

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, September 4, 2012 at the Municipal Building, Van Wyck Street, Croton-on-Hudson, NY 10520.

The following officials were present:

Mayor Wiegman	Trustee Schmidt
Village Manager Zambrano	Trustee Murtaugh
Village Attorney Feldman	Trustee Raskob
Village Treasurer Bullock	

The following official was absent:

Trustee Gallelli
------------------

1. CALL TO ORDER:

Mayor Wiegman called the meeting to order at 8:00pm. Everyone joined in the Pledge of Allegiance.

2. APPROVAL OF VOUCHERS:

Trustee Raskob made a motion to approve the following Fiscal Year 2011-2012 vouchers. The motion was seconded by Trustee Murtaugh and approved with a vote of 4-0.

General Fund	\$2,534.96
Sewer Fund	\$ 80.00
Total	\$2,614.96

Trustee Raskob made a motion to approve the following Fiscal Year 2012-2013 vouchers. The motion was seconded by Trustee Schmidt and approved with a vote of 4-0.

General Fund	\$ 88,870.25
Water Fund	\$ 2,734.03
Sewer Fund	\$ 75.11
Capital Fund	\$ 76,950.92
Trust Fund	\$ 16,796.36
Total	\$185,426.67

3. PRESENTATION:

Mayor Wiegman advised that the Board will be making a special presentation this evening to Mr. Vincent Matero who has been nominated into the New York Veteran's Hall of Fame. Mayor Wiegman invited Mr. Patrick Calcutti, who is part of the Veteran's Committee, to come up and introduce Mr. Matero.

Mr. Calcutti said that Mr. Matero is a sharp, active and vibrant 96 year old man who has been an active member in the American Legion Post 505 for

fifty-seven (57) years; he has held every officers position in the post, has been the Boy's State Chairman for the past ten (10) years; in 2010 he was the committee co-chair to restore Croton's World War I monument; organized a Calling Card Program for Veteran's overseas; Chair-Person of the Local Central Veteran's Committee assisting in organizing Memorial Day, Veteran's Day, and Pearl Harbor Day Ceremonies; he is a Navy Veteran of World War II and served in both the Atlantic and Pacific operations. Mr. Calcutti said that at 96 years old Mr. Matero shows more enthusiasm in supporting Veterans affairs then people half his age; Mr. Matero is always the first to respond to assist other Veterans and is a constant source of inspiration.

Mayor Wiegman presented Mr. Matero with a Proclamation.

Mr. Matero said that there are certainly other Veterans deserving of this distinction and thanked the Board for awarding him this honor.

Trustee Schmidt said that thanks to Mr. Matero's hard work he made sure that a star was placed on street signs throughout the Village that represent military personnel who have lost their life in service. Trustee Schmidt also thanked Mr. Matero for all his hard work in getting the Village to clean up Veteran's Corner; you have done wonderful work for all Veteran's and thanked him for all his hard work.

4. CORRESPONDENCE:

1. Letter from Kevin G. Dolan, Associate Account Executive, New York Power Authority providing an update to the NYPA's 2013 electricity rates for Westchester County Government Customers.
2. Letter from Gregory Schmidt, President of the Croton Rotary Club requesting the use of a portion of the Croton on Hudson train station parking lot for the Rotary Club of Croton's Annual Fall Car Show on Sunday September 30, 2012.

Motion made by Trustee Raskob approving the request from the Croton Rotary Club to use the Croton on Hudson train station parking lot for their annual Fall Car Show to be held on Sunday, September 30, 2012. Motion seconded by Trustee Murtaugh with a vote of 4-0.

3. Letter from Greg Ball, State Senator 40<sup>th</sup> District advising that he is taking the issue of hydrofracking seriously and is circulating a petition that is available at [www.nysenate.gov/webform/fracking](http://www.nysenate.gov/webform/fracking), so that those who are also concerned can be heard.

