

A Regular Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, March 3, 2008 at the Municipal Building, Van Wyck Street, Croton-on-Hudson, NY 10520.

The following officials were present:

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| Mayor Schmidt | Trustee Brennan |
| Treasurer/Interim Manager Zambrano | Trustee Kane |
| Village Attorney Staudt | Trustee Gallelli |
| | Trustee Konig |

1. CALL TO ORDER:

Mayor Schmidt called the meeting to order at 8:00 p.m. Everyone joined in the Pledge of Allegiance.

Village Clerk Paula DiSanto conducted the swearing in of the new Chief of Police, Anthony L. Tramaglino. Aaron Bernhard, Croton police association, presented Chief Tramaglino with a congratulatory gift for his promotion. Chief Tramaglino thanked the Mayor and Board for the promotion and his family for their encouragement. He stated that police work is a team effort; he thanked the police department for their dedication and hard work and he looks forward to working as chief and providing the best police work for the Village of Croton-on-Hudson. Village Manager Herbek gave a brief history of Chief Tramaglino's service to the Village and congratulated him on his promotion. Several police officers attended the ceremony and spoke in support of Chief Tramaglino. Interim Manager Zambrano stated that, on behalf of the staff, everyone wishes him well and looks forward to working more closely with Chief Tramaglino.

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 Kane and approved unanimously.

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| General Fund | \$ 29,115.18 |
| Water Fund | 958.03 |
| Sewer Fund | 598.80 |
| Capital Account | 13,125.00 |
| Trust & Agency | 3,208.00 |
| Total | \$ 47,005.01 |

3. CORRESPONDENCE:

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

a) A letter from Barbara Swanson, Director, Croton Community Nursery School regarding summer camp regulations; she needs an alternate building for emergency evacuation procedure. Ms. Swanson is asking the Board to consider allowing her the use of a room in

the Municipal Building. Interim Manager Zambrano stated that he has one other similar request and he needs to respond to both. Mr. Zambrano suggested that the Community Room would be a good space to offer. All Trustees agreed this should be fine and Mr. Zambrano should notify the parties

Mayor Schmidt stated that Sylvia Mills of the Village Engineering Dept. has worked with a professional picture-hanging person for the art display in the hall of the second floor and they have now done the hanging of past fire chief pictures, sign and bulletin board on the landing between floors one and two; it has room for expansion. He added that the remaining hallway will be used for a police chiefs' display.

4. CITIZEN PARTICIPATION (agenda items):

None

5. PROPOSED RESOLUTIONS:

a) On motion of Trustee Brennan, seconded by Trustee Kane, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with the Mayor and Trustees Konig and Brennan voting Aye and Trustees Gallelli and Kane voting Nay:

WHEREAS, Dvirka & Bartilucci has been working on the flooding problems at the Croton-Harmon Train Station and has come up with a number of conceptual designs; and

WHEREAS, the Village is interested in moving forward with this project and has asked Dvirka & Bartilucci to prepare a proposal for detailed engineering designs, including the SEQR, permitting applications, and construction services for this project; and

WHEREAS, the proposal was received on February 21, 2008 and the Interim Village Manager authorized Dvirka & Bartilucci to proceed with tasks 1 and 2, the SEQR/EAF Long Form Environmental Review and the Environmental Permitting at a cost of \$25,000; and

WHEREAS, the cost for the entire proposal which includes 5 tasks comes to \$265,000; and

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees ratifies the Interim Village Manager's authorization to proceed with Tasks 1 and 2 at a cost of \$25,000,

AND BE IT FURTHER RESOLVED: that the Interim Village Manager is authorized to approve the rest of the proposal of Tasks 3 to 5 at a cost of \$240,000,

AND BE IT FURTHER RESOLVED: that the amount of \$265,000 should be charged to capital account #H-5650-2015.

