station area and this district is closest to the train station.

c) On motion of TRUSTEE MURTAUGH, seconded by TRUSTEE RESTUCCIA, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 4 ayes, 1 absent:

WHEREAS; electronic pay stations for daily commuter parking at the Croton-Harmon Train Station will be installed and utilized in December of 2009; and

WHEREAS, the electronic pay stations allow for variable pricing based on the time of day, day of the week, holiday, multiple day, etc; and

WHEREAS, the electronic pay stations allow the commuter to pay directly at the pay station with cash, coin, credit card or debit card; and

WHEREAS, it will no longer be necessary for a commuter to stop at the ticket office to purchase a daily or overnight permit,

NOW, THEREFORE BE IT RESOLVED: that the Village Board hereby approves the attached fee schedule for the parking in the daily section – Section F – at the Croton-Harmon Train Station.

Proposed pricing for daily parkers utilizing electronic pay stations.

<b>Daily commuter rate</b>	
Monday - Friday	
4:45 am – 11:59 pm	\$1/hour - \$8 maximum
12 am – 4:45 am	Additional \$1/hour
<b>Multiple day rate</b>	
minimum 2 days, maximum 31 days	
12:00 am – 11:59 pm	\$10/day
<b>Non-resident Weekend daily rates</b>	
All day Saturday	
12 am – 2:55 am (Sunday)	\$5/day
All day Sunday	
12 am – 2:55 am (Monday)	\$5/day
<b>Non-resident Weekend Multiple Day Rate</b>	
Friday – Sunday	
3pm Friday – Monday 2:55 am	\$25
Saturday – Sunday	
Saturday 5am – Monday 2:55 am	\$16

- d) Trustee Gallelli moved the adoption of the following resolution. The motion was seconded by Trustee Murtaugh. The Board of Trustees of the Village was polled. The motion was adopted by a vote of 4 affirmative votes (being at least two thirds of the voting strength of the Board of Trustees of the Village) and 0 negative votes and 1 absent vote.

**BOND RESOLUTION, DATED NOVEMBER 16, 2009, AUTHORIZING THE ISSUANCE OF UP TO \$507,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF CROTON, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF VARIOUS PUBLIC PURPOSES, INCLUDING (I) THE ACQUISITION OF A VEHICLE, (II) THE ACQUISITION OF PARKING LOT PAY STATIONS AND (III) THE ACQUISITION OF VARIOUS COMPREHENSIVE PLANS AND STUDIES, IN AND FOR THE VILLAGE.**

**WHEREAS**, the Board of Trustees of the Village of Croton (the “Village”), located in Westchester County, in the State of New York (the “State”), hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (1) the acquisition of a vehicle (\$32,000), (2) the acquisition of parking lot pay stations (\$100,000), and (3) the acquisition of various comprehensive plans and studies (\$375,000) and other preliminary and incidental costs, in and for the Village, at a total cost not to exceed \$507,000, in accordance with the Local Finance Law;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Croton, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village in the aggregate principal amount of up to \$507,000, pursuant to the Local Finance Law, in order to finance costs of the specific objects or purposes hereinafter described.

Section 2. The specific objects or purposes or class of objects or purposes to be financed pursuant to this bond resolution, the respective estimated maximum cost of each item of such specific objects or purposes or class of objects or purposes, the principal amount of serial bonds authorized herein for such specific objects or purposes or class of objects or purposes, and the period of probable usefulness of such specific objects or purposes or class of objects or purposes thereof pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The acquisition of a vehicle, together with applicable incidental and preliminary costs in connection therewith, at an estimated maximum cost of \$32,000 for which \$32,000 principal amount of serial bonds are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 29 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) by the date of the first bond anticipation notes issued in anticipation of the issuance of such serial bonds.

(b) The acquisition of parking lot pay stations, together with applicable incidental and preliminary costs in connection therewith, at an estimated maximum cost of \$100,000 for which \$100,000 principal amount of serial bonds are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 50 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) by the date of the first bond anticipation notes issued in anticipation of the issuance of such serial bonds.

(c) The acquisition of various comprehensive plans and studies, together with applicable incidental and preliminary costs in connection therewith, at an estimated maximum cost of \$375,000 for which \$375,000 principal amount of serial bonds are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 62 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) by the date of the first 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 cost of the classes of objects or purposes or specific objects or purposes listed in Section 2 above is \$507,000, (b) no money has heretofore been authorized to be applied to the payment of the costs of such objects or purposes, and (c) the Board of Trustees of the Village plans to finance the costs of such objects or purposes from funds raised by the issuance of obligations authorized herein.