4. Letter from Mae Carpenter, Westchester County Commissioner of Senior Programs and Services inviting the Village to nominate seniors to the 30th Annual Westchester Seniors Citizens Hall of Fame.
5. Letter from Michael Anderson, PE. New York State Department of Transportation informing the Village that the Federal Highway Administration, along with the NYS Department of Transportation, and the NYS Thruway Authority have prepared a Final Environmental Impact Statement/Final Section 4(f) Evaluation for the Tappan Zee Hudson River Crossing Project; the document is available on line and all questions can be directed to Michael Anderson, NYS Department of Transportation 4 Burnett Blvd, Poughkeepsie, NY 12603 or via email to [tzbsite@dot.state.ny.us](mailto:tzbsite@dot.state.ny.us)

5. CITIZEN PARTICIPATION-AGENDA ITEMS

Wayne Kocher of Fort Montgomery, New York addressed the Board with an idea to start a "Union Workforce Federal Savings Bond" that would go towards green sustainable work in this Country. Mr. Kocher said that this would supply jobs without having to ask for any money from the Federal Government. Mr. Kocher said that he has already written to the President, Vice-President; State Senators; Congressman and Governor Cuomo.

Mayor Wiegman stated that there is a Regional Planning Process happening in the seven Mid-Hudson Counties which the Governor has triggered and among the many economic development topics are various sustainable planning projects from agriculture to land use to transportation. Mayor Wiegman suggested that Mr. Kocher visit their web-site, [www.engagemidhudson.com](http://www.engagemidhudson.com) and post his ideas.

6. RESOLUTIONS:

A. On motion of TRUSTEE Schmidt, seconded by TRUSTEE Raskob, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 4-0.

WHEREAS; the Village is in the third year of a grant from the U.S. Department of Health Human Service and Substance Abuse and Mental Health Services Administration under the Drug Free Community Support Program; and

WHEREAS, the local grant program is known as the Coalition against Alcohol and Drug Abuse; and

WHEREAS, the Village receives and distributes the grant money on behalf of the Coalition; and

WHEREAS, the Village Treasurer wishes to open both sides of the General Fund budget to record the receipt and subsequent disbursement associated with grant monies received; amending the 2011-2012 General Fund budget as follows:

GENERAL REVENUE	
Increase A4050.4997	\$28,167.74

GENERAL EXPENSES	
Increase	
A4050.1000	\$ 6,689.00
A4050.1200	3,077.04
A4050.4000	14,915.96
A4050.4200	1,411.79
A4050.4500	420.79
A9030.8000	1,334.21
A9031.8000	318.95

NOW THEREFORE BE IT RESOLVED, that the Village Treasurer is authorized to amend the 2011-2012 General Fund budget to reflect these changes.

B. On motion of TRUSTEE Murtaugh, seconded by TRUSTEE Raskob, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 4:0.

WHEREAS, the Village Board of Trustee would like to offer community garden plots to its residents as part of the Village Recreation Program; and

WHEREAS, in order to make this program available to more of its residents, the Village Board of Trustees has agreed to construct a second community garden, whose construction and maintenance costs will be recovered from the participants; and

WHEREAS, it is necessary to have a fence constructed to delineate the garden area; and

WHEREAS, quotes have been requested from four fence companies; and

WHEREAS, Salem Fence Co., Inc of Baldwin Place, New York has provided the lowest quote at \$7,200;

NOW THEREFORE BE IT RESOLVED: that the Village Manager is authorized to award the proposal for the construction and installation of a 96 inch high hybrid chain link fence to Salem Fence Co., In. in the amount of \$7,200,

AND BE IT FURTHER RESOLVED: that the Board of Trustees hereby authorizes the Village Treasurer to transfer \$7,200 from the Contingency Account A.1990.4000 to the Maintenance of Public Buildings Account A1620.4000.

C. On motion of TRUSTEE Schmidt, seconded by TRUSTEE Raskob, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 4:0.

WHEREAS, on August 29, 2011 Tropical Storm Irene impacted the area causing damage to Village property and infrastructure, and

WHEREAS, on September 27, 2011 the Village filed a request for public assistance with FEMA to recover expenses related to the storm, and

WHEREAS, over the past eleven months the Village has been working closely with FEMA and SEMO project managers compiling the necessary documentation to submit for approval to FEMA and SEMO, and

WHEREAS, FEMA and SEMO have approved projects in the amount \$209,707 to date, and

WHEREAS, as of August 31, 2012, the Village has received reimbursement in the amount of \$49,905.62 for damages caused by Tropical Storm Irene,

NOW THEREFORE BE IT RESOLVED: that the Board of Trustees of the Village of Croton on Hudson hereby accepts payments in the amount of \$49,905.62 from FEMA and SEMO for damages caused by Tropical Storm Irene.

