

A Regular Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Tuesday, September 02, 2008 at the Municipal Building, Van Wyck Street, Croton-on-Hudson, NY 10520.

The following officials were present:

Mayor Schmidt	Trustee Brennan
Trustee Gallelli	Trustee Konig
Trustee Olver	Village Attorney Staudt
Village Manager Zambrano	

1. CALL TO ORDER:

Mayor Schmidt called the meeting to order at 8:05 p.m.

Mayor Schmidt announced that Abraham J. Zambrano has been chosen from several candidates to be appointed as the new Village Manager.

On motion of Trustee Brennan, seconded by Trustee Konig, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

BE IT RESOLVED, that effective immediately the Village Board of Trustees hereby appoints Abraham J. Zambrano as the Village Manager, and

BE IT FURTHER RESOLVED, that the Village Board hereby approves the attached employment contract between the Village and Abraham J. Zambrano and further authorized the Mayor to execute the contract on its behalf.

Trustee Konig offered congratulations and that the Board did a great job selecting him; this will be a new and successful era for Croton. Trustee Gallelli added that it was a long process that was well executed by the committee and the results are very fine. Trustee Olver added that he looks forward to working with Mr. Zambrano on behalf of the Village. Trustee Brennan stated that it is obvious to him the best man was already on the job and it was his pleasure to make sure that the Village stewardship is in the hands of someone who knows residents, staff and how the Village is supposed to work and was proud to cast a vote for Mr. Zambrano. Mayor Schmidt stated that Mr. Zambrano has done a fine job and looks forward to working with him; he thanked the committee who worked with the Board and feels in the end came out with the right candidate; there is a lot going on in the Village and welcomed Mr. Zambrano to this permanent position.

Village Manager Zambrano replied that it is an honor to have worked as Treasurer for over 4 years and looks forward to being Village Manager and working with the Board, staff and the community at large; he is easily approachable, so please come to him to address issues that need to be addressed; he hopes to retire from here, but hopes to be here for quite a few years.

2. APPROVAL OF VOUCHERS:

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

General Fund	\$41,574.76
Water Fund	10,691.30
Sewer Fund	10,339.90
Capital Accounts	9,770.80
Trust & Agency	10,425.10
	\$82,801.86

3. PUBLIC HEARING:

Mayor Schmidt opened the Public Hearing for Local Law #5 of 2008 amending Chapter 160, Noise. No comments were forthcoming; the Public Hearing was closed.

On motion of TRUSTEE BRENNAN, 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 Village Board of Trustees would like to limit the number of hours that motor-driven garden equipment can be operated; and,

WHEREAS, Local Law Introductory No. 5 of 2008 has been drafted changing the permitted end hour of the operation of such motor-driven equipment from 9 p.m. to 8 p.m. in the evenings and changing the Saturday start hour from 8 a.m. to 9 a.m., and

WHEREAS, a public hearing was held and closed on September 2, 2008,

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby adopts Local Law No. 5 of 2008, amending Chapter 160, Noise, of the Village Code.

Section 1. Chapter 160, Section 4, Letter H of the Code of the Village of Croton-on-Hudson is hereby amended to read as follows:

- H The operation of power lawn mowers, rakers or leaf blowers or other motor-driven lawn or garden equipment between the hours of 8:00 p.m. and 8:00 a.m. Sunday through Friday, between the hours of 8:00 p.m. Friday and 9:00 a.m. Saturday, and between the hours of 8:00 p.m. Saturday and 10 a.m. Sunday.

Section 2. This Local Law shall take effect immediately upon filing with the Secretary of State.

Discussion: Trustee Brennan stated that the motion speaks for itself; it is a good law. Trustee Gallelli stated that this affords an extra hour of peace & quiet. Trustee Olver added that it was important to expand noise restrictions for an hour, especially on Sunday.

Mayor Schmidt announced that he has appointed Rosanne Skyler to the ZBA; she will be filling the vacancy made by Mr. Barlow who is moving out of the area; this brings the ZBA up to full power.