Section 4. Subject to the terms and conditions of this Resolution and the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00, 56.00 and 60.00, inclusive, of the Local Finance Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this Resolution and the renewal of such bond anticipation notes and the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes authorized by this Resolution, and the power to issue, sell and deliver such serial bonds and 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 Resolution and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Clerk of the Village is hereby authorized to affix the seal of the Village to 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 facsimile signature of the Village Treasurer.

Section 5. The faith and credit of the Village is 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 Resolution as the same shall become due.

Section 6. When this Resolution takes effect, the Clerk of the Village shall cause the same or a summary of the same 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 Gazette newspapers having a general circulation in the Village. The validity of the serial bonds authorized by this Resolution and of bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if such obligations are authorized for an objects or purposes for which the Village is not authorized to expend money, or the provisions of law which should be complied with as of the date of the publication of this resolution are 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.

Section 7. Prior to the issuance of obligations authorized to be issued by this bond resolution, 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 obligations authorized to be issued 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. For the benefit of the holders and beneficial owners from time to time of the bonds and bond anticipation notes authorized pursuant to this resolution (the “obligations”), the Village agrees, in accordance with and as an obligated person with respect to the obligations, under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the “Rule”), 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 the obligations in accordance with the Rule, with any changes or amendments that are not inconsistent with this 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. The Village Treasurer acting in the name and on behalf of the Village, shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other special counsel in determining whether a filing should be made.

Section 9. The Village hereby declares its intention to issue the obligations authorized herein to finance costs of the Project. The Village covenants for the benefit of the holders of the obligations authorized herein 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 any of the equipment financed with the proceeds of such obligations 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 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 any of the vehicles 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 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 the bonds 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 for such purposes on or after a date which is not more than sixty (60) days prior to the date of adoption of this Resolution by the Village.

Section 10. This Resolution will take effect immediately upon its adoption.

e) Trustee Restuccia moved the adoption of the following resolution. The motion was seconded by Trustee Murtaugh. The Board of Trustees of the Village was polled. The motion was adopted by a vote of 4 affirmative votes (being at least two thirds of the voting strength of the Board of Trustees of the Village) and 0 negative votes and 1 absent vote.

**BOND RESOLUTION, DATED NOVEMBER 16, 2009, AUTHORIZING THE ISSUANCE OF UP TO \$905,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF CROTON, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) THE CONSTRUCTION, RECONSTRUCTION AND ACQUISITION OF IMPROVEMENTS TO VILLAGE STREETS AND (II) THE ACQUISITION OF MACHINERY AND APPARATUS FOR CONSTRUCTION AND MAINTENANCE, IN AND FOR THE VILLAGE.**

**WHEREAS**, the Board of Trustees of the Village of Croton (the "Village"), located in Westchester County, in the State of New York (the "State"), hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the construction, reconstruction and acquisition of improvements to Village streets (\$725,000) and (ii) the acquisition of machinery and apparatus for construction and maintenance (\$180,000), and other preliminary and incidental costs, in and for the Village, at a total cost not to exceed \$905,000, in accordance with the Local Finance Law;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Croton, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village in the aggregate principal amount of up to \$905,000, pursuant to the Local Finance Law, in order to finance costs of the specific objects or purposes hereinafter described.

Section 2. The specific objects or purposes or class of objects or purposes to be financed pursuant to this bond resolution (collectively, the "Project"), the respective estimated maximum cost of each item of such specific objects or purposes or class of objects or purposes, the principal amount of serial bonds authorized herein for such specific objects or purposes or class of objects or purposes, and the period of probable usefulness of such specific objects or purposes or class of objects or purposes thereof pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The construction, reconstruction and acquisition of improvements to Village streets, together with applicable incidental and preliminary costs in connection therewith, at an estimated maximum cost of \$725,000 for which \$725,000 principal amount of serial bonds are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) by the date of the first bond anticipation notes issued in anticipation of the issuance of such serial bonds.

(b) The acquisition of machinery and apparatus for construction and maintenance for the Village, together with applicable incidental and preliminary costs in connection therewith, at an estimated maximum cost of \$180,000 for which \$180,000 principal amount of serial bonds are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) 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 fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) by the date of the first 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 cost of the classes of objects or purposes or specific objects or purposes listed in Section 2 above is \$905,000; (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 or bond anticipation notes authorized herein; and (d) the maturity of the obligations authorized herein will be in excess of five (5) years.

Section 4. Subject to the terms and conditions of this Resolution and the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00, 56.00 and 60.00, inclusive, of the Local Finance Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this Resolution and the renewal of such bond anticipation notes and the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes authorized by this Resolution, and the power to issue, sell and deliver such serial bonds and 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 Resolution and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Clerk of the Village is hereby authorized to affix the seal of the Village to 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 facsimile signature of the Village Treasurer.

