

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Tuesday, January 19, 2010 at the Municipal Building, Van Wyck Street, Croton-on-Hudson, NY 10520.

The following officials were present:

Mayor Wiegman	Trustee Gallelli
Village Manager Zambrano	Trustee Olver
Village Attorney 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 Restuccia and approved unanimously.

General Fund	\$ 57,34.85
Water Fund	12,599.19
Sewer Fund	1,240.00
Capital Account	16,633.83
Trust & Agency	4,277.00
Total	\$ 92,384.87

3. CORR ESPONDENCE:

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

- a) A letter from John and Carol Grimes, thanking Croton Officers Murtagh and Velardo for their assistance at a recent incident.
- b) A letter from Jessica & Andrew Dieckman thanking Officer Murtagh for installing and explaining proper operation of child car seats.
- c) An announcement from Westchester County Board of Legislators, Honorable Martin Rogowsky, Chair, Committee on Energy, regarding several upcoming community town hall meetings on the county budget.
- d) An announcement from Assemblywoman Sandy Galef regarding town meetings that will be held throughout the 90th Assembly District.
- e) An announcement from NY Metropolitan Transportation Council regarding the availability of 2009 Obligated Projects which can be viewed at <http://www.nynmtc.org/abouttip-down.cfm>

- f) An announcement from NY Metropolitan Transportation Council regarding upcoming January 2010 events.
- g) A letter from Linda D. Levirne, Northern Westchester & Putnam Center for Life, regarding the recently passed "Abandoned Infant Protection Law", encouraging a woman to bring a child to a safe haven location rather than abandoning her newborn child. Additional information can be obtained by contacting Mr. T. Jaccard, AMT Children of Hope Foundation at 516 781-3511. Trustee Restuccia noted that Westchester County and New York State are sponsors of this and a child may be brought to any fire or police station or municipalities can designate other safe havens.
- h) A letter from Robert Hoch, Cablevision, notifying of the elimination of HGTV and the Food Network from channel lineup effective January 1, 2010 due to a negotiation break down with Scripps Network.

Mayor Wiegman gave the following resume' of the Village's mid-year budget review:

Over 60% of the village budget is devoted to personnel costs. This is also where the most significant expense overruns lie. For example, the biggest culprits are the cost increases in employee retirement and pension benefit contributions mandated by the state after our budget had to be adopted. These mandates alone are up almost \$37,000 year to date over the budgeted annual amount of \$600,000. The MTA payroll tax imposed by the state after our budget adoption is also an unbudgeted expense of around \$26,000. Even though medical insurance premiums are up 6% this year, as they have been for each of the past several years, the good news is that we did budget adequately for this expense, which will reach \$1.36 million in 2009-2010.

The good news here is that village property tax collection, from which we anticipate just over \$10 million is on pace to make its number. The more significant issue for Croton is that roughly \$5.5 million in revenue from non-property tax sources (sales tax, mortgage tax, parking lot, etc) is falling behind even the lowered projections we used last May for the final 2009-2010 budget.

The Village's share of state sales tax revenue seems to be coming in short against the budgeted revenue of \$980,000. Last May, we had already lowered this amount about 10% in anticipation of a slowdown from the prior year's actual sales tax revenue of \$1,060,000. We'll have a better picture of this sales tax revenue by the end of February. But we need to be prepared before then in the likely event that the shortfall persists.

Mortgage transfer tax is at only 10% of projected year end revenue of \$100,000, but should improve with next payment cycle from country. Last May, we had already lowered this revenue amount by 45% in anticipation of slower housing market from the prior year's actual mortgage tax revenue of \$190,000. We should not bank on getting what we budgeted, but don't know how far below the budgeted \$100,000 the final revenue will fall.

We had budgeted revenue from fines and forfeited bail at \$225,000, essentially flat with the prior year's actual amount. This revenue has fallen for reasons that we are looking into

and are not apparent. Through October 2009, the village courts had collected only about 32% of this amount, but these dollars runs about 2 months behind due to the requirements of court administration. We will know more when we see the court's numbers for December. We did relax parking enforcement for the duration of the parking lot reconstruction, but this alone would not explain this difference. Conversely, the village board does not feel advocate overzealous enforcement as a solution to revenue shortfalls.

The parking lot revenue from daily and quarterly permits is down slightly. But now that construction is done and full lot is back in operation, parking revenue should catch up with the budgeted revenue of \$2.3 million.

In sum, we expected to collect \$15.5 million in annual revenue from all sources in fiscal 2009-2010. We have thus far not yet collected about \$2 million, and the single biggest part of that is uncollected sales tax revenue, and next is mortgage tax, and then fines and forfeitures.