D. On motion of TRUSTEE Schmidt, seconded by TRUSTEE Raskob, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 4:0.

WHEREAS, the Village has an executed contract with Hudson River Recreation whereby Hudson River Recreation provides a recreational kayak program at the Echo Canoe Launch; and

WHEREAS, the effective dates of the agreement are from June 15, 2012 to September 9, 2012 with an option to renew to October 14, 2012 upon written request of Hudson River Recreation; and

WHEREAS, the agreement may be renewed for an additional term from May 25, 2013 to September 8, 2013 upon written approval of both parties; and

WHEREAS, Hudson River Recreation has supplied a written request to extend the initial term to October 14, 2012 and to renew the term for the 2013 season; and

WHEREAS, Hudson River Recreation has also requested an amendment to the contract which would extend the end date of the initial and renewal terms to November 15, 2012 and November 20, 2013 respectively,

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby agrees to the extend the term and to the renewal of the of the 2012 term for the 2013 season,

AND BE IT FURTHER RESOLVED: that the Village Board of Trustees agrees to the amendment of the contract which would extend each term to November 15, 2012 and November 20, 2013,

AND BE IT FURTHER RESOLVED: that the Village Board of Trustees directs the Village Manager to execute an amended contract reflecting the above terms.

E. On motion of TRUSTEE Raskob, seconded by TRUSTEE Murtaugh, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 4:0.

WHEREAS, the Village has several outstanding small claim assessment review cases resulting from grievance proceeding of last year; and

WHEREAS, the attached memo provided by the Village Assessor, Joseph Sperber states that the properties have been granted an assessment reduction and should receive a tax refund providing their taxes are paid in full; and

WHEREAS, the properties are located at

20 Mount Green Road, 67.20-1-17  
19 Cleveland Drive, 79.13-2-85  
133 Scenic Drive, 67.10-2-4.17  
8 Amber Drive, 67.10-3-1.04  
13 Arrowcrest Drive, 67.15-1-40  
145 Old Post Road North, 67.19-2-6  
2 North Ledge Loop, 68.17-2-4  
28 Piney Point Ave, 79.13-4-43  
37 Irving Ave, 79.5-4-49  
105 Morningside Drive, 79.5-2-24  
4 Prickly Pear Hill Road, 67.15-1-21  
89 Lexington Drive; 79.9-4-56  
9 Georgia Lane, 68.10-2-1  
45 Van Wyck Street, 78.8-5-27  
9 Sunset Drive, 79.9-7-5  
213 Hessian Hills Road, 68.9-4-27 on the Village Tax Maps; and

WHEREAS, the tax refunds were calculated using the current tax rate of \$240.748 per \$1,000 of assessed value; and

WHEREAS, the total amount to be refunded for each property is

20 Mount Green Road- \$876.32  
19 Cleveland Drive-\$272.06  
133 Scenic Drive-\$954.57  
8 Amber Drive-\$269.64  
13 Arrowcrest Drive-\$2,527.85  
145 Old Post Road North-\$2,206.46  
2 North Ledge Loop-\$233.53  
28 Piney Point Ave-\$1,003.92  
37 Irving Ave-\$229.91  
105 Morningside Drive-\$405.66  
4 Prickly Pear Hill Road-\$922.06  
89 Lexington Drive-\$640.39  
9 Georgia Lane-\$361.12  
45 Van Wyck Street-\$1,227.81  
9 Sunset Drive,- \$0.00  
213 Hessian Hills Road,-\$938.92;

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees authorizes the Village Treasurer to issue tax refunds to the property owners as outlined in the attached memo from the Village Assessor.