Section 5. The faith and credit of the Village is 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 Resolution as the same shall become due.

Section 6. When this Resolution takes effect, the Clerk of the Village shall cause the same or a summary of the same 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 Gazette, newspapers having a general circulation in the Village. The validity of the serial bonds authorized by this Resolution and of bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if such obligations are authorized for an objects or purposes for which the

Village is not authorized to expend money, or the provisions of law which should be complied with as of the date of the publication of this resolution are 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.

Section 7. Prior to the issuance of obligations authorized to be issued by this bond resolution, 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 obligations authorized to be issued 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. For the benefit of the holders and beneficial owners from time to time of the bonds and bond anticipation notes authorized pursuant to this resolution (the “obligations”), the Village agrees, in accordance with and as an obligated person with respect to the obligations, under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the “Rule”), 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 the obligations in accordance with the Rule, with any changes or amendments that are not inconsistent with this 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. The Village Treasurer acting in the name and on behalf of the Village, shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other special counsel in determining whether a filing should be made.

Section 9. The Village hereby declares its intention to issue the obligations authorized herein to finance costs of the Project. The Village covenants for the benefit of the holders of the obligations authorized herein 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 any of the equipment financed with the proceeds of such obligations 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 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 any of the vehicles 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 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 the bonds 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 for such purposes on or after a date which is not more than sixty (60) days prior to the date of adoption of this Resolution by the Village.

Section 10. This Resolution is subject to a permissive referendum and will take effect upon the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk.

- f) Trustee Murtaugh moved the adoption of the following bond resolution. The motion was seconded by Trustee Gallelli. The Board of Trustees of the Village was polled. The motion was adopted by a vote of 4 affirmative votes (being at least two thirds of the voting strength of the Board of Trustees of the Village) and 0 negative votes and 1 absent vote.

**BOND RESOLUTION, DATED NOVEMBER 16, 2009, AUTHORIZING THE ISSUANCE OF UP TO \$100,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF CROTON-ON-HUDSON, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION OF FIRE FIGHTING APPARATUS IN AND FOR THE VILLAGE.**

**WHEREAS**, the Board of Trustees of the Village of Croton-on-Hudson (the "Village"), located in Westchester County, in the State of New York (the "State"), hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the acquisition of fire fighting apparatus for the Village, including other preliminary and incidental costs, at a total cost not to exceed \$100,000, in accordance with the Local Finance Law;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Croton-on-Hudson, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village in the aggregate principal amount of up to \$100,000, pursuant to the Local Finance Law, in order to finance costs of the specific object or purpose, or class of object or purpose, hereinafter described.

Section 2. The specific object or purpose to be financed by the issuance of such serial bonds is the acquisition of fire fighting apparatus for the Village (the "Project").

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$100,000; (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 or bond anticipation notes authorized herein; (d) the maturity of the obligations authorized herein will be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any item within an object or purpose set forth herein for which proceeds of obligations 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 capital financing of such item.

Section 4. It is hereby determined that the Project is a specific object or purpose described in subdivision 27 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is twenty (20) years. The serial bonds authorized herein shall have a maximum maturity of twenty (20) years

computed from the earlier of (a) the date of the first issue of such serial bonds, or (b) the date of the first bond anticipation notes issued in anticipation of the issuance of such serial bonds

Section 5. Subject to the terms and conditions of this bond resolution and the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, of the Local Finance Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this bond resolution and the renewal of such bond anticipation notes and the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes authorized by this bond resolution, and the power to issue, sell and deliver such serial bonds and 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 affix the seal of the Village to 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 6. The faith and credit of the Village is 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 7. 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 Gazette, newspapers having a general circulation in the Village. The validity of the serial bonds authorized by this bond resolution and of bond anticipation notes issued in anticipation of the sale 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 be complied with as of the date of the publication of this bond resolution, or a summary thereof, are 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.

Section 8. Prior to the issuance of obligations authorized to be issued by this bond resolution, 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 obligations authorized to be issued 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 9. The Village hereby declares its intention to issue the obligations authorized herein to finance the costs of the Project. The Village covenants for the benefit of the holders of the obligations authorized herein 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 facilities financed with the proceeds of such obligations 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 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 any facilities 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 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 the bonds 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 for such purpose 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 Village.

Section 10. The Village hereby declares its intention to issue the obligations authorized herein to finance costs of the Project. The Village covenants for the benefit of the holders of the obligations authorized herein 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 any of the equipment financed with the proceeds of such obligations 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 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 any of the vehicles 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 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 the bonds 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 for such purposes 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 Village.