These revenue shortfalls are not unique to Croton and follow the pattern we have been monitoring for our neighboring communities. We asked for this detailed mid-year review, precisely because we want to be as prepared as possible for the next budget cycle and make any adjustments as early as we can.

But we have an action plan. Our staff has done an excellent job in preparing this review and is being very proactive about potential solutions. The staff has already begun preparing cost containment measures to implement by February. Additionally, the board reached a consensus to also consider mid-year budget appropriation reductions. Details will come in next few weeks. Thank you.

5 CITIZEN PARTICIPATION (agenda items):

Jane Murtaugh, 6 Michaels Lane, stated that she applauds the proposal to eliminate the fee for dog owners and suggested eliminating the special use permit. Mayor Wiegman replied that the Board has decided to explore eliminating the \$25.00 per dog fee; this is part of finding a longer term solution for the location of the Dog Park rather than Black Rock; they are looking for a new location and that transition may be done by summer; the staff has been asked to suggest alternatives. Village Manager Zambrano added that in order for the Village to get rid of the special permit, they will have to have an amendment to the law and a public hearing; he suggested waiting for the alternative area decision would be more efficient. Trustee Murtaugh stated that they may not have the finances available to install this somewhere else and may have to do this in steps. Mayor Wiegman added that in 4 to 6 weeks they should know the alternative site can be accomplished for this summer season. Trustee Murtaugh suggested that if this can't be done in the near future, the need for a special permit should be removed.

6. PROPOSED RESOLUTIONS:

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

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

WHEREAS, the bid was awarded to F.A. Burchetta in the amount of \$110,750 at the September 28, 2009 Board Meeting; and

WHEREAS, additional material and work not included in the contract is required; and

WHEREAS, the additional material and work has been reviewed by the Village Engineer and found to be necessary;

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to sign Change Order No. 2 of the Pay Station Installation Project in the amount of \$6609.49,

AND BE IT FURTHER RESOLVED: that this amount should be charged to Capital Account number H5650.2101.98015.

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

WHEREAS, on July 21, 2008, the Village Board adopted Local Law No. 4 of 2008 amending Chapters 108 and 168 of the Village Code; and

WHEREAS, the amendment allows unleashed dogs access to a designated area within Black Rock Park; and

WHEREAS, use of this park with a dog requires a special use permit, which is available to village residents from the Village Clerk's Office to owners of licensed dogs at a yearly fee of \$25.00; and

WHEREAS, it has been determined that this park is a low maintenance facility requiring a small amount of personnel time; and

WHEREAS, the Village Board has concluded that the yearly fee of \$25.00 for a special permit is no longer necessary;

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees does hereby authorize the Village Clerk to amend the Master Fee Schedule to reflect no charge for a Black Rock Dog Park special permit.

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

WHEREAS, Police Department is in need of purchasing necessary equipment that was not included in the 2009/10 General Fund Budget; and

WHEREAS, the cost to purchase said equipment is approximately \$5,000.00;

AND BE IT FURTHER RESOLVED: the amount of \$5,000.00 should be charged to account number A3120.2000;

AND BE IT FURTHER RESOLVED: that the Village Treasurer is authorized to transfer \$5,000.00 out of the contingency account number A1990.4000 to account number A3120.2000.

Discussion: Mayor Wiegman explained that the Police Dept. has requested relatively small pieces of equipment which were not included in the budget and are in response to unfortunate incidents that have occurred in the village the last few months.

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

WHEREAS, the approval and construction of the Waldwood Subdivision (Georgia Lane) resulted in the Village taking ownership and responsibility of the maintenance of the road, water distribution system, and the storm drainage system; and

WHEREAS, a portion of the storm drainage system located in the subdivision travels through an easement on Lot 11 of the subdivision which was granted to the Village as part of the original subdivision approval; and

WHEREAS, the 15" diameter storm drain pipe which travels through the said easement is in disrepair due to poor soil conditions surrounding said pipe caused by the unsuitable fill material used at the time of construction; and

WHEREAS, the replacement of the pipe and the unsuitable material surrounding the pipe is essential for the proper drainage of surface water from the paved area of the Georgia Lane cul-de-sac; and

WHEREAS, the cost for replacement of the 15" storm drain pipe and the installation of suitable material surrounding the pipe within the drainage easement is estimated at \$36,000.00;

NOW, THEREFORE BE IT RESOLVED: that the estimated amount of \$36,000.00 for replacement of the 15" storm drain pipe and the installation of suitable material

surrounding the pipe within the drainage easement should be charged to account number A8140.4000

AND BE IT FURTHER RESOLVED: that the Village Treasurer is authorized to transfer \$36,000.00 out of the contingency account number A1990.4000 to account number A8140.4000.

e) On motion of Trustee Olver, seconded by Trustee Gallelli, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York.