4. CORRESPONDENCE:

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

- a) A letter from Thomas Weiner, Region 8 TEP Coordinator, NYS Dept. of Transportation, stating that they have reviewed the Croton Harmon Parking Facility Pedestrian and Bicycle Enhancement application and have determined that the project is eligible for TEP funds and have forwarded the application to be evaluated, rated and prioritized. Village Manager Zambrano stated that several months ago, the Village hired a consultant to do a traffic study for the Croton Point Ave./South Riverside corridor and applied for a grant based on the consultant's recommendation; more information will be coming in the first work session in November.
- b) A letter from Ann Seligshon, Westchester Residential Opportunities, Inc. offering their services for one hour workshops on fair housing laws and actions that may be taken to enforce those laws. Mayor Schmidt asked this to be forwarded to the Croton Housing Network
- c) A letter from Robert Hoch, Cablevision, announcing 15 new HD channels that will be made available effective Friday, August 1, 2008.
- d) A letter from Robert Hoch, Cablevision, announcing the change to digital format only for certain cable channels effective September 16, 2008 which will impact a small number of customers.
- e) A letter from Lawrence Schwartz, Westchester County Deputy County Executive, regarding contractual negotiations with the operators of the RESCO facility.
- f) A letter from Leslie Snyder, Attorney, Snyder & Snyder, notifying the Village that an application for installation of a wireless service facility at 1033 Oregon Road, Cortlandt Manor, has been submitted by Verizon to the Town of Cortland.
- g) A memo from Kieran Murray, Chair, Harmon Business Development Committee, regarding a Workforce Housing Bill for Westchester that has been passed by the State Assembly and has been delivered to the State Senate; it is a bill similar to the one passed for Nassau & Suffolk counties of Long Island.
- h) A letter from Village Engineer O'Connor, requesting a six month building permit extension be granted for 127 Old Post Rd. North. Trustee Brennan made a motion to approve the request; seconded by Trustee Gallelli; all in favor. Extension granted.

5. CITIZEN PARTICIPATION-Agenda Items

Bob Wintermeier, 43 Radnor Ave., congratulated Abe Zambrano for the promotion he received this evening. He added that people posting on the blog have nothing but the highest praise for Abe and his responsiveness to the residents. Mr. Wintermeier stated that he has concerns about the letter from Kieran Murray which is talking about legislation that has been passed for Nassau and Suffolk Counties; Mr. Murray's comments pointed out that the median income for the housing was \$85,300 and the level for housing is \$111,000; Westchester used

different numbers and he would like it to be reconciled; our numbers are much lower than Long Island; also Long Island's bill specifies no minimum time frame for this program but Westchester specifies 30 years; those differences should be rectified we should have no more or less than Long Island is getting.

6. RESOLUTIONS:

*Note: Trustee Konig left the meeting for a family emergency and was not present to vote on the following resolutions.*

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

WHEREAS, the Village provides a service to its residents by picking up fall leaves and organic yard waste; and

WHEREAS, for a number of years the Village has transferred the leaves and organic waste to a private entity in Putnam Valley; and

WHEREAS, this method is not cost effective or an efficient use of employee man power; and

WHEREAS, the site in Putnam Valley does not compost the leaves or organic waste and it is also likely that this site will close in the future; and

WHEREAS, the Village will need to provide a way to continue to collect and dispose of leaves and organic yard waste for its residents; and

WHEREAS, the Village is continuing to explore all other options for the disposal of its leaves and organic yard waste; and

WHEREAS, Westchester County has an organic yard waste recycling program for municipalities; and

WHEREAS, the cost for this service is \$13.49 per ton until March 2009 and \$15 per ton until December 2009; and

WHEREAS, this cost is much lower than the method currently being used by the Village; and

WHEREAS, Westchester County has provided the Village with an IMA in order to enter into this program; and

WHEREAS, the Village must make a determination as to the environmental significance of this action; and

WHEREAS, a short environmental form has been prepared,

NOW THEREFORE BE IT RESOLVED: that pursuant to 6 NYCRR Part 617, State Environmental Quality Review, the Village Board hereby designates itself Lead Agency for the SEQR review of this unlisted action,

AND BE IT FURTHER RESOLVED: the Village Board of Trustees has determined that the proposed unlisted action will not have a significant adverse effect on the environment and based upon the short environmental assessment form adopts a negative declaration with respect to this action,

AND BE IT FURTHER RESOLVED; that the Village Manager is hereby authorized to sign the intermunicipal agreement with Westchester County in order to enter into the organic waste recycling program.