Section 11. For the benefit of the holders and beneficial owners from time to time of the bonds and bond anticipation notes authorized pursuant to this bond resolution (the "obligations"), the Village agrees, in accordance with and as an obligated person with respect to the obligations, under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), 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 the obligations in accordance which 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. The Village Treasurer acting in the name and on behalf of the Village, 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 12. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Board of Trustees of the Village and the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk.

g) Trustee Gallelli moved the adoption of the following resolution. The motion was seconded by Trustee Murtaugh. The Board of Trustees of the Village was polled. The motion was adopted by a vote of 4 affirmative votes (being at least two thirds of the voting strength of the Board of Trustees of the Village) and 0 negative votes and 1 absent vote.

**BOND RESOLUTION, DATED NOVEMBER 16, 2009, AUTHORIZING THE ISSUANCE OF UP TO \$175,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF CROTON, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE CONSTRUCTION, RECONSTRUCTION AND ACQUISITION OF IMPROVEMENTS TO BUILDINGS IN AND FOR THE VILLAGE.**

**WHEREAS**, the Board of Trustees of the Village of Croton (the "Village"), located in Westchester County, in the State of New York (the "State"), hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the construction, reconstruction and acquisition of improvements to buildings, in and for the Village, together with other preliminary and incidental costs, in and for the Village, at a total cost not to exceed \$175,000, in accordance with the Local Finance Law;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Croton, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village in the aggregate principal amount of up to \$175,000, pursuant to the Local Finance Law, in order to finance costs of the specific object or purpose hereinafter described.

Section 2. The specific object or purpose to be financed by the issuance of such serial bonds is the construction, reconstruction and acquisition of improvements to buildings, such buildings being of "Class A" construction (as that term is defined in subdivision 11 of paragraph a of Section 11.00 of the Local Finance Law), in and for the Village (the "Project").

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$175,000; (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 \$175,000 proceeds of the serial bonds or bond anticipation notes authorized herein; and (d) the maturity of the obligations authorized herein will be in excess of five (5) years.

Section 4. It is hereby determined that the Project is a specific object or purpose described in subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is twenty-five (25) years, such buildings being of "Class A" construction (as that term is defined in subdivision 11 of paragraph a of Section 11.00 of the Local Finance Law). The serial bonds authorized herein shall have a maximum maturity of twenty-five (25) years computed from the earlier of (a) the date of such serial bonds, or (b) the date of the first bond anticipation notes issued in anticipation of the issuance of such serial bonds

Section 5. Subject to the terms and conditions of this Resolution and the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00, 56.00 and 60.00, inclusive, of the Local Finance Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this Resolution and the renewal of such bond anticipation notes and the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes authorized by this Resolution, and the power to issue, sell and deliver such serial bonds and 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 Resolution and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Clerk of the Village is hereby authorized to affix the seal of the Village to 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 facsimile signature of the Village Treasurer.

Section 6. The faith and credit of the Village is 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 Resolution as the same shall become due.

Section 7. When this Resolution takes effect, the Clerk of the Village shall cause the same or a summary of the same 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 Gazette, newspapers having a general circulation in the Village. The validity of the serial bonds authorized by this Resolution and of bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if such obligations are authorized for an objects or purposes for which the Village is not authorized to expend money, or the provisions of law which should be complied with as of the date of the publication of this resolution are 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.

Section 8. Prior to the issuance of obligations authorized to be issued by this bond resolution, 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 obligations authorized to be issued 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 9. For the benefit of the holders and beneficial owners from time to time of the bonds and bond anticipation notes authorized pursuant to this resolution (the "obligations"), the Village agrees, in accordance with and as an obligated person with respect to the obligations, under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), 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 the obligations in accordance with the Rule, with any changes or amendments that are not inconsistent with this 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. The Village Treasurer acting in the name and on behalf of the Village, shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other special counsel in determining whether a filing should be made.

Section 10. The Village hereby declares its intention to issue the obligations authorized herein to finance costs of the Project. The Village covenants for the benefit of the holders of the obligations authorized herein 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 any of the equipment financed with the proceeds of such obligations 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 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 any of the vehicles 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 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 the bonds 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 for such purposes on or after a date which is not more than sixty (60) days prior to the date of adoption of this Resolution by the Village.

Section 11. This Resolution is subject to a permissive referendum and will take effect upon the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk.

h) Trustee Gallelli submitted the following bond resolution and moved for its adoption. The motion was seconded by Trustee Restuccia. The Board of Trustees of the Village was polled. The motion was adopted by a vote of 4 affirmative votes (being at least two thirds of the voting strength of the Board of Trustees of the Village) and 0 negative votes with 1 vote absent.

