

1 A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on  
2 Monday, February 1, 2010 at the Municipal Building, Van Wyck Street, Croton-on-Hudson, NY  
3 10520.

4  
5 The following officials were present:  
6

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

7  
8 1. CALL TO ORDER:

9 Mayor Wiegman called the meeting to order at 8:00 p.m. Everyone joined in the Pledge of  
10 Allegiance.  
11

12 2. APPROVAL OF VOUCHERS:

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

General Fund	\$83,233.36
Water Fund	5,165.01
Sewer Fund	-0-
Capital Account	5,011.96
Trust & Agency	<u>-0-</u>
Total	\$ 93,410.33

15  
16 3. PUBLIC HEARING:

17 Trustee Gallelli made a motion to approve the postponement of the public hearing until March 1,  
18 2010 at the request of the applicant. The motion was seconded by Trustee Restuccia, approved  
19 unanimously.  
20

21 4. CORRESPONDENCE:

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

24 a) A letter from Leslie J. Synder, Snyder & Snyder, LLP regarding a Special Permit Application  
25 for Verizon Wireless to co-locate on the existing tower at 2 Veteran's Plaza.  
26

27 b) A letter from Christine O'Connor, 64 Grand Street, requesting permission to use a portion of  
28 the train station parking lot for the delivery of Girl Scout cookies on three dates in April and  
29 May. Trustee Olver made a motion to approve the request, second by Trustee Murtaugh,  
30 approved unanimously.  
31

32 c) A letter from Croton residents, Cary Andrews and Loomis Mayor regarding the brown water  
33 problem at 20 Hunter Place and asking for attention in this matter.  
34

35 d) A letter from the Westchester County Board of Legislators announcing the confirmation of  
36 appointments to head various agencies.

1 e) A letter from Fred W. Koontz, Teatown Lake Reservation, regarding EagleFest which will be  
2 held on Saturday, February 6<sup>th</sup>.

3  
4 f) A letter from Mark T. Mattson, Normandeau Associates, Inc., requesting permission to take  
5 samples at the Croton Yacht Club. Trustee Gallelli explained that the Village owns the Yacht  
6 Club land and they must get our permission; she added that this has been done for several years.

7  
8 **5. CITIZEN PARTICIPATION (agenda items):**

9 None

10  
11 **6. PROPOSED RESOLUTIONS:**

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

15  
16 WHEREAS, SMSA Limited Partnership d/b/a Verizon Wireless has applied for a special  
17 permit to co-locate a wireless communications facility on the cell tower at Veterans  
18 Plaza; and

19  
20 WHEREAS, the Village Board of Trustees must consider the environmental impacts in  
21 accordance with SEQRA of the installation of the personal wireless services facility at  
22 Veterans Plaza; and

23  
24 WHEREAS, a short Environmental Assessment Form and a Coastal Assessment Form  
25 has been prepared by the applicant,

26  
27 NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees declares its  
28 intent to serve as lead agency for the purpose of conducting a coordinated review,

29  
30 AND BE IT FURTHER RESOLVED: that the Village Board authorizes the circulation  
31 of the Environmental Assessment Form and Coastal Assessment Form to all involved and  
32 interested agencies including the Planning Board and Waterfront Advisory Committee.

33  
34 Discussion: this has no connection with FIOS.

35  
36  
37 b) On motion of TRUSTEE GALLELLI, seconded by TRUSTEE MURTAUGH, the  
38 following resolution was unanimously adopted by the Board of Trustees of the Village of  
39 Croton-on-Hudson, New York:

40  
41 WHEREAS, the Village Board has previously approved the contract with Bradhurst Site  
42 Construction Corporation for the Phase I portion of the Croton Landing/Riverwalk  
43 Improvement Project; and

44  
45 WHEREAS, additional material and work not included in the contract is required consisting  
46 of the additional landscaping, signage and cost for asphalt material for the bike path; and

1  
2 WHEREAS, the additional work has been reviewed by the Village Engineer and found to be  
3 necessary; and

