

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, October 6, 2008 at the Municipal Building, Van Wyck Street, Croton-on-Hudson, NY Regular 10520.

The following officials were present:

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

1. CALL TO ORDER:

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

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 Gallelli and approved unanimously.

General Fund	\$83,783.37
Water Fund	583.37
Sewer Fund	1,370.26
Capital Accounts	129,198.17
Trust & Agency	10.00
	\$214,855.17

3. CORRESPONDENCE:

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

- a) A letter from L. Helle Maide, NY Power Authority, regarding the Westchester County Governmental Customer Electricity Rate for 2009; this will be a 20% increase for 2009. Village Manager Zambrano stated that this has been included in the budget and should see a very little budgetary increase.
- b) A letter from NYS Assemblywoman Sandy Galef regarding Cablevision's recent policy change for public access stations. Mayor Schmidt stated that the free box is for just a short time, and then customers will have to pay the monthly fee which equates to a rate increase. Trustee Gallelli asked Mr. Zambrano to send a letter to Cablevision. Village Attorney Feldman added that this is a matter of the franchise agreement and the State is also looking into this change. Trustee Gallelli added that this should be included in the Verizon negotiations. Short discussion followed about the progress of negotiations with Verizon FIOS service.

- c) A bulletin from Westchester County regarding Senior Law Day in Westchester scheduled for Thursday, October 16th; 9 am to 1 pm at the County Center. This flyer will be posted on the Village Web site.
- d) A letter of thanks from Richard Izzo, Race Organizer of the Westchester Toughman Half Iron Distance Triathlon. Trustee Gallelli stated that she got mostly positive responses from residents except for a couple of people who did complain about cups being left on the streets. Mayor Schmidt stated that because of the fog that morning, there was some problem directing swimmers and asked for more volunteer kayakers to track next year.
- e) A letter from the Coulianos family, 14 Van Wyck Street, regarding a black walnut tree on village property beside their driveway. Village Manager Zambrano stated that he will have a Village worker who is a certified arborist look at the tree; the Village does not generally take down healthy trees, but it can be evaluated whether or not it is a nuisance. Trustee Olver added that there are two issues; dead limbs and tree roots which should be addressed if they are lifting the sidewalk and taking down the tree is another issue.
- f) A letter from JoAnn Fannon, Chair, announcing that the Community Blood Program will be held on Sunday, December 7th from 9 am to 3 pm at Croton Harmon High School.
- g) A letter from Westchester County Environmental Facilities stating that leaves are a mandated recyclable and cannot be included with garbage pick ups.

5. CITIZEN PARTICIPATION-Agenda Items

none

RESOLUTIONS:

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

BE IT RESOLVED, the Village Board of Trustees hereby ratifies the Settlement Agreement and Release between the Village and former part-time employee with Employee Number 1356 and approves the funding for such Agreement,

AND BE IT FURTHER RESOLVED, that the Village Board of Trustees authorizes the Village Manager to execute the agreement on its behalf.

- 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, the County routinely conducts classes for fire and emergency training for fire departments and other personnel that provide emergency services within Westchester County; and

WHEREAS, the County desires to establish satellite emergency training facilities in order to provide these training classes locally; and

WHEREAS, the Municipality is willing to allow the County to conduct these fire training classes on its property located at Harmon Engine Firehouse, Benedict Blvd Croton on Hudson, ("Licensed Area").

NOW, THEREFORE BE IT RESOLVED: the Village Board hereby authorizes the Village Manager to sign the intermunicipal Agreement with the County to conduct emergency fire training at the Harmon Engine Firehouse.

- c) 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 intends to eliminate the septic system at the water department office; and

WHEREAS, Chazen has provided the Village with a proposal for the design of this project at a cost of \$5,600.00; and

WHEREAS, the Village Board has budgeted \$35,000.00 in the 2008-09 Capital Budget for the entire project,

NOW, THEREFORE BE IT RESOLVED: the Village Manager is hereby authorized to sign the proposal from Chazen for \$5,600.00 for the design work of the removal of the septic system at the Water Department office,

AND BE IT FURTHER RESOLVED: this amount should be charged to Capital Account Number H8340.2102.09177.