**BOND RESOLUTION, DATED NOVEMBER 16, 2009, AUTHORIZING THE ISSUANCE OF UP TO \$350,000 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, CONSTRUCTION AND RECONSTRUCTION OF SANITARY SEWER IMPROVEMENTS AND (II) THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO SILVER LAKE DAM, 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 costs of (i) the acquisition, construction and reconstruction of sanitary sewer improvements (\$200,000) and (ii) the acquisition, construction and reconstruction of improvements to Silver Lake dam (\$150,000), all 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 \$350,000, in accordance with the Local Finance Law;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Croton-on-Hudson, in the County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds and bond anticipation notes issued in anticipation of the issuance of such serial bonds of the Village in the aggregate principal amount of up to \$350,000,

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 class 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 authorized herein, or bond anticipation notes issued in anticipation of the issuance of such serial bonds, for such specific objects or purposes, and the period of probable usefulness of such specific objects or purposes or class 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, construction and reconstruction of sanitary sewer improvements in and for the Village, together with 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 \$200,000 for which \$200,000 principal amount of serial bonds, 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 thirty (30) years pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of thirty (30) 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, construction and reconstruction of improvements to Silver Lake dam, in and for the Village, together with 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 \$150,000 for which \$150,000 principal amount of serial bonds, 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 thirty (30) years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of thirty (30) 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 cost of the Project is \$350,000; (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, or bond anticipation notes issued in anticipation of the issuance of

such serial bonds, authorized herein; (d) the maturity of the serial bonds authorized herein may be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay any costs of the Project for which 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 the renewal thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to sell, issue 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) to 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 is 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 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 as of the date of the publication of this bond resolution, or a summary thereof, are 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 serial bonds, and/or bond anticipation note issued in anticipation of the issuance of such serial bonds, as authorized herein, 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 serial bonds 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 Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds and bond anticipation notes issued in anticipation of the issuance of such serial bonds as authorized herein, the

Village agrees, in accordance with and as an obligated person with respect to the obligations under, Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), 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 the 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 is subject to a permissive referendum and will take effect upon its adoption by the Board of Trustees of the Village and the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk.

i) Trustee Restuccia submitted the following bond resolution and moved for its adoption. The motion was seconded by Trustee Murtaugh. The Board of Trustees of the Village was polled. The motion was adopted by a vote of 4 affirmative votes (being at least two thirds of the voting strength of the Board of Trustees of the Village) with 0 negative votes and 1 vote absent.

**BOND RESOLUTION, DATED NOVEMBER 16, 2009, AUTHORIZING THE ISSUANCE OF UP TO \$375,000 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 THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO THE WATER SYSTEM 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 costs of the acquisition, construction and reconstruction of improvements to the Village's water system, 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 \$375,000, 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 \$375,000, pursuant to the Local Finance Law, in order to finance the costs of the acquisition, construction and reconstruction of the Village's water system, 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 \$375,000; (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 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 1 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is forty (40) years. The serial bonds authorized herein shall have a maximum maturity of forty (40) 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 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 as of 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 were 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 (collectively, 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 the 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 is subject to a permissive referendum and will take effect upon its adoption by the Board of Trustees of the Village and the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk.

j) On motion of TRUSTEE RESTUCCIA, seconded by TRUSTEE GALLELLI, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 4 ayes, 1 absent:

WHEREAS, the current Inter-Municipal Agreement for solid waste and recyclables between the County and the Village expired on October 21, 2009; and

WHEREAS, the Village desires to continue the agreement which will allow the Village to bring municipally collected solid waste to the Charles Point Resource Recovery Facility in Peekskill, NY and recyclables to the Town of Cortlandt Recycling Facility for subsequent transfer to the Materials Recovery Facility in Yonkers, NY; and

WHEREAS, this agreement will cover the period commencing October 22, 2009 through October 21, 2019; and

WHEREAS, the tipping fee for the disposal of Municipally collected solid waste will be \$25.00 per ton until October 21, 2010 and will be subject to an Adjustment Factor equal to the Consumer Price Index for each year thereafter that the Inter-Municipal Agreement remains in effect; and

WHEREAS, there continues to be no fee for the delivery of recyclable materials to the facility,

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to sign the agreement with Westchester County for the disposal of municipally collected solid waste and recyclables for the period between October 22, 2009 and October 21, 2019.

k) On motion of TRUSTEE MURTAUGH, seconded by TRUSTEE GALLELI, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 4 ayes, 1 absent:

WHEREAS, upon the adoption of the 2007-08 budget, the Village Board approved the purchase of bay doors at the Washington Engine Firehouse funded with General Fund Balance; and