Discussion: Trustee Olver stated that there was a very good presentation given by Westchester County and a good airing of citizens' views; it is a complicated issue because of the steps involved; this is not the ideal solution, but a good compromise; the Village will be putting organic recyclables into a composting stream for reuse; cutting back on our own energy use and saving money; the down side is material will be trucked to Vermont; there is no facility nearby; he hopes to look forward in the next few years and look for a closer facility and make the composting products available locally. Trustee Brennan stated that this is a compromise that moves us along; not a perfect solution, but they have the responsibility to remove organic waste; Peekskill is only accepting leaves right now; this is a tenable compromise; the Village can opt out if it finds it is not favorable. Trustee Brennan added that he doesn't believe it will be more than one or two trucks a week or every two weeks; the current facility in Peekskill may close down any day. Trustee Gallelli asked that the Town of Cortlandt will accept some materials, but how does that work out in terms of cost and the amount we can get rid of? Village Manager Zambrano replied that he does not have the exact numbers, but leaves are no problem; they are not set up to receive organics. Trustee Gallelli asked what Cortland charges. Mr. Gennarelli replied that last time he checked, it was \$22.00 a ton, but he wouldn't be surprised if it goes up to \$25 a ton; our leaves and yard waste ratio is probably 50/50. Trustee Gallelli asked if we have explored the IMA that Ossining has with Westchester County. Mr. Gennarelli replied that the cost is about the same. Trustee Gallelli stated she wanted to point out that there are options that are closer, but by doing that it would be more expensive; she has struggled with this; it is a difficult time when a compromise has to be made; the former skate board park is not an ideal area to store leaves and it should be developed for other purposes, but the Village is in a bind right now; there is a benefit to move to internal Village residents composting; it appears there isn't any other realistic choice; this will improve labor time spent dealing with this each week during the season; she will support the resolution with reservations, but this is a compromise. Trustee Gallelli added that she is absolutely not in favor of making our site in the Village available to any other municipality under any terms. Trustee Brennan inquired about the major time frame for leaves. Mr. Gennarelli replied it is October through the end of December and we are collecting other organic waste during spring through the fall; the former skate board park site has been registered with DEC so organic waste can be transferred out of that site. Mayor Schmidt stated that they will continue to work on other avenues in the future; we can get out of this agreement at any time.

b) On motion of TRUSTEE BRENNAN, 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, Croton EMS is under the jurisdiction of the Village of Croton-on-Hudson (the "Village") and is a volunteer organization that provides ambulance services to the Village; and

WHEREAS, ProClaim is in the business of providing medical billing services for entities such as Croton EMS; and

WHEREAS, Croton EMS is desirous of having ProClaim perform medical billing for ambulance services rendered by Croton EMS, and ProClaim is willing and qualified to perform such billing service,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to sign the agreement with ProClaim for medical billing services for a period of two years at a cost of \$1,000 and in addition \$6.00 per Medicaid Claim, and 8% of all other monies collected by ProClaim on behalf of Croton EMS.

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

WHEREAS, the Black Rock Park designated dog area requires a fence and 2 signs; and

WHEREAS, the cost for the fence will be \$4,770 and the amount for the sign will be \$175; and

WHEREAS, the Village Manager has extended the period of service for the Park Rangers from Labor Day to the end of October at a cost of \$4,000,

NOW, THEREFORE BE IT RESOLVED: that the amount for the fence of \$4,770 should be charged to the Recreation Contractual Account #A7140.4000,

AND BE IT FURTHER RESOLVED: that the amount of \$175 for the sign should be charged to the Recreation Supply Account #7140.4200,

AND BE IT FURTHER RESOLVED: that the amount of \$4000 for the Park Rangers should be charged to the Recreation Salary Account #A7140.1100

AND BE IT FURTHER RESOLVED: that the Village Board of Trustees authorizes a transfer of \$8,945 from the contingent account A1990.4000 to the following Recreation accounts:

A7140.1100        \$4,000

A7140.4200        \$175

A7140.4000        \$4,770

Discussion: Trustee Brennan asked why park rangers are extended to the end of October and will the dog park be shut down the end of October. Village Manager Zambrano replied that it is to get a handle on activity at Black Rock Park; they felt the extension beyond Labor Day weekend was prudent to have some presence at Black Rock Park. Trustee Gallelli added that the park rangers will be patrolling all the parks including Croton Landing.