4  
5 WHEREAS, the additional work is located in Phase 1 of the project and therefore will be  
6 charged to Westchester County,

7  
8 NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to sign  
9 Change Order No. 6 of the Croton Landing/Riverwalk (Phase I) Improvement Project in the  
10 amount of \$38,441.29

11 Discussion: Trustee Murtaugh stated that this will be charged to the county of Westchester.  
12 Village Engineer O'Connor stated that the change order covers additional landscaping; when the  
13 asphalt was placed, asphalt costs were at all time high and the County agreed to pay the  
14 increased cost of the asphalt; when signs were designed, they were dual faced signs which  
15 proved unnecessary; they were split and new footings were installed; extra signs were installed;  
16 this spring or summer the remainder 50% retainage should be returned; this should be the last  
17 change order for the County.

18  
19 c) On motion of TRUSTEE MURTAUGH, seconded by TRUSTEE RESTUCCIA, the  
20 following resolution was adopted unanimously by the Board of Trustees of the Village of  
21 Croton-on-Hudson, New York:

22  
23 WHEREAS, the Village Board has previously approved the Contract with Bradhurst Site  
24 Construction Corporation for the Batten Road Drainage Improvement Project on April  
25 20, 2009; and

26  
27 WHEREAS, Bradhurst Site Construction Corporation has submitted Change order 1  
28 consisting of overages and additional work totaling \$61,601.00 and Change order 2  
29 consisting of credits for material and work not required in the amount of \$47,835.00; and

30  
31 WHEREAS, the total amount of change order 1 and change order 2 results in a  
32 \$13,766.00 increase in the amount of the contract; and

33  
34 WHEREAS, the Village Engineer has review the change orders submitted by Bradhurst  
35 Site Construction Corporation and found them to be necessary and accurate;

36  
37 NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to sign  
38 change orders 1 and 2 for the Batten Road Drainage Improvement Project in the amount  
39 of \$13,766;

40  
41 AND BE IT FURTHER RESOLVED: that all costs associated with this project will be  
charged to capital account #H8120.2106.07141.

42  
43 Discussion: Trustee Murtaugh stated that looking at back up material that was provided, it  
44 indicates the Engineering Dept. & the Village Staff are looking these over very closely. Village

1 Engineer O'Connor stated that the quantity of buried boulders at Batten Road were the biggest  
2 item of concern; the rock excavation required select fill and an old stone retaining wall needed  
3 repair work at various locations; there were a few extra items such as tree removal.

4  
5 d) On motion of TRUSTEE MURTAUGH, seconded by TRUSTEE GALLELLI, the  
6 following resolution was unanimously adopted by the Board of Trustees of the Village of  
7 Croton-on-Hudson, New York:

8  
9 WHEREAS; the Village is a member of the Northern Westchester Energy Action  
10 Consortium, which will be applying for funding from NY State Energy Research  
11 Development Authority Request for Proposal 10 for an energy management project under the  
12 American Recovery and Reinvestment Act, on behalf of all the Consortium members; and

13  
14 WHEREAS, NYSERDA Request for Proposal 10 stipulates eligible municipalities may  
15 partner together to propose a project, and that each such proposal requires one of the  
16 participating municipalities to serve as the Lead Proposer and must fill out the following  
17 form; and

18  
19 WHEREAS, there is no cost to the Village in serving as Lead Proposer; and

20  
21 WHEREAS, this Consortium request seeks funding for personnel to assist Consortium  
22 members with the completion of greenhouse gas and energy inventories and the  
23 establishment of resulting climate action plans; and

24  
25 WHEREAS, this Consortium request will be complementary to and not in conflict with the  
26 Village's separate request for energy management personnel under the same RFP 10;

27  
28 NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to sign the  
29 Consortium's request for an energy management project from NYSERDA RFP 10 under the  
30 American Recovery and Reinvestment Act with the Village acting as the Lead Proposer for  
31 the Consortium's request.