F. On motion of TRUSTEE Murtaugh, seconded by TRUSTEE Raskob, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 4:0.

WHEREAS, the street sweeper has been damaged and is no longer usable; and

WHEREAS, the Village will be receiving \$75,000 from its insurance provider which will help offset the cost of a new vehicle; and

WHEREAS, the Superintendent of Public Works has obtained a quote for a new sweeper in the amount of \$185,490; and

WHEREAS, the Village Board of Trustees has determined that it would be in the best interests of the Village to purchase a new vehicle,

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby directs the Superintendent of Public Works to obtain bids for a new sweeper,

AND BE IT FURTHER RESOLVED: that the Village Board of Trustees hereby directs the Village Treasurer to add \$110,490 to the capital fund budget and to add this amount when preparing bond resolutions for this year's capital fund borrowing.

G. On motion of TRUSTEE Schmidt, seconded by TRUSTEE Raskob, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the property owner of 425 South Riverside Avenue has filed tax certioraris against the Village for the years 2009 through 2012; and

WHEREAS, similar certioraris have been filed against the Town of Cortlandt; and

WHEREAS, the Town of Cortlandt has agreed with the property owner to settle at a market value of \$1,200,000, and

WHEREAS, the Village Tax Assessor recommends that the Village also agree to a market value of \$1,200,000; and

WHEREAS, such assessment reduction will cause a tax refunds as follows:

Year	Assessment (\$)	Corrected Assessment (\$)	Reduction (\$)	Refund (\$)
2009	88,700	39,600	49,100	11,194.26
2010	59,400	39,840	19,560	4,455.98
2011	59,400	44,520	14,880	3,529.27
2012	59,400	45,600	13,800	3,322.32
Total				22,501.83

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby authorizes the proposed settlement and authorizes the Village Attorney to consent to the Final Order and Judgment reflecting this settlement with the Supreme Court of the State of New York.

H. On motion of Trustee Raskob, seconded by Trustee Schmidt, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 4:0.

WHEREAS, USI Consulting Group has been providing actuarial consulting services to the Village for the calculation of post-employment benefits including the calculation of the annual required contribution, actuarial liability and other required calculations as prescribed by GASB 45; and

WHEREAS, these services have been provided for the fiscal years 2008-09, 2009-10, and 2010-11; and

WHEREAS, it is necessary to continue these services for the next three fiscal years;  
and

WHEREAS, USI Consulting Group has provided a proposal in the amount of \$6,500  
for the next three fiscal years; and

WHEREAS, the Village Treasurer has been satisfied with their work to date,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized  
to sign the proposal with USI Consulting Group in the amount of \$6,500, for a full  
valuation of post-retirement benefits including determination of the Village of  
Croton on Hudson's Annual Required Contribution that meets the requirement of  
GASB statement No. 45,

AND BE IT FURTHER RESOLVED: that this amount should be charged to account A  
1320.4000.

#### 7. CITIZEN PARTICPATION-NON AGENDA ITEMS

Andy Levitt, 6 Cedar Lane, said that he was under the impression that the  
State Legislature adopted a new Law which would allow municipalities to switch to a  
"best value" standard when looking at certain contracts as opposed to looking at  
the lowest bidder. Mr. Levitt asked if Croton is doing something like this.

Trustee Murtaugh stated that in the past there have been instances when the  
Village has not gone with the lowest bidder.

Mayor Weigman said that the State's threshold is the "lowest responsible  
bidder" and if you have very few bidders you would have to define who is the  
responsible when you do not think that the lowest bidder is responsible.

Village Manager Zambrano stated that the Village will be updating their  
procurement policy within the next few months and will include this new law.

Village Attorney Feldman stated that the standard is different for Purchase  
Contracts vs. Public Works Contracts and while "best value" may be applicable to  
Purchase Contracts, Public Works Contracts are still subject to the "lowest  
responsible bidder".

Mayor Weigman said that the Board may need to adopt a resolution to  
officially allow us to follow the "best value" practice.