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

WHEREAS, Section 108-10 of the Village Code states that “any dog control officer, peace officer, when acting pursuant to his special duties or police officer in the employ of or under contract to the Village of Croton-on-Hudson observing a violation of this chapter in his presence shall issue and serve an appearance ticket for such violation”; and

WHEREAS, the Park Rangers employed by the Village over the past few years have come across many instances of violations of chapter 108; and

WHEREAS, in the past the Park Rangers have had to call the Police Department to have them issue appearance tickets for these violations; and

WHEREAS, it would be much more efficient if the Park Rangers could issue appearance tickets,

NOW, THEREFORE BE IT RESOLVED: that Village Park Rangers are designated as animal control officers and dog control officers for the purpose of issuing appearance tickets to violators of chapter 108.

Discussion: Trustee Gallelli inquired about what kind of training the park rangers have. Village Manager Zambrano replied that the two rangers will receive the proper training. Village Attorney Staudt stated that the resolution refers to dog control, but should read “animal control and dog control” in the last paragraph. Trustee Brennan motioned to approve the resolution as amended; Trustee Olver seconded; the amended resolution was approved by all.

e) On motion of TRUSTEE BRENNAN, 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 Village is currently in negotiation with Verizon representatives in order to be able to enter into a Franchise Agreement with Verizon for television services to the Village; and

WHEREAS, a franchise document between the Village and the Hudson River Telephone Company provided Verizon with permission to use Village streets to install telephone lines; and

WHEREAS, the Village Attorney and the Village's special counsel have advised the Village that Chapter 205 of the Village Code, Telecommunications Franchising and Licensing, could be misconstrued to read that Verizon is required to obtain an additional franchise for telephone installation; and

WHEREAS, the Village would like to amend Chapter 205 so that it does not apply to the extent that there is a valid and enforceable pre-existing franchise; and

WHEREAS, the Village's special counsel has provided the Village with draft language for amending Chapter 205,

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby calls for a Public Hearing on September 15, 2008 at 8pm in the meeting room of the Stanley H Kellerhouse Municipal Building to consider Local Law Introductory No. 6 of 2008 amending Chapter 205, Telecommunications Franchising and Licensing.

Discussion: Village Attorney Staudt stated that this is a matter of housekeeping and there has been a telecommunications law on the Village books a long time; the Village is currently in negotiations with Verizon to bring FIOS into the Village; Verizon brought up this section of the existing law and has said the same to other municipalities; he wants to make it clear a new franchise agreement for telephone service would not be necessary; special counsel recommends this change.

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

WHEREAS, the Village Engineer has determined that the stone retaining wall at the intersection of Devon Avenue and Penfield Avenue is in need of repair; and

WHEREAS, the damaged retaining wall represents a potentially hazardous condition; and

WHEREAS, the Village Engineer has received three quotes for this work; and

WHEREAS, of these quotes Laemmel's had the lowest proposal at \$6,000,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to approve the proposal from Laemmel's for the repair of the retaining wall at the intersection of Devon and Penfield Avenues at a cost of \$6,000,

AND BE IT FURTHER RESOLVED: the amount of \$6,000.00 should be charged to account number A5110.4000 Street Maintenance,

AND BE IT FURTHER RESOLVED: that the Village Treasurer is authorized to transfer \$6,000.00 out of the contingency account number A1990.4000 to account number A5110.4000.

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

WHEREAS, the Croton Landing and Riverwalk improvement project is currently in progress and the installation of a light for the flag pole is required and not included in the contract; and

WHEREAS, proposals for the installation of the flag pole light were requested from four electrical contractors and two responded with written quotes; and

WHEREAS, the proposals have been reviewed by the Village Engineer and Hahn Engineering and a recommendation has been made to award the work to the lowest bidder, Conte Electric in the amount of \$3,100,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to accept the quote from Conte Electric Inc. in the amount of \$3,100 to install a light for the flag pole.