WHEREAS, the Treasurer has analyzed the 2009/10 year to date budget and recommends the following budget transfers as detailed below,

NOW, THEREFORE BE IT RESOLVED: that the Village Treasurer is authorized to make the following amendments to the 2009/10 General Fund budget to reflect these changes:

GENERAL FUND

INCREASE

Dept	Item	Amount
A1210	4000	220.00
A1230	4500	1,100.00
A1420	4200	165.00
A1440	4210	100.00
A1440	4500	425.00
A1440	4710	1,000.00
A1460	1100	10,700.00
A1460	2000	1,100.00
A1620	1100	115.00
A1620	2000	450.00
A1620	4300	4,200.00
A1650	4000	11,000.00
A1980	4000	13,200.00
A3310	1000	9,500.00
A3410	8000	550.00
A3510	1000	450.00
A4020	4200	850.00
A4050	4500	150.00
A4540	4600	700.00
A5010	1100	450.00
A5010	4000	100.00
A5010	4500	270.00
A5140	1000	24,300.00
A5140	1200	20.00
A5142	1000	205.00
A5182	1000	7,700.00
A5182	1200	300.00
A5183	1000	139,000.00

Village Board Meeting

January 19, 2010

Page 7

A5650	1200	27,500.00
A5650	4200	1,600.00
A5650	4210	50.00
A5650	4500	2,800.00
A7550	1200	10,000.00
A8090	1000	118,000.00
A8090	1200	24,000.00
A8120	4000	470.00
A8140	1000	26,000.00
A8160	1000	83,000.00
A8160	1100	300.00
A8170	1000	22,000.00
A8170	1200	100.00
A8170	4710	1,300.00
A8560	1000	17,000.00
A8560	1200	150.00
A9010	8000	56,000.00
A9050	8000	2,500.00
Total Increases		\$ 621,090.00

DECREASE

A1210	2000	220.00
A1420	4000	165.00
A1440	4200	1,100.00
A1460	4000	1,100.00
A1620	4000	4,765.00
A1650	4500	4,595.00
A1910	4000	39,767.00
A1990	4000	44,900.00
A3410	2000	550.00
A4020	1000	850.00
A4050	4200	150.00
A4540	2000	700.00
A5010	4200	100.00
A5110	1000	472,475.00
A5650	1100	27,500.00
A5650	4000	1,650.00
A8140	4000	470.00
A8170	4210	650.00
A8170	4700	650.00
A9015	8000	18,733.00
Total Decreases		\$ 621,090.00

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

WHEREAS; the Village will be applying for funding from NYSERDA for an energy efficiency improvement project under the American Recovery and Reinvestment Act; and

WHEREAS, the project will include upgrades to the Village's water distribution system and streetlights and the relamping of the Municipal Building; and

WHEREAS, the cost of this project is estimated to be \$223,000; and

WHEREAS, if the Village receives funding through NYSERDA the Village intends to pay for half of the project with Village funds, and

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to apply for an energy efficiency improvement project from NYSERDA under the American Recovery and Reinvestment Act,

AND BE IT FURTHER RESOLVED: that the grant application will request an estimated \$111,500 with the understanding that if the Village receives the grant, it will match this grant with an equal contribution of Village funds.

Discussion: A Lindsay Audin, who is on the Sustainability Committee, stated that the grant is very specific related to pumps and controls of the pumps which are the largest energy consuming system in the Village; they consume about \$150,000 in electricity per year and the return should be about 30% or approximately a 3 year recovery; they would be studying replacing alternative street lamps in existing fixtures. Trustee Gallelli stated that this is a result of doing the energy audit. Trustee Olver stated that this is a clear example of a pay off from investigation before action and the hiring of consultants to see if the expenditure is worthwhile.

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

WHEREAS; the Village will be applying for funding from NYSERDA for an energy management project under the American Recovery and Reinvestment Act; and

WHEREAS, the project will include retaining a sustainability consultant to oversee energy audits of the fire houses and water supply system, and to fulfill the Village's commitments under its ICLEI pledge, including updating its greenhouse gas inventory for the year 2010; and

WHEREAS, the cost of this project is estimated to be \$112,480; and

WHEREAS, if the Village receives funding through NYSERDA the Village intends to pay for half of the project with Village funds, and

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to apply for an energy management project from NYSERDA under the American Recovery and Reinvestment Act,

AND BE IT FURTHER RESOLVED: that the grant application will request an estimated \$56,240 with the understanding that if the Village receives the grant, it will match this grant with an equal contribution of Village funds.