WHEREAS, the project was not completed during the 2007-2008 fiscal year; and

WHEREAS, the Fire Chief has received and reviewed three quotes for the purchase and installation of bay doors for the Washington Engine Firehouse; and

WHEREAS, the lowest quote provide was from Olmsteads Overhead Doors Ltd in the amount of \$5,350.00; and

WHEREAS, the Fire Chief recommends purchasing the bay doors from Olmsteads Overhead Doors Ltd.;

NOW THEREFORE BE IT RESOLVED: that the Village Treasurer is hereby authorized to transfer \$5,350.00 from the General Fund balance to capital account number H3140.2102.08163 for the purchase of bay door at the Washington Engine Firehouse

1) On motion of TRUSTEE MURTAUGH, seconded by TRUSTEE RESTUCCIA, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 4 ayes, 1 absent:

Whereas, Governor Paterson's "45 percent by 2015" program of aggressive energy efficiency and renewable energy initiatives state that, by 2015, New York State will receive 45 percent of its electricity through energy efficiency and clean renewable energy, comprising 15 percent electricity savings from efficiency measures and 30 percent from new renewable sources;

Whereas, direct household energy consumption produces almost 40 percent of carbon dioxide emissions in the United States today, and a growing portion of the monthly expenses of New York residents; and

Whereas, modest investments by homeowners and small business proprietors in weatherization and energy efficiency can both lower monthly utility costs and harmful emissions substantially; and

Whereas, the savings created by such energy investments are often greater than the cost of such improvements; and

Whereas, such energy investments also help stabilize the value of our housing stock, and, may spur new job creation affiliated with such work; and

Whereas, the Village would like the option of being able to help its residents and business owners in the future; and

Whereas, the traditional financing instruments secured by home equity loans or lines of credit have become harder to secure; and

Whereas, securing such modest financing by a contractual assessment to the tax parcel would produce a lower interest rate for the resident or business owner; and

Whereas, the Village wishes to expand low cost options for its residents and businesses to have more comfortable premises that are less expensive to operate; and

Whereas, securing such financing with a tax lien in case of default would these instruments more attractive to lenders and would reduce the interest rate cost of such loans for homeowners and business proprietors,

NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees does hereby approve the submission of a Home Rule Request to the New York State Legislature to create a Sustainable Energy Finance Program as follows:

AN ACT PURSUANT TO SECTION 40 OF THE MUNICIPAL HOME RULE LAW OF THE STATE OF NEW YORK IN RELATION TO THE CREATION OF THE VILLAGE OF CROTON-ON-HUDSON, NEW YORK SUSTAINABLE ENERGY FINANCE PROGRAM TO ASSIST HOMEOWNERS IN THE INSTALLATION OF DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES OR ENERGY EFFICIENCY IMPROVEMENTS.

The People of the State of New York do enact as follows:

**1. Section 1.** Pursuant to Section 40 of the Municipal Home Rule Law of the State of New York, a new law is added as follows:

Title: Village of Croton-on-Hudson Sustainable Energy Finance Program

**2. Section 2:** Legislative Intent.

a. It is the intent of the Village of Croton-on-Hudson to promote energy efficiency among residents and businesses within the Village, including the promotion of energy efficiency improvements and the utilization of renewable energy sources in existing buildings within the Village.

b. In order to address the issue of global climate change and greenhouse gas emissions in the Village of Croton-on-Hudson, the Village has embarked upon an effort to reduce energy demand from existing buildings so as to have the Village of Croton-on-Hudson meet statewide energy efficient goals. In order to assist residents and businesses in the Village of Croton-on-Hudson make energy efficiency improvements more affordable and to promote the installation and utilization of such improvements, it is necessary to set forth a mechanism to finance the cost of such energy efficiency improvements.

c. Pursuant thereto, this legislation will help lower energy costs, reduce greenhouse gas emissions and make energy efficiency and renewable energy improvements more affordable by offering a sustainable energy contractual assessment program to assist homeowners and businesses within the Village of Croton-on-Hudson in the installation of distributed generation renewable energy sources or energy efficiency improvements. Such contractual assessments to be offered by the Village shall be repaid over a period of time through an annual assessment on the property of the borrower.

m) On motion of TRUSTEE GALLELLI, seconded by TRUSTEE MURTAUGH, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 4 ayes, 1 absent:

WHEREAS, the Village Engineering department would like to increase the number of approved electrical inspectors that can conduct inspections within the Village of Croton on Hudson; and

WHEREAS, all electrical inspectors must be approved by the Village Board of Trustees in accordance with Section 113-6 of the Village Code,

WHEREAS, the Village Engineering department has received one new proposal to perform electrical inspections within the Village of Croton on Hudson; and