Discussion: Trustee Gallelli commented that these are optional change orders rather than a change order for unexpected work that needs to be done during the course of construction; it is her understanding that change orders to a project that has been approved should be discussed with Trustees in advance and she asked for an accounting of what has been spent so far, including the initial commitment and change orders that have been approved. Trustee Brennan stated that he agrees with Trustee Gallelli; every project has contingency money, but the Village Engineer assures that this work is needed; he agrees they have to keep an eye on what is being spent, but believes it is a good move to put this in; his only concern is just 2 bids were received; normally he would insist on 3 bids, however, they are reasonable quotes. Trustee Olver stated that he agrees with all points raised; he wouldn't have approved this motion if he didn't think a flag pole with a light is a good thing, however, the staff should be more orderly and deliberate in bringing these change orders in advance so they can be assessed within controlling costs. Mayor Schmidt stated that the flagpole & light are options; the guardrail is not, although the materials for the guard rail were changed.

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

WHEREAS, there is a previously approved contract with Con-Tech Construction Technology Inc. for the 2008-09 Sidewalk & Curb Improvements; and

WHEREAS, it is necessary to undertake the removal of existing asphalt and the restoration of the lawn area between the outer edge of the sidewalk and the edge of the road at various residential addresses at Hastings, Penfield, Oneida, Whelan, and Elmore; and

WHEREAS, Con-Tech Construction Technology, Inc. has provided the Village a quote for this additional work in the amount of \$7,210,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to sign Change Order No. 2 in the amount for \$7,210 for saw cut of asphalt and soil/seed restoration.

i) On motion of TRUSTEE BRENNAN, 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, there is a previously approved contract with Chazen Engineering for professional services relating to the Corrosion Control study, North Highland Tank, and the wellfield study; and

WHEREAS, an additional scope of work is required consisting of technical services for additional sampling of the North Highland Tank and incorporation of new data into the previous information, and

WHEREAS, Chazen has supplied the Village with a quote for this additional scope of work in the amount of \$3,000,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to sign the change order from Chazen Engineering in the amount of \$3,000 for additional sampling of the North Highland Tank.

Discussion: Trustee Gallelli asked Village Engineer O'Connor why the additional sampling is needed. Mr. O'Connor explained it is to deal with the brown water issues; the water in the storage tanks heats up which becomes more corrosive; additional sampling is to see how the quality changes in the tank; they may need a mixer to stir up the water, but more study should be done prior to putting together a plan. He added that Chazen will be coming back to a work session to discuss corrosion control systems and future regulations for chlorination treatment, cost and construction.

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

WHEREAS, representatives from Westchester County and the five municipalities located in the Indian Brook Croton Gorge Watershed have developed an Indian Brook Croton Gorge Watershed Conservation Action Plan; and

WHEREAS, one of the goals of this plan is to establish a Memorandum of Agreement among the five municipalities consisting of the Village of Ossining, Town of Ossining, Village of Croton on Hudson, Town of Cortlandt, and the Town of New Castle; and

WHEREAS, this MOU would establish an Indian Brook-Croton Gorge Watershed Committee consisting of a designated representative from each municipality; and

WHEREAS, this committee's function would be to:

1. Participate in the development of local laws for watershed-wide environmental protection.
2. Advance actions that would implement recommendations of the Indian Brook-Croton Gorge Watershed Conservation Action Plan.
3. Periodically review and update and/or establish priority actions recommended in the plan for maintaining and improving water quality and ecological conditions in the watershed;
4. Identify funding priorities for consideration by members interested in applying for grants or seeking any other financial assistance that would improve water quality and ecological conditions in the watershed;
5. Periodically review actions undertaken to maintain and improve water quality and ecological conditions in the watershed;
6. Facilitate coordination of efforts, sharing of information, and increased education among members of the Indian Brook-Croton Gorge Watershed Committee;
7. Approve annual work plans, as needed, for the Indian Brook-Croton Gorge Watershed Committee;
8. Convene annual forums for the purpose of reviewing past accomplishments and discussing actions needed to further improve water quality and ecological conditions in the watershed;
9. Establish subcommittees, as needed;
10. Develop guidelines and procedures for the conduct of its business, as needed.

NOW, THEREFORE BE IT RESOLVED: that the Mayor is authorized to enter into the Memorandum of Agreement establishing the Indian Brook-Croton Gorge Watershed Committee.