32  
33 e) On motion of TRUSTEE OLVER, seconded by TRUSTEE GALLELLI, the  
34 following resolution was adopted unanimously by the Board of Trustees of the Village of  
35 Croton-on-Hudson, New York:

36  
37 BE IT RESOLVED, that the Village Election shall be held on Tuesday, March 16, 2010  
38 between the hours of 6:00 am and 9:00 pm; and

39  
40 BE IT FURTHER RESOLVED, in accordance with section 15-116 (1) of the Election  
41 law the following persons are hereby appointed inspectors of election to preside at the  
42 Village Election on March 16, 2010:

43  
DEMOCRATIC: Laura Seitz, Chairperson  
Linda Potthast  
Carol Shanesy

Peggy Cunningham  
Cornelia Cotton

1

Alternatives:  
Paul Rolnick  
Janet Maniero

2

REPUBLICAN: Regina Montana, Chairperson  
Mary Santella  
Alice Zimei  
Lucy Agosta  
Marian Costello

Alternatives:  
Jean Kraemer  
Estelle Calcutti

3

; and

4

5

BE IT FURTHER RESOLVED, that the compensation for each Election Inspector shall be a fixed rate of \$200.00 for the day and \$225.00 for each Chairperson on Election Day; and

6

7

8

9

BE IT FURTHER RESOLVED that R. Michael Mitchell and Joseph Price are hereby appointed as machine custodians at the compensation of \$65.00 per machine to prepare the voting machines.

10

11

12

13

14

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

15

16

17

WHEREAS, the Village of Croton on Hudson is determined to maintain its playing fields for public use and enjoyment while reducing costs to taxpayers, and

18

19

20

WHEREAS, the cost of annual field maintenance had risen to approximately \$74,000 per year in the fiscal year 2008-2009, and

21

22

23

WHEREAS, the Village responded to these problems by proposing a system of field use fees, which were enacted into law by resolution on December 21, 2009; and

24

25

26

27

WHEREAS, field user representatives and the Village have subsequently held discussions, as a result of which it has been determined that field maintenance costs can be cut in half through a combination of agreed savings and voluntary contributions by users,

28

29

30

31

1 NOW THEREFORE BE IT RESOLVED: that it is not necessary to institute field user  
2 fees to achieve the goals of quality maintenance and substantially reduced costs to  
3 taxpayers;

4  
5 AND BE IT FURTHER RESOLVED: that the Village Board of Trustees does hereby  
6 authorize the Village Clerk to amend the Master Fee Schedule to reflect no charge for  
7 field usage.

8  
9 Discussion: Trustee Murtaugh stated that the recent mid-year budget review showed that field  
10 use costs had begun to decline in 2009; the number he was using was based on information from  
11 the 2008-09 completed budget year. He added that through good dialogue with the Croton Little  
12 League, they came to an agreement.

13  
14  
15 g) On motion of TRUSTEE RESTUCCIA, seconded by TRUSTEE GALLELLI, the  
16 following resolution was adopted unanimously by the Board of Trustees of the Village of  
17 Croton-on-Hudson, New York:

18  
19 WHEREAS, pursuant to competitive bidding laws, the Village's desire to purchase an  
20 ambulance was publicly announced through a request for bids that was duly noticed and  
21 published; and

22  
23 WHEREAS, upon inquiry, the Village mailed three bid packages to three vendors for the  
24 purchase of an ambulance; and

25  
26 WHEREAS, only one bid was received on January 21, 2010, the bid opening date; and

27  
28 WHEREAS, this bid was from Specialty Vehicle Sales Corp, which met all specifications,  
29 for the amount of \$170,109;

30  
31 WHEREAS, funding for this vehicle was approved on October 9, 2009;

32  
33 NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to  
34 award the bid to Specialty Vehicle Sales Corp of 180 Dupont Street, Plainview, NY 11803 at  
35 a cost of \$170,109.