WHEREAS, State Wide Inspection Services are first time applicants; and

WHEREAS, the Village Engineer has reviewed the proposal and recommends that the Village Board approve the new the application of State Wide Inspection Services,

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby approves State Wide Inspection Services to be an official electrical inspector for the Village of Croton on Hudson.

n) 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 a vote of 4 ayes, 1 absent:

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, during the 2009-2010 budget process funds for this facility were not allocated; and

WHEREAS, the purchase of fuel oil is needed to heat the facility;

NOW THEREFORE BE IT RESOLVED: that the Village Treasurer is hereby authorized to transfer \$4000.00 from contingency account number A1990.4000 to Ambulance account number A4540.4600 for fuel oil at 44 Wayne Street.

o) On motion of TRUSTEE MURTAUGH, seconded by TRUSTEE RESTUCCIA, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 4 ayes, 1 absent:

WHEREAS, the Village of Croton on Hudson presently maintains one (1) position in the noncompetitive civil service title of "Road Maintenance Foreman"; and

WHEREAS, due to the changing needs of the Village, the Board has determined that for reasons of economy and efficiency it would be beneficial to eliminate one (1) Road Maintenance Foreman position;

NOW, THEREFORE, BE IT RESOLVED, that the Village hereby abolishes one (1) Road Maintenance Foreman position effective at the close of business on November 19, 2009, and authorizes the Village Manager to remove the individual presently serving in that title in accordance with applicable law and return him to the appropriate civil service position for which he is qualified as authorized by the Westchester Civil Service Commission effective November 20, 2009.

7. CITIZEN PARTICIPATION (non-agenda items):

a) Bob Wintermeir, 43 Radnor, questioned the bond resolutions; if, when the budget was done, was a whole year or ½ year accounted for; will we see higher taxes as a result of what was done now. Mayor Wiegman replied that we may or may not see higher taxes; the bonds issued are not paid until the money is used; these resolutions are to set up the process; a five year capital programming is done; we are always in the process of paying off older bonds. Trustee Gallelli added that when the 2009-10 budget was done, they were looking ahead and these bonds will have no impact on this year's budget. Mr. Wintermeir asked about transferring funds to purchase bay doors at Washington firehouse; was this included in the original budget. Trustee Gallelli replied that this was allocated in 2007. Trustee Murtaugh added that they are now spending less than what was allocated. Village Manager Zambrano stated that there is normally a delay asking the Board to approve a bond until it is known when they will be ready to spend the money; he gets resolutions approved, then watches the market for the appropriate time to borrow the money to get best interest rates. Mr. Wintermeir stated that the sustainable energy finance program sounds like giving a loan to residents that will be repaid through a tax program which sounds like being a bank; what will the interest be and will the Village verify the ability of the individual to repay and how are you going to do this; will we be saddled with administrative chores. Mayor Wiegman replied that the Village is very unlikely to become a bank; they are asking the Federal Government to aggregate this for many towns and have some people do it for several towns; an energy audit will show what can be done to a house, the cost and how much they would save; the agency that does this for the towns will verify that the work was done properly and then package up multiple properties and the money and offer the bid to credit markets and is backed up by an assessment on that home; the savings would be for 20 to 40 years. Trustee Murtaugh asked what criteria will a homeowner need to qualify. Mayor Wiegman replied that they would have to want some weatherization done to their home and show that they paid taxes on time for three years; the payment is made to the Village who then pays the agency. He added that individual homeowners can opt into this, but a whole house audit must be done and cannot spend more than you will save.

b) Jane Hallock, 50 Oneida Ave., asked what the plan is for the Croton Dodge classic car dealership. Trustee Gallelli replied that there is no plan, the owner has the plan and it is up to them for what they want to do. Trustee Restuccia added that they have been referred to the Planning Board for recommendation which will come back here; the Board cannot say what will be done at this time. Mayor Wiegman stated that they are willing to talk about what is wanted, but there is a process to follow. Ms. Hallock asked if the Board addressed the concerns people had about the rezoning. Trustee Restuccia replied that they were, and at the work session a week ago, several new items were discussed, such as was the number being