Discussion: Trustee Brennan stated that this is a non-binding agreement; former Trustee Kane has done good work and it should be continued. Trustee Gallelli added that the development of the IMA and MOU has gone on for many years; residents worked hard to get to this stage. Trustee Olver stated that he is happy to co-sponsor this resolution tonight; he finds it difficult to find solid efforts by municipalities stymied because municipal boundaries do not encompass the geography necessary to deal with the whole; this is a big step forward to get a handle on the management of the environment for our citizens and our neighbors.

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

WHEREAS, the Village has a lease agreement with Nextel of New York dated 2/9/06 and amended on 6/1/07; and

WHEREAS, in a letter dated July 24, 2008 the Village has been notified by Homeland Towers, LLC that Nextel of New York, Inc. has transferred its interest in the lease to Homeland Towers, LLC; and

WHEREAS, Homeland Towers, LLC, upon obtaining the required permission from the Village, intends to construct a cellular tower at the site with the capacity for five carriers; and

WHEREAS, Homeland Towers, LLC will be obtaining separate agreements with each of the five carriers,

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees approves of the assignment of its lease from Nextel of New York, Inc. to Homeland Towers, LLC,

AND BE IT FURTHER RESOLVED: that the Village Board of Trustees intends to continue with the special permit application process with Homeland Towers, LLC.

Discussion: Trustee Brennan stated that the agreement says "little change", but he does not know what little change would be. Mayor Schmidt replied that the change will be is that they are actually going to complete the process and get the tower built. Trustee Gallelli added that the change will be the name on the lease. Village Attorney Staudt replied that they cannot alter the lease to the detriment of the village. Mayor Schmidt added that these people said they will move this along; it is just a continuation of the process where Nextel has not been moving along with the tower at the train station behind the DPW facility. Trustee Gallelli added that the Planning Board has reviewed the applications and the consultant's report and are moving toward a favorable recommendation; a letter will be before the Board of Trustees very soon.

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

WHEREAS, bid proposals for one hydraulic claw attachment were opened on August 25, 2008; and

WHEREAS, two bids were received, one from Truis in the amount of \$18,268.00 and one from Nortrax Equipment in the amount of \$16,025.00; and

WHEREAS, Superintendent of Public Works, Marco Gennarelli, after making a comparison of information and prices submitted, has recommended that the contract be awarded to Nortrax Equipment,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to award the contract to Nortrax Equipment, of Beacon New York, at the price of \$16,025,

AND BE IT FURTHER RESOLVED: that the amount of \$16,025 be charged to the following account:

H5130-2010-09174

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

WHEREAS, the Croton Landing and Riverwalk improvement project is currently in progress and the installation of a flag pole with yardarm is desired, however is not included in the contract; and

WHEREAS, quotes for the installation of a 30 foot fiberglass flag pole with yardarm were requested from six companies and only two of the companies provided installation services; and

WHEREAS, the quotes have been reviewed by the Village Engineer and a recommendation has been made to award the work to the company with the lowest quote; Gates Flag and Banner Company in the amount of \$2506.70.

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to accept the quote from Gates Flag and Banner Company in the amount of \$2506.70 to install a 30 foot fiberglass flag pole with yardarm and an American and NYS flag.

**AND BE IT FURTHER RESOLVED:** that the amount of \$2506.70 be charged to the following account: H7140.2103.07148

7. CITIZEN PARTICIPATION – NON-AGENDA ITEMS:

Bob Wintermeier, 43 Radnor Ave., stated that he had conversations with seniors and they are confused about EMS service. Mr. Wintermeier requested someone give a presentation to this group. Trustee Gallelli replied that she and Mr. Zambrano will be there Friday. Mayor Schmidt stated that this is a change on how the EMS service will be run; they will bill the insurance companies; please call them to discuss any problems you may have about billing and please call 911 in an emergency.

8. APPROVAL OF MINUTES:

Trustee Brennan made a motion to approve the minutes of the Regular Board Meeting held on August 4, 2008 as corrected. Trustee Olver seconded the motion. The Board voted unanimous approval.

Trustee Brennan made a motion to approve the minutes of the Executive Session held on August 4, 2008. Trustee Gallelli seconded the motion. The Board voted unanimous approval.