#### 8. APPROVAL OF MINUTES

Trustee Schmidt made a motion to approve the minutes of the Regular  
Meeting held on May 14, 2012. Trustee Murtaugh seconded the motion. The  
Board approved with a vote of 4-0.

Trustee Murtaugh made a motion to approve the minutes of the Regular Meeting held on June 4, 2012. Trustee Raskob seconded the motion. The Board approved with a vote of 4-0.

Trustee Schmidt made a motion to approve the minutes of the Regular Meeting held on August 6, 2012. Trustee Murtaugh seconded the motion. The Board approved with a vote of 4-0.

Trustee Murtaugh made a motion to approve the minutes of the Executive Session held on August 6, 2012. Trustee Raskob seconded the motion. The Board approved with a vote of 4-0.

## 9. REPORTS

*Village Manager Zambrano* directed the Board's attention to new monitors that have been installed in the Board Room; these new monitors will enable the Board to project meeting agendas and power point presentations.

*Village Manager Zambrano* said that he has received another inquiry regarding Verizon Fios services. Mr. Zambrano advised that the Village had tried to negotiate a contract three years ago with Verizon, the Village is still open to negotiate with Verizon but, without that contract, they cannot operate within the Village of Croton on Hudson.

*Village Manager Zambrano* announced that the 9-11 Memorial Ceremony will be held on September 11<sup>th</sup>, Croton Landing at 2:30pm.

*Village Manager Zambrano* advised that a Barry Manor resident contacted him concerning an address change with the 9-11 system. Mr. Zambrano said that the 9-11 system has changed his address to 1 Barry Manor and it has caused confusion with the Post Office. Mr. Zambrano said that anyone who has not received mail to please contact the Post Office. Mr. Zambrano said that Barry Manor is not an official address; the address is Old Post Road South and each apartment is designated a number within that development. Mr. Zambrano said that they are working on the problem.

*Village Manager Zambrano* announced that next Sunday the 5<sup>th</sup> Annual Toughman Triathlon Race will be held; Route 9 southbound will be closed from 5:00am to 1:00pm from the Annsville Circle to North State Road in Briarcliff Manor.

*Trustee Schmidt* advised that the concert sponsored by the Croton Business Council and the Hudson Valley Gateway Chamber that was recently cancelled due to inclement weather has been rescheduled for September 22nd.

*Trustee Schmidt* thanked the Recreation Department for assisting in coordinating this event. Trustee Schmidt reminded everyone that school is open and to please drive safely.

*Trustee Schmidt* encouraged everyone to attend the Rotary Club's Fall Car Show on Sunday, September 30, 2012.

*Trustee Murtaugh* said that he was honored to have met Mr. Matero this evening; the residents of the Village and the Nation thank him for his service.

*Mayor Wiegman* wanted to clarify any misunderstanding there may be relative to the private property of Mrs. Gouveia, 1300 Albany Post Road; the Village has no control over whether a private individual will donate a piece of their property to a tax exempt entity. Mayor Wiegman said that it is true that Mrs. Gouveia approached the Village about this; we went through the process of due diligence at looking at the property and there is no offer on the table at this time from Mrs. Gouveia. Mayor Wiegman stated that Mrs. Gouveia may choose to do something different with that piece of property and the Village has no control if that property goes off the tax rolls. Mayor Wiegman said that Mrs. Gouveia has expressed interest that she would like this space to remain open conservatory space.

*Mayor Wiegman* reminded everyone of the following upcoming events: Toughman Race, this Saturday from 5:00am to 1:00pm; Croton Fire Department's 120<sup>th</sup> Anniversary event this weekend; 9-11 Memorial Ceremony Tuesday, September 11<sup>th</sup> at 2:30pm; River Day sponsored by the Croton Yacht Club on Saturday afternoon from 1:00pm-4:00pm.

Trustee Raskob made a motion to enter into an Executive Session at 9:55pm to discuss on-going Teamsters Matters. Trustee Murtaugh seconded the motion; approved 4-0.

There being no further business to come before the Board, Trustee Murtaugh made a motion to adjourn the meeting. Trustee Raskob seconded the motion; approved 4-0. The meeting was adjourned at 10:00pm

---

Village Clerk