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

WHEREAS; the Village is a member of the Northern Westchester Energy Action Consortium; and

WHEREAS, the Northern Westchester Energy Action Consortium is preparing two appropriation requests to present respectively to Congresswoman Nita Lowey and Congressman John Hall for the federal fiscal year 2011; and

WHEREAS, these appropriation requests will seek \$2 million in federal funding for an innovative regional demonstration of the bottom-up effectiveness of smart grids in achieving demand response energy savings in the fourteen municipalities that currently comprise the Consortium and yielding strong potential revenues for these municipalities for resulting conservation and efficiency achieved by the demonstration project; and

WHEREAS, and the Consortium will seek an additional \$2 million dollars in state funding to finance the total expected outlay for the Consortium's smart grid project in order to leverage federal and state monies; and

WHEREAS, the Consortium has been advised a lead municipality should accompany that Congressional appropriation requests,

NOW, THEREFORE BE IT RESOLVED: that the Village is hereby designated as the lead municipality for the purposes of these Congressional appropriation requests at no expense to the Village itself; and

AND BE IT FURTHER RESOLVED: that the Village Manager is hereby authorized to sign the needed Congressional appropriation request applications, which the Consortium's volunteers will prepare, in order to verify that the Village will act as the lead municipal applicant on behalf of the Consortium members.

7. CITIZEN PARTICIPATION (non-agenda items):

a) Rhonda Schonfeld, 18 East Mt. Airy Rd., stated that the the clay courts at PVC are in discussion to be turned into a garden and outdoor learning lab; she is looking to talk to the Village Board about facilities for the tennis community; more residents are using the tennis facilities and tennis is underserved in Croton; they are looking to form a tennis association; she is asking for the Board's support.

b) Patrice Davidson, 7 Hollis Lane, stated that she would like to introduce recreational tennis in Croton through the Recreation Dept. priced at an accessible rate; she proposed using the extra funds after expenses toward maintenance which would be provided by the Village; she is looking for a revenue neutral situation and would like to discuss this at a work session; she did a presentation to the School Board; the clay courts have been here since the 1950's and they want to save them; to restore the courts would cost about \$10,000 which has been raised, but there are ongoing maintenance expenses; to install new clay courts would be about \$250,000. Trustee Murtaugh replied that this is school district property and the Village needs to work with them. Ms. Davidson replied they understand that this will be the School Board's decision, but they would like to get involved with the Village. Trustee Olver stated that should the School Board opt to keep the clay courts, this is the partnership we are looking to build so the people of the Village can have a variety of choices. Village Manager Zambrano asked what would be the estimate cost of maintenance. Ms. Davidson replied about \$5,000 a year if done professionally. Ms. Schonfeld added that if the Village invested in reconditioning from year one, it is not too much, perhaps \$1,500 per year. Trustee Gallelli stated that given the value of existing tennis courts as opposed to recreating them somewhere else would be a shame to lose them and they are expensive to recreate. She added that tennis programs run through our Recreation Dept. in cooperation with the School District have been done before; when tennis was popular in the 70s and 80s, it sustained itself and it is once again popular; she can see this would be a win/win program for the Recreation Dept. and would generate enough funds to sustain itself; she would like to discuss this further at a work session. Trustee Restuccia added that she believes they should wait until the school board weighs in; the school is in a difficult position and they need to be the lead in this. Trustee Gallelli added that she has no problem approaching the School Board. Ms. Davidson added that the School Board discussion on this will be held on Feb 8th; interested people should let their voices be heard whatever the opinion. Trustee Olver stated that they should signal to the School Board through the Village Manager that we would be interested in a partnership if they chose to keep the clay courts; there may be some partnering available with the garden program also. Village Manager Zambrano stated that there is going to be a Village/School meeting next week and will add this to the agenda; he would recommend to the Board to have an iron clad IMA with the School District.

c) Sabina Barach, 1 Alexander Lane, gave an update on the Croton Community Garden; her written statement was submitted to the Board and was sent to all the gardeners.

d) Marshall Goldberg, 11 Alexander Lane, stated that he is pleased about the discussion on the matter of tennis courts; the School Board can be approached respectfully. He added that he appreciates Trustee Olver's noting this Board's support of both the tennis courts and the garden; both are great ideas. Trustee Olver replied that they can think even further outside the box; there may not be another appropriate space on school property for the garden, but it

does not necessarily have to be on school property; the Village may be able to partner with them

- e) Michael Anzalone, 15 Lincoln Rd., stated that they may be able to put the garden elsewhere, perhaps not at such a grand plan which he has seen. He asked that the Board please talk to the School Board prior to the February meeting.