used in the school report accurate and it was researched and found accurate, added properties which were removed and also the parking for employees was taken care of as part of the formula. Mayor Wiegman added that the current commercial uses have the same requirements as commercial uses elsewhere in the Village; for residential, they chose to make it stiffer than other residential areas in the Village for number of parking spaces; the Village may want to go back and look at commercial requirements for the whole community. Ms. Hallock asked how big the apartments will be. Mayor Wiegman replied that there are no building proposals right now; the report used a formula based on a size that would rent or sell immediately; they will still have to go through the proper reviews. Ms. Hallock stated that the schools are full, so how can you get a handle on not increasing the numbers so they are not forced to expand. Trustee Gallelli added that earlier this evening when each Trustee said why they were supporting this zoning, it was said when the concerns were raised, reconsideration was done and they felt addressing of the school population was done in the studies and agreed that in the likely scenario to evolve due to the passing of this zoning, the impact would be negligible. Ms. Hallock stated that when she first heard about the plan, it would be comprised of senior citizens and professionals. Trustee Gallelli replied that there are no plans or proposals; only a zoning change. Ms. Hallock stated that she lives on Young Ave. and nearby are two buildings whose landlords are worried about their ability to rent in recent times; they have now rented to Section 8 families and the people next door now have problems with those apartments; down the street there are a lot of people living in these apartments with a lot of cars; there is another small house that has 5 to 8 adults living in them with a lot of cars. Mayor Wiegman replied that the buildings described were built under different rules a long time ago and those rules may not necessarily have anticipated enough parking for those residents; these parcels on Riverside have steeper requirements; rules are stiffer on Harmon than they are down the street. Trustee Murtaugh stated she should keep in mind that this legislation passed tonight protects Riverside and makes it a better environment for smarter growth; the steps tonight are going to enhance whatever residential dwellings that may be built. Ms. Hallock stated that she read in the March 2009 article from Yorktown-Cortland LoHud newspaper that the Ossining/Cortland student population is rising while districts around them are falling in population and they feel the immigration population is one factor in the rising enrollment; she lives in an area with lots of immigrants and has not seen any instance or heard of one instance when people did not get along; the whole problem with the plan is density.

8. APPROVAL OF MINUTES:

Trustee Gallelli requested that minutes of previous meetings be held over to allow for adequate review.

9. REPORTS:

*Village Manager Zambrano* reported that he met with Mary Magnusson; she feels that the room is right for twelve precipitants and they may want to do the event on Saturday and Sunday; he needs to work out the details; the Recreation Dept. has been told to not schedule anything in that room. *Village Manager Zambrano* reported also that Rt. 129/Maple Ave. was paved, the Village was not notified, therefore residents could not be notified; all the streets have been paved at this time. Mr. Zambrano added that he will be meeting with people planning next years' Riverfest

and Bike Week will be discussed this Thursday at a 10 am. Asst. Manager Janine King read the parking lot project schedule which is coming almost to an end; Sisca hopes to be done with the paving the Wednesday before Thanksgiving; if all works out perfectly, the parking lot can open December 7<sup>th</sup>. Ms. King reported they are talking with the installer for pay stations which are scheduled to be installed Dec. 7<sup>th</sup> and, after staff is trained, will go live on the 14<sup>th</sup>. Trustee Restuccia asked if the general flow of traffic will continue as it was. Ms. King stated that will be looking at a redesigned traffic flow, but it will not be done by Dec. 7<sup>th</sup>.

*Trustee Restuccia* reported that the CAC and others did plantings at the train station; a new garden along the tracks and at the new gate, some trees. Trustee Restuccia stated that she appreciates everyone who has worked diligently and contributed to the Harmon rezoning.

*Trustee Gallelli* reported Symphony Knoll had a grand opening ceremony last Friday; please go by and see how lovely it is; and she offered congratulations to the Croton Housing Network to make this happen. Trustee Gallelli reported that AT&T is now operating on the cell tower; she continues to get a few email requests about what is happening with Verizon and tries to make it clear that Verizon is not interested in working with Croton and several other municipalities.

*Trustee Murtaugh* reported he was at the CAC planting at the train station and he mentioned others who assisted. Trustee Murtaugh reported also that he attended parties where the rezoning was spoken about and no one knew that the Village tax rate went down; the impetus to adopt this local law is that it is designed to make it possible to reduce the taxes further; we at the local level are doing what we can and one of the things is to effect a zoning change that will benefit everyone. He thanked Ms. Hallock for her comments; she used the words common sense several times and he assures that we did just that; common sense was the rule we lived by.

*Mayor Wiegman* thanked Attorney Staudt for steering this Board through the SEQRA process and he thanked Ann Gallelli for her leadership on this issue; this is step one of several steps. He reported that Silver Lake is open to pedestrians dawn to dusk, but not open to swimming.

Trustee Murtaugh made a motion to adjourn. Trustee Restuccia seconded the motion; approved unanimously. The meeting was adjourned at 11:00 pm.

Respectfully submitted,

*Phyllis A. Bradbury* \_\_\_\_\_

Phyllis A. Bradbury, Secretary

\_\_\_\_\_  
Village Clerk