Discussion: Trustee Kane stated that this proposal is for raising the parking lot by 5 feet and he is a little surprised to see it come forward so quickly; he believes it is a 1.5 million dollar project. Trustee Kane asked if the Village has received more details from engineering and

more information such as additional soil analysis. Mayor Schmidt replied that they discussed it and came up with a plan to be done in two phases. Trustee Brennan added that the recommendation is that more boring samples may not be needed. Mayor Schmidt replied that it was suggested to not do more sampling at this time as it may not give any more information; doing this in two phases will compact what is down there so settling can be handled and it can be topped off at a later time. Trustee Kane added that he has a problem with the geology; Dvirka & Bartilucci has stated that the more weight that is put on the parking lot, the faster it will settle; it has been filled in by the Village and previous owners for over 30 years and is still at sea level; a million and half dollars sinking into this is not a good use of tax payers' money; the Board should be exploring using this money to build a garage through the Municipal Parking Authority; they would fund the bond separate from any Village money. Mayor Schmidt added that the engineers said, at worse, it will sink 6 inches to a foot; it is a 6 acre site and in some areas they hit nothing and some areas they hit organic matter. Trustee Kane replied that he went over the tests and they reveal that it is a 35 foot sponge with peat moss, trees and organic matter. Trustee Gallelli stated that she has a problem with phasing; it was not discussed with the Board; Dvirka & Bartilucci did not speak to them about this; phasing is not the way to go; they need to look at the parking lot totally; she attended a meeting and heard for the first time about phasing; she doesn't believe that is what they were recommending; the change that would occur with the phase project is to first fill with 3 ft. of gravel and a different finishing surface; at some point they would get around to doing the second phase; she understands that people who park there are anxious to get this resolved, but either way, it will be quite a while before the parking problem is resolved; the Village has gone a long way to solve the problem of flooded cars; they have not had any other views of how this should be done; Dvirka & Bartilucci are a highly respected firm, but she has not seen another proposal. Trustee Brennan replied that Dvirka & Bartilucci came back with three good proposals; the parking lot has been flooded for years; he promised to take a pro-active stance; they were given three solid proposals; it is time the money is spent to get this parking lot done; it is time to bond this project and get it going; nothing has been done for a long time. Trustee Gallelli replied that they have talked about phased projects, but the phasing as she understood it is that they would do one part of the lot and then move on to do another part of the lot completely; that is not the phasing being talked about now; the objective is to raise the parking lot 5 feet; this will raise it 3 feet initially then wait to do the second part; the discussion at the meeting was that they would provide a design for both phase implementation and full implementation and the Board would decide later; this final proposal has not been discussed with the Board. Mayor Schmidt said that at one time they wanted to take the site out of use for a longer period of time; this will solve that problem; Metro North is building on sponges, too. Trustee Kane replied that they are, but on 100 foot pilings. Trustee Brennan said they will put a massive amount of gravel and see how it settles then determine how much more is needed to be done. Trustee Kane replied that he does not agree with this approach; this is a 1 1/2 million dollar proposal and asked for discussion on what it will cost the residents. Interim Manager Zambrano replied that there is \$444,000 left in the budget for the project, \$265,000 will be used for this proposal engineering & design; borrowing \$1.5 million over a 30 year period would be about \$80 to \$90,000 a year in debt service. Trustee Kane added that this would be about a 1.2% increase in the budget. Mayor Schmidt stated that the reason for phasing is to minimize disruption at

the lot; they also will look at the entire layout of the lot to maximize use so as not to displace anyone; they do not know what the full cost will be until the bids come back.

b) On motion of Trustee Brennan, seconded by Trustee Konig, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with the Mayor and Trustees Brennan and Konig voting Aye and Trustees Gallelli and Kane voting Nay:

WHEREAS, the Village Board of Trustees has authorized Dvirka & Bartilucci to proceed with full engineering design plans to address the flooding problems at the Croton Harmon Train Station; and

WHEREAS, the proposed project will utilize gravel fill to raise the grade of the area subject to flooding; and

WHEREAS, the Village Board of Trustees must consider the environmental impacts of this project as required under the State Environmental Quality Review (SEQR); and

WHEREAS, Dvirka & Bartilucci has prepared Part 1 of the Environmental Assessment Form,

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

AND BE IT FURTHER RESOLVED: that the Village Board authorizes the circulation of the Environmental Assessment Form to all involved and interested agencies.