8. APPROVAL OF MINUTES:

Trustee Murtaugh made a motion to approve the minutes of the Board Meeting held on January 4, 2010 as corrected. Trustee Restuccia seconded the motion. The Board voted unanimous approval.

9. REPORTS:

Village Manager Zambrano reported that they have started the budget process and he has met individually with department heads; he gave a brief summary of the budget process. *Village Manager Zambrano* reported that they had skating at the Duck Pond last weekend; it was flooded twice by the Fire Department; ice skating at the old skate park didn't work out and they are looking at other options using materials already in the Village for retaining walls.

Village Treasurer Bullock gave a brief update on the 2010-11 executive budget released by Gov. Paterson; specifically items that pertain to local governments.

Trustee Olver addressed the recent major tragedy in Haiti which was truly horrible; if residents are looking for the best way to help, he suggested the partnership between Bill Clinton and George W. Bush which has good information on who is down there and doing effective work; more information can be found at www.clintonbushhaitifund.org which is a great example of collaboration Americans get involved in when things get tough. He added that he hopes we can have the same cooperation in Croton around the budget issues. He addressed his recent absences from the Board and explained the reason for them; many are in a similar or worse position and there is a need for everyone to be clever and aggressive in budget management; he is pleased they have done the 6 month budget review and discussed it at work session and identified difficult issues coming our way; the Board will have to take remedial actions and he is committed to cutting taxes again for 2010-11; while our resources are shrinking and actively cutting cost, we are creating no cost or low cost initiatives to improve quality of life in Croton and investing in studies for future initiatives. Trustee Olver asked for help by having residents come forward with good ideas.

Trustee Restuccia stated that our hearts in Croton are going to those suffering in Haiti. She reported that she attended the School Board budget meeting and encouraged residents to go to those meetings which are coming up; they also need some positive, constructive help. Trustee Restuccia reported on the Community Garden, stating that the only thing toxic about the Community Garden is the people calling it toxic; the small amount of asphalt in one small area has been removed and the soil tested; she is happy to be part of something positive. Trustee Restuccia addressed the Duck Pond issue which blasts the Board for not putting toxic chemicals into the pond to treat it; this Board is not eager to follow an unsustainable, lethal and expensive

route toward making the pond look good; restoring the health & beauty of the Duck Pond is a priority. She hopes the upcoming elections will be an intelligent, lively debate of issues.

Trustee Gallelli reported that there has been talk about the Farmers Market and gave the background of interest in attracting a farmers' market to Croton; initially eleven vendors agreed to a 2 year premier experiment; this has been a popular and important quality of life initiative and she will continue to pursue these low-cost quality of life programs. Trustee Gallelli announced that there will be a public input session to discuss a possible parking structure at the Croton-Harmon parking lot; the session is scheduled for January 27th at Harmon Fire House at 7:30; if you have any interest, please be there and provide input; the name of the study as approved is Parking Garage Feasibility Study and nothing else.

Trustee Murtaugh reported that he was a chaperone on a ski trip to Mountain Creek; this was an item deleted from the budget last season; students Benjamin Beaver and Matt Weil redesigned the trip which is done at no cost to the Village; they may have extra seats on the bus and reservations can be done through the Recreation Dept. He reported that tomorrow he, Rick Olver, two Recreation Dept. members and two Croton Little League members will meet to hash out field use issues and he will report back after the meeting.

Mayor Wiegman thanked the Croton Clergy Association for the Martin Luther King Day service at St. Augustine's Episcopal Church. Mayor Wiegman stated that at a previous Board meeting, they discussed vegetable oil for trucks and a question arose about the carbon output burning a gallon of diesel versus a gallon of vegetable oil; he explained that the reason to use the vegetable oil conversion kit includes the fact that diesel fuel burns particulate matter. He reported also that on the January 25th work session, they will have the first annual board of boards summit and have invited 13 volunteer boards to attend; each board will be asked to speak. Mayor Wiegman reported that he will be traveling to Washington this week to represent Croton in a conference on the New Green Economy and how we will be growing our way out of the current situation; he will be talking about challenges to local municipalities with regard to spending money on infrastructures which may not be adequate in our children or grandchildren's future.

Trustee Olver made a motion to adjourn. Trustee Restuccia seconded the motion; approved unanimously. The meeting was adjourned at 10:25 pm.

Respectfully submitted,

Phyllis A. Bradbury

Phyllis A. Bradbury, Secretary

Village Clerk