9. REPORTS:

*Village Manager Zambrano* reported that the police chief informed him today that the Police Department will be patrolling Croton River on weekends from this point on until it gets colder. Village Manager Zambrano congratulated Sue Snyder who won a bronze medal in the women's senior track and field. He also reported that two weeks ago he, Janine King and Tony Tramaglino attended an emergency management information meeting in Valhalla; the

County is trying to organize in the event of emergencies; there were mock emergency exercises; there is always something to learn from these exercises; the Village may have to conduct a mock emergency plan.

*Trustee Olver* offered his best wishes and concern for Trustee Konig's daughter for a speedy recovery. He reported that tomorrow is the first day of school; bear in mind children will be milling about- some with very little traffic sense; the Village speed limit is 30 mph; please help keep children safe. Mr. Olver commended Kieran Murray's work in forwarding information regarding the bills that are pending or passed in the State Legislature; the Long Island bill has been passed, the Westchester bill was passed by the Assembly, but has not received sponsorship in the Senate; as of this year, there is no legislation covering Westchester. Trustee Olver reported that he has just returned from working in the South Pacific with a number of government officials; climate change is really beginning to impact people seriously; several heads of government spoke with deep worry about impending loss of their countries-several low lying atoll-based countries may have to be evacuated and it is increasingly probable that they will disappear; he has a renewed urgency about care of the environment and he gets the sense that we think of these matters as ways to make the Village more comfortable, more green, a little more cost-effective and less wasteful, but in reality the measures taken here to mitigate the carbon footprint will have an impact to curtail damage being done throughout the world.

*Trustee Gallelli* stated that Trustee Olver's report was interesting and has raised new thoughts. Trustee Gallelli reported that the newly authorized dog park in a section of Black Rock Park opened last Saturday and Village residents are allowed to bring licensed dogs; adult residents need a Village Parks & Recreation Photo ID and a special permit for the dog for that park; she is looking forward to this fall trial period and has confidence that it will be successful; hours are Monday through Friday 6 am to 8 pm and Saturday and Sunday 10 am to 4 pm. Trustee Gallelli reported Croton is sponsoring Bike week during the week of September 14<sup>th</sup> through September 21<sup>st</sup>; the Bicycle Pedestrian Committee brought forward the idea with Rob Olsson's impetus on getting this together. She added that it was triggered by the recently Board-approved Tough Man Triathlon which will be held on Sunday September 21<sup>st</sup> in Croton Point Park and also the Village; a Tough Man Triathlon is half of an Iron Man Triathlon; the participants will start in Croton Point Park with swimming, then bicycling, then running; there will be several hundred participants; a committee is organizing this week-long event where various business people in the Village are offering various discounts; look for banners and flyers. The Harmon Business Development Committee will be meeting with the Village Board next Monday at a work session. Trustee Gallelli congratulated Abe on his appointment and school is starting, everyone should be extra alert.

*Trustee Brennan* gave congratulations to Abe Zambrano once again. Trustee Brennan added that he agrees with Trustee Olver's comments on global warming; however, the U.S. leads the world in fighting global warming; it is a problem and we are leading the way, but have more to do. Trustee Brennan gave Dan O'Connor and Joe Hornik kudos for being on hand throughout the Village; they are on project sites to make sure our interest and tax dollars are being represented. Trustee Brennan asked that in future work sessions the Croton Landing parking restrictions and legislation needs to be set. He added that a Little League representative has

asked for some capital infusion into the Little League fields in the Village; they are talking about a lot of money, but these are our fields and not many dollars have been put into these fields in some time; he would like to discuss this at a work session and open up a dialogue with them. Mr. Brennan added that schools are open tomorrow, please drive carefully.

*Mayor Schmidt* congratulated the new Village Manager and they will start to look for a new Treasurer; these will be tough shoes to fill. Mayor Schmidt reported that on Friday, September 5<sup>th</sup> the Historical Society will have the opening of their exhibit at 2 pm; they have great displays. Mayor Schmidt reported also that Sunday is fire inspection day; come at 1 PM; equipment will be on display. Mayor Schmidt stated that, hopefully, Croton Landing will be done soon and they will have a ribbon cutting.

Trustee Brennan made a motion to adjourn. Trustee Gallelli seconded the motion; approved unanimously. The meeting was adjourned at 9:55 p.m.

Respectfully submitted,

Phyllis A. Bradbury

Phyllis A. Bradbury, Secretary

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Village Clerk