Discussion: Mayor Schmidt questioned a section on page 3 regarding the sole source aquifer which should be checked "no". Village Engineer O'Connor replied that this must be checked yes based on aquifer maps; they can ask the DEC for map correction, but will explain it in a part three analysis.

c) On motion of Trustee Konig, 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 has received three proposals in response to its Request for Proposals for a Vehicle, Pedestrian, and Bicycle Study for Croton Point Avenue/South Riverside Avenue/Veterans Plaza; and

WHEREAS, the three proposals were from John Collins Engineers, P.C. in the amount of \$18,000, RBA Group in the amount of \$35,630, and AKRF in the amount of \$51,500; and

WHEREAS, the Village Engineer and Assistant Village Engineer have reviewed these proposals in detail; and

WHEREAS, the Village Engineer has determined that the proposal from John Collins Engineers, P.C., while lowest in cost, does not provide the full scope of work desired by the Village; and

WHEREAS, the Village Engineer has determined that the proposal from the RBA Group of New York in the amount of \$35,630 is comprehensive and the cost is reasonable for the services to be rendered,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to approve the proposal from the RBA Group of New York for the amount of \$35,630 for a Vehicle, Pedestrian, and Bicycle Study for Croton Point Avenue/South Riverside Avenue/Veterans Plaza,

AND BE IT FURTHER RESOLVED: that this amount should be charged to Account # a 5650-4000.

Discussion: Trustee Gallelli stated that the Bicycle/Pedestrian Committee has asked to have some input into this job and have they done so? Interim Manager Zambrano replied that they did get a copy; they did have some concerns which were addressed. Trustee Brennan asked Engineer O'Connor to explain the recommendation for hiring this firm. Mr. Zambrano replied that this proposal addressed not only just Croton Point Ave, but areas close by. Engineer O'Connor added that they are also looking to use the results from the RBA Group to help with the next step and hopes to be approved by the state for some funding. Trustee Gallelli added that this information should be very useful. Mayor Schmidt added that besides helping with the grant for this and possible funding sources, with the parking lot improvement, they are submitting an appeal for the FEMA decision; they have been contacted by Sen. Schumer's office for assistance to get a better consideration; if they do get money from FEMA, the Village will be out only for design costs. Trustee Brennan stated that he trusts that the Village Engineer has done his due diligence even though the bid was double the cost of the low bid.

d) The resolution on the agenda was removed for further discussion at a work session.

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

WHEREAS, the Village was awarded a \$5,000 Greenway Grant for trail improvements at Kaplan's Pond; and

WHEREAS, on February 4, 2008 the Village authorized the approval of the contract with the Greenway; and

WHEREAS, the contract calls for the Village to match the funds awarded by the Greenway,

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees authorizes the Village Treasurer to transfer \$5,000 from fund balance to a capital account designated for the Kaplan's Pond Trail Improvements Project.

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

WHEREAS: Sections 5-504, 5-506, and 5-508 of New York State Village law set forth certain procedures and dates for the adoption of the annual Village budget; and

WHEREAS: in accordance with Section 5-504 the Village Manager, as Budget Officer, will be filing the tentative budget in the office of the Village Clerk on March 20th; and

WHEREAS: Section 5-508.3 provides that a public hearing shall be held upon the tentative budget, as changed, altered or revised, on or before the fifteenth day of April,

NOW, THEREFORE BE IT RESOLVED: that a Public Hearing is hereby called on the 2008-2009 Tentative Budget for Monday, April 14, 2008 at 8:00 PM in the Meeting Room of the Stanley H. Kellerhouse Municipal Building.

g) 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, Douglas F. Garrido has been a police officer in the Village of Sleepy Hollow and has successfully completed the New York City Police Academy; and

WHEREAS, the Village currently has one open position in the Police Department; and

WHEREAS, Police Chief Anthony Tramaglino has conducted an extensive background check of Douglas Garrido and recommends the hiring of Mr. Garrido,

NOW, THEREFORE, BE IT RESOLVED: that Douglas F. Garrido of Sleepy Hollow, NY, is hereby appointed as a Police Officer at the salary of \$54,821, effective March 11, 2008 in accordance with the rules and regulations of the Westchester County Department of Human Resources.

6. CITIZEN PARTICIPATION (non-agenda items):
None

7. APPROVAL OF MINUTES:

Trustee Brennan made a motion to approve the minutes of the Regular Board Meeting held on February 19, 2008 as corrected. Trustee Konig seconded the motion. The Board voted unanimous approval.

Trustee Brennan made a motion to approve the minutes of the Executive Session of the Board of Trustees held on February 19, 2008. Trustee Kane seconded the motion. The Board voted unanimous approval.