36  
37 Discussion: Mr. Gary Diggs, EMS, stated that there is an option package for a newer chassis  
38 which is not included in the bid; if added, it will bring the price from \$169,693 to \$170,109;  
39 there were some mechanical improvements to the newer chassis. The original resolution was  
40 revised to reflect the change; motion was made to approve the revised resolution, seconded and  
41 approved unanimously.

42  
43  
44 h) On motion of TRUSTEE MURTAUGH, seconded by TRUSTEE GALLELLI, the  
45 following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson,  
46 New York:

1  
2 WHEREAS, the Village is a member of the Northern Westchester Energy Action  
3 Consortium; and

4  
5 WHEREAS, the Consortium will be applying for funding from NY State Energy Research  
6 Development Authority RFP 10 for energy management projects under Implementation  
7 Funding for Small Municipalities of the American Recovery and Reinvestment Act on behalf  
8 of all the Consortium members and for which deadline for submission to NYSERDA is  
9 February 17, 2010; and

10  
11 WHEREAS, NYSERDA Request for Proposal 10 stipulates eligible municipalities may  
12 partner together to propose a project, and that each such proposal requires one of the  
13 participating municipalities to serve as the Lead Proposer; and

14  
15 WHEREAS, the Town of Bedford will be the Lead Proposer for an RFP 10 request for  
16 funding to support personnel to manage the Bedford Pilot Bedford / NWEAC Energy  
17 Retrofit Projects for home energy retrofits that all NWEAC members can opt into and benefit  
18 from; and

19  
20 WHEREAS, the Village of Croton-on-Hudson will be the Lead Proposer for an RFP 10  
21 request for funding to support personnel to assist Consortium members with the completion  
22 of greenhouse gas and energy inventories and the establishment of resulting climate action  
23 plans; and

24  
25 WHEREAS, each municipality other than the municipality that is serving as the Lead  
26 Proposer must complete and submit Appendix N, Partnership Agreement Form to the Lead  
27 Proposer ;and

28  
29 WHEREAS, this Consortium request will be complementary to and not in conflict with the  
30 separate requests from individual Consortium members for energy management personnel  
31 under the same RFP 10;

32  
33 NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to  
34 complete and sign “Appendix N, Partnership Agreement Form” as published in NYSERDA  
35 RFP 10;

36  
37 AND BE IT FURTHER RESOLVED, that, the Village Manager submit the completed  
38 “Appendix N, Partnership Agreement Form” to the Lead Proposer no later than February 16,  
39 2010, so it may accompany the complete application.

40  
41  
42 **7. PREVIOUSLY APPROVED RESOLUTION:**

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

1 WHEREAS; the Croton Yacht Club would like to repair the damage to its sea wall which  
2 protects its 125 slip marina basin; and

3  
4 WHEREAS, the sea wall is Croton Yacht Club property and the expense of repairing the  
5 wall will be incurred by the Croton Yacht Club; and

6  
7 WHEREAS, before undertaking any repair it is necessary to obtain a permit from the New  
8 York State Department of Environmental Conservation; and

9  
10 WHEREAS, the Yacht Club has prepared the required permit applications; and

11  
12 WHEREAS, the application is submitted by the Yacht Club as the applicant and the village  
13 as the owner,

14  
15 NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees authorizes the  
16 Manager to sign the joint application form to the New York State Department of  
17 Environmental Conservation and the US Army Corps of Engineers,

18 AND BE IT FURTHER RESOLVED: that the Village Board of Trustees authorizes the  
19 Manager to sign the Permission to Inspect Property form giving the NYS DEC permission to  
20 inspect the property,

21 AND BE IT FURTHER RESOLVED: that the Village Board of Trustees authorizes the  
22 Croton Yacht Club to obtain the necessary permits before undertaking any repairs,

23 AND BE IT FURTHER RESOLVED: that the Village Board of Trustees authorizes the  
24 circulation of the application and any required SEQRA forms to the Waterfront Advisory  
25 Committee so that the committee can make a determination as to the consistency of the  
26 project with the Village's Local Waterfront Revitalization Program.