- 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, the State Legislature has recently made available to Veterans who have served during the Cold War periods, an exemption in their assessments for a period of up to 10 years to reduce their taxes because of their service; and

WHEREAS, Local Law Introductory no. 7 of 2008 has been drafted making this exemption available to residents of the Village,

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby calls for a Public Hearing on October 20, 2008 at 8pm in the meeting room of the Stanley H Kellerhouse Municipal Building to consider Local Law Introductory No. 7 of 2008 amending Chapter 204 Taxation of the Village Code.

- 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, Corey Velardo has been a police officer in New York City 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 Tramaglini has conducted an extensive background check of Corey Velardo and recommends the hiring of Mr. Velardo,

NOW, THEREFORE, BE IT RESOLVED: that Corey Velardo of Peekskill, NY is hereby appointed as a Police Officer at the salary of \$57,014, effective October 7, 2008 in accordance with the rules and regulations of the Westchester County Department of Human Resources.

- f) On motion of TRUSTEE KONIG, 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, Nextel of New York, New Cingular Wireless and Omnipoint Communications have applied for a special permit to construct a collocation of personal wireless services facilities at Veterans Plaza; and

WHEREAS, this matter was referred to the Planning Board for its recommendation and review; and

WHEREAS, on April 3, 2006, the Village Board of Trustees declared its intent to serve as lead agency for the purpose of conducting a coordinated review; and

WHEREAS, on August 6, 2007 a revised EAF showing a new site location for the tower and including 4 carriers including Nextel, Omnipoint Communications, New Cingular Wireless, and Verizon to all interested and involved agencies; and

WHEREAS, Nextel of New York has transferred its interest in the lease located at Veterans Plaza to Homeland Towers, LLC; and

WHEREAS, the Planning Board has now completed its review and has made a favorable recommendation,

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby calls for a public hearing on November 3, 2008 at 8 pm in the Stanley H. Kellerhouse Municipal Building to consider the special permit application for Nextel of New York,, New Cingular Wireless, Omnipoint Communications, and Homeland Towers LLC.

Note: Item 'g' on the agenda was replaced with the following two separate resolutions

g1) On motion of TRUSTEE KONIG, 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, Benedict Boulevard has been left in a poor condition since the replacement of the water mains; and

WHEREAS, during the past summer granite curbing has been installed around each of the islands at Benedict Boulevard; and

WHEREAS, the restoration and paving of Benedict Blvd. can now go forward; and

WHEREAS, Acocella Contracting is currently under contract with the Village to pave Wayne and Clinton streets and it would be cost effective to utilize Acocella Contracting for the Benedict Blvd work since Acocella Contracting is already mobilized here in the village; and

WHEREAS, Acocella Contracting has prepared a change order to the Wayne and Clinton Street Improvement Project; and

WHEREAS, the change order includes the top soil, seeding of the islands and partial binder installation around the south side of the islands in the amount of \$18,942.50; and

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to sign the change order with Acocella Contracting for the top soil, seeding and partial binder installation of the Benedict Boulevard Islands for the amount of \$18,942.50,

AND BE IT FURTHER RESOLVED: that this amount should be charged to the Benedict Blvd capital account #H5110-2106-08160.

Trustee Konig made a motion to take a short break for discussion and clarification of part 2 of item g. Trustee Brennan seconded the motion, approved unanimously. All members of the Board left the room for a short time.

g2) On motion of TRUSTEE KONIG, 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, Benedict Boulevard was excavated for the installation of new water mains approximately two to three years ago and was paved with temporary pavement; and

WHEREAS, after the water main installation was completed and the roadbed temporarily paved, the curbs along the sides and islands were replaced; and

WHEREAS, during and as a result of this additional construction, the temporary pavement and the existing roadbed of Benedict Boulevard began deteriorating faster than expected; and

WHEREAS, due to the deteriorated condition of the road, it is no longer possible to patch Benedict Boulevard; and

WHEREAS, the Village has received numerous complaints from residents of Benedict Boulevard that the condition of the road, which includes divots and extremely irregular, uneven, and rough surfaces, has caused damage to their vehicles; and

WHEREAS, residents of Benedict Boulevard have also complained that due to the condition of the road, vehicles and trucks passing over Benedict Boulevard cause excessive noise and vibrations that greatly disturb their quality of life; and

WHEREAS, the current deteriorated condition of the road causes unnecessary wear and tear on the Village's vehicles and will likely cause snow and ice removal and other street-cleaning operations to be extremely difficult, potentially causing dangerous conditions; and

WHEREAS, it is critical that Benedict Boulevard be paved before weather conditions prevent such paving to occur; and