8. REPORTS:

Interim Manager Zambrano reported that he attended the NYCOM winter legislative meeting; Governor Spitzer has formed a commission on property tax relief; there will be a public hearing on 3/5/08 in Tarrytown at the Tarrytown Public Library; the web site is www.cptr.state.ny-us for more information. He added that an order was signed to increase aid to municipalities; the Village will be getting approximately 3% increase in state aid; NYCOM is asking every municipality to write a letter opposing the elimination of assessment units. Mr. Zambrano stated also that there were two snowfalls and the Dept. of Public Works did a great job with snow removal; hopefully, there will not be any more snow, but if residents have any concerns, please call Village Hall. Mr. Zambrano reported on the legal bill update: have paid a total \$321,603 from when he started reporting. Trustee Gallelli stated that she has received an e-mail from Linda Puglisi about a state proposal to eliminate Town tax units and she thought if the Village was eliminated, the Town would be doing it, but it looks like the County would. Mr. Zambrano replied that the new director of real property services did a presentation at the meeting and he would like one assessing unit done by the state; there is a drive to eliminate multiple assessing units; that proposal may be in violation of municipalities having home rule.

Trustee Brennan reported that the Croton HS boy's basketball team won a playoff game; he is glad for them and the other high school squads. Trustee Brennan wished Chief Tramaglini and the two sergeants who were promoted good luck; he also thanked former Chief Coxen for his service and wished him well in his retirement. Trustee Brennan stated that the Village elections are coming up in a few weeks and wished good luck to all candidates. He added that the Board met on Thursday for a work session to discuss the new steep slopes law; changes will give the Village Engineer approving authority and will change slope disturbances from percentages to actual square footages; a public hearing will be coming up shortly; it will be a good law for the Village.

Trustee Gallelli mentioned the steep slopes review; many boards were invited; the Planning Board by and large will be the approving authority; the law is totally new; eliminated things that were wrong or missing or were less than optimal in the existing law; a draft should be available for public review soon. Ms. Gallelli reported that the Board members received a packet of materials from the ad hoc dog committee providing materials that were asked of them. Trustee Gallelli added that the Village staff continues to work with the school district on preparing a grant for sidewalks in the Olcott/Maple Street area; there is an April 1st deadline to get the application in; the school bond vote is a week from Tuesday, March 11th.

Trustee Gallelli offered her best wishes to Chief Tramaglino and added that he will be a wonderful chief and she looks forward to working with him

Trustee Kane thanked Susan Snyder for formulating a new financial aid policy/scholarship program; the financial aid available will be taken from Westchester County Planning Department's financial data area median table; now some will pay 1/5 of the regular cost of programs; there is a one-page form that needs to be filled out with minimal personal information required; this will make more programs available to residents of the Village.

Trustee Konig commented on the Dvirka & Bartilucci resolution and the RBA Group resolution; both projects are going to show themselves as money well spent and she doesn't believe the Board is rushing into anything; it is a lot of money, but it would be nice to say good bye to the days when people come in and complain about their cars being flooded at the parking lot. Trustee Konig reported that she was on an eagle watch with 3rd graders and they saw 5 adult bald eagles, the children were excited; this is a positive, wonderful thing about Croton as is the appointment of Chief Tramaglino.

Mayor Schmidt offered congratulations to Chief Tramaglino and also warm thanks to ex-chief Coxen who provided many years of service. On March 17th; there will be an information meeting as part of the regular Board Meeting to discuss proposed alternate side of street parking; neighborhoods will be notified of the meeting; the new DPW head has made recommendations for possible solutions to clean these streets which are mainly in the Upper Village. Mayor Schmidt apologized for his behavior earlier tonight, but the Village is not rushing into a solution to fix the parking lot; it has been flooding for years and he is angry it has taken so long; they will move ahead; it is a critical, exciting thing for the Village; it will not cost the taxpayers, it is a fund revenue from the parking lot funds generated; he is dedicated to having the parking lot take care of itself and provide a safe place for people to park their cars, the shuttle is not convenient and is not what people are paying for. He added that he is excited at looking how to change the orientation of the parking lot to add more cars; when this bond is paid off, there will be opportunity to look at ways to enhance the parking lot; it was purchased to provide a revenue source for the Village and it must be protected as well as the residents and non-residents who use it.

Trustee Brennan made a motion to adjourn. Trustee Kane seconded the motion; approved unanimously. The meeting was adjourned at 9:20.

Respectfully submitted,

Phyllis A. Bradbury, Secretary

Paula DiSanto, Village Clerk