27 Date: January 25, 2010  
28  
29

30 **8. CITIZEN PARTICIPATION (non-agenda items):**

31 a). Joanne Minnet, 5 Van Cortlandt Place stated that the meeting at the fire house regarding the  
32 parking lot was a productive meeting; there were a lot of very good discussion and ideas; the  
33 meeting had three areas, pros, cons and recommendations; the attendees were asked to pick what  
34 they considered the three most important on each list; at her table, people thought that the  
35 parking was considered sufficient and no one said they wanted a parking garage; she personally  
36 thought several other items were good recommendations such as bike riding, pedestrian path,  
37 accessibility to the highway, a solar canopy, landscaping and planting trees at the gateway. Ms.  
38 Minnet stated that since the parking lot garage wasn't big, it should be canned; use Village tax  
39 dollars for other issues such as fixing the brown water.

40  
41 b) Vito Divenere, 51 Farrington, stated that he also attended the meeting and feels that it is  
42 necessary to get public input; this should not be the last meeting; people were asking the liaison  
43 at the table about other issues that could be added; he is in favor of investigating more parking.

1 Trustee Gallelli stated that the meeting format has been used at several meetings she has  
2 attended; it was an input session and a lot of good ideas came forward. Mayor Wiegman added  
3 that ideas from each table will be reported back to the Village from the consultant. Trustee  
4 Murtaugh stated that upon review of the top three choices, there was a great deal of parity among  
5 the tables; the general consensus was that pedestrian and bike access should be addressed; it was  
6 a great example of democracy in action.

7  
8 9. APPROVAL OF MINUTES:

9 Trustee Restuccia made a motion to approve the minutes of the Board Meeting held on January  
10 19, 2010 as corrected. Trustee Murtaugh seconded the motion. The Board voted unanimous  
11 approval.

12  
13 10. REPORTS:

14 *Village Manager Zambrano reported* that the Eagle cam is ready to be launched. He also  
15 reported that Riverwalk at Half Moon Bay is accessible; however, residents can go through  
16 Croton Landing and enter by the gazebo; the gate is not locked. He added that there is a section  
17 of the walk than needs to be repaired and he has left a message to the condo association that this  
18 needs to be done. Trustee Gallelli added that the path is ADA compliant. Village Manager  
19 Zambrano reported that he attended the Fire Department's outgoing chief's dinner dance and  
20 read a proclamation from the Village. He reported that on Friday he attended a meeting at the  
21 County Center; the County has seminars for seniors to learn how to manage finances and the  
22 pitfalls; this will be posted on the Village web site and he will bring the information to the Senior  
23 Club at their next meeting.

24  
25 *Village Treasurer Bullock reported* that the tentative assessment roll has been filed with the  
26 Village Clerk.

27  
28 *Trustee Olver reported* that brown water is a high priority and is a serious problem; he is  
29 committed to addressing this, but it will have to be done in a staged manner because of the cost.  
30 Trustee Olver reported that the Police Department does not have enough room and they are on  
31 the way to reformulate the municipal building, but it will cost money. He added that Wayne  
32 Street is a temporary home but they do not have the money to think of a permanent home for  
33 EMS; the DPW also needs a new home; the Board is going to proceed with the most urgent  
34 projects, but may not be able to address all of them in the next year. He stated that there is  
35 confusion about why we are doing a parking structure study; the meeting was a way for people  
36 with different opinions to come together and discuss issues; the parking lot is the largest source  
37 of revenue after property taxes; just maintaining the lot is not good enough, they need to see if it  
38 can become a better source of revenue; there is a waiting list for spots and they need to justify  
39 the additional investment expense; the parking lot paving was a maintenance project; the  
40 \$750,000 of federal money did offset some of the investment, but it is largely still coming out of  
41 taxpayers' pockets; the decision to do the study came out of a unanimous agreement from the  
42 previous entire Board; we are simply doing a feasibility study for a parking structure and  
43 possible ways of financing without a contribution from Village taxpayers and exploring the  
44 possibility of investments from private sources and profit share. The resolution can be found on  
45 Village web site dated February 1, 2009.