WHEREAS, Acocella Contracting, which is currently under contract with the Village to pave other streets within the Village and has been deemed a responsible contractor by the Village Board, has proposed to restore the concrete pavement and binder course of the trenches created when the water mains and curbs were installed for \$136,775; and

WHEREAS, to publicly bid this work will cause such a delay that Benedict Boulevard will not be able to be paved until the spring of 2009; and

WHEREAS, such delay will further exacerbate the nuisances and potentially dangerous situations caused by the deteriorated roadbed as described above;

NOW, THEREFORE, BE IT RESOLVED THAT the condition of Benedict Boulevard is such that paving of the road must occur before the weather conditions prevent such paving and that that restoration of the trenches created by the installation of the water mains and curbs is imminently necessary to enable paving of the road before the winter,

AND BE IT FURTHER RESOLVED THAT the Village Manager is authorized to sign a contract with Acocella Contracting, upon approval of counsel, for the concrete pavement and binder course restoration in the amount of \$136,775,

AND BE IT FURTHER RESOLVED THAT this amount should be charged to the Benedict Boulevard capital account #H5110-2106-08160.

7. CITIZEN PARTICIPATION – NON-AGENDA ITEMS:

none

8. APPROVAL OF MINUTES:

Trustee Brennan made a motion to approve the minutes of the Executive Session of the Board held on September 8, 2008 as corrected. Trustee Gallelli seconded the motion. The Board voted unanimous approval.

Trustee Brennan made a motion to approve the minutes of the Special meeting of the Board of Trustees held on September 8, 2008. Trustee Konig seconded the motion. The Board voted unanimous approval.

Trustee Brennan made a motion to approve the minutes of the Regular Board meeting held on September 15, 2008 as corrected. Trustee Konig seconded the motion. The Board voted unanimous approval.

Trustee Brennan made a motion to approve the minutes of the Special meeting of the Board of Trustees held on September 18, 2008. Trustee Olver seconded the motion. The Board voted unanimous approval.

Vote on the minutes of the Executive Session held on September 18, 2008 was held over until the next meeting.

9. REPORTS:

Village Manager Zambrano reported that on Tuesday, September 30th the County shredder was at the Municipal Building and they shredded 100 boxes of records that had to be destroyed; this saved the Village \$3,000 to \$4,000. Chief Tramaglino informed Mr. Zambrano that all emergencies are now being dispatched through 60 Control. Village Manager Zambrano reported that the interviews for the Village Treasurer position will continue for another next week & half; the committee will recommend individuals to the Board to interview for the final decision. Mr. Zambrano, Paula DiSanto and Janine King comprise the committee.

Trustee Konig reported that shredder information is on the County web site. She added that the Rotary car show and other events are being held this time of the year and they show the energy of Croton and the Board wants to work to preserve the way the Village has a small town feel, life and activity.

Trustee Olver reported that the 7th Annual Daffodil planting will be held on Saturday, October 11th from 9am to 1pm; the bulbs will be planted on the islands on Benedict Blvd.; bulbs, tools, coffee & donuts will be provided. Trustee Olver added that the Liaison Committee of the Village & Schools was given an advance look of a student survey of substance abuse; rates of abuse are similar to Westchester local trends, but are of concern; alcohol use is over 50%; tobacco use is not bad, but not zero; marijuana shows considerable use by school age residents; they will be holding a meeting with the schools to discuss this topic further in the near future; he asked parents to be aware of abuse, talk to children, be vigilant and show you are serious. He reported that at the work session last week, the Board discussed the Harmon Economic Development report; Tuesday, October 28th, there will be a televised presentation and focused discussion of matters of concern of the entire community.

Trustee Gallelli asked if anyone contacted Alex Kaspar who was at a recent Board meeting. Village Manager Zambrano replied that Mr. Gennarelli has attempted to contact him on a couple of occasions; not sure he has spoken with him; he will follow up. Trustee Gallelli

reported that Bike week was held a few weeks ago by the bicycle-pedestrian committee and they have joined with a larger Westchester Committee. Trustee Gallelli read a report from the Chairperson about participation that week and potential continued bicycle use; they hope to make this a bigger and better event next year. Trustee Gallelli reported also that the offer from Cablevision for a free box is for a limited time period until Oct 16th. Trustee Gallelli added that residents will soon get the Cortlandt heating oil plan-a discount, co-op heating oil plan; with a guaranteed 20 to 30 cents less per gallon