1 *Trustee Restuccia* agreed that the fire house meeting was terrific; she thanked the citizens who  
2 came and everyone had important things to contribute. *Trustee Restuccia* reported that the first  
3 Board of Boards meeting was held last week and this weekend is EagleFest. She reported also  
4 that the dine-around for CHEF was a terrific Croton night. *Trustee Restuccia* reported that  
5 recently someone was knocking on doors asking for work; that is not allowed and a permit is  
6 necessary, if anyone is not sure, please call the Police.

7  
8 *Trustee Gallelli* reported that last week, there were two great meetings; the parking structure  
9 meeting which had different points of view well represented and last Monday was the State of  
10 the Village meeting where the Mayor asked every committee & board in the Village to provide a  
11 representative to give a report of what they have done the past year and what they would like to  
12 do the coming year; as each representative got up and spoke, it showed the inter-relationship  
13 which brought them together; an informal reception followed which allowed talk one-on-one; it  
14 was a productive meeting and she hopes it is continued in subsequent years. *Trustee Gallelli*  
15 reported that there will be a ribbon cutting for the Eagle Cam; a camera was donated by Cannon  
16 USA in memory of Michael Aimes, who is the husband of the former CET Principal;  
17 representatives from Cannon and Teatown will be there; the Village will have a table with  
18 information. *Trustee Gallelli* reported that this Thursday is the second school budget meeting; it  
19 is very important and residents should be concerned and pay attention. She stated that the last  
20 meeting had people speaking about the tennis courts and it was agreed to tell the School Board  
21 the Village is willing to collaborate. *Trustee Gallelli* reported that the next meeting is also  
22 grievance day and residents can appear and make their case; the newsletter has a formula that  
23 will help; last year they had a large number of people which had everything to do with the  
24 current economic situation and she expects the same this year.

25  
26 *Trustee Murtaugh* reported that the Board of Boards meeting and also the mid-year budget  
27 analysis both were fruitful and allowed the Board to pass a resolution to rescind fees and allowed  
28 better information for field usage.

29  
30 *Mayor Wiegman* announced the appointment of Ron Marans, Lounsbury Rd. to the Conservation  
31 Advisory Committee to fill an opening. He reported that the State of the Village Board summit  
32 had excellent participation. *Mayor Wiegman* reported that Asst. Village Manager Janine King is  
33 gathering the written reports which will be distributed to Chairs of those boards. *Mayor*  
34 *Wiegman* stated that at EagleFest, local non-profits and community groups can have flyers or  
35 information on the Village table along with trail maps, etc. and *Trustee Restuccia* will coordinate  
36 this; also the map from the Clearwater festival can be made available. *Village Manager*  
37 *Zambrano* suggested publishing a booklet similar to what Garden City, NY has published.  
38 *Mayor Wiegman* reported that on February 4<sup>th</sup> at Cortlandt Town Hall, there will be a  
39 community breakfast which he will attend. *Mayor Wiegman* added that the Board will need  
40 comprehensive work sessions prior to budget discussions

41  
42 *Village Manager Zambrano* reported that Sandra Galef will be holding a meeting on Thursday,  
43 February 4<sup>th</sup> at Cortlandt Town Hall regarding making local courts more efficient to save tax  
44 dollars.

1 Trustee Murtaugh made a motion to go into Executive Session to discuss a personnel matter;  
2 second by Trustee Restuccia, approved by all.

3  
4 Trustee Restuccia made a motion to adjourn. Trustee Gallelli seconded the motion; approved  
5 unanimously. The meeting was adjourned at 9:50 pm.

6  
7  
8 Respectfully submitted,

9  
10  
11  
12 \_\_\_\_\_  
13 Phyllis A. Bradbury, Secretary

14  
15  
16  
17 \_\_\_\_\_  
18 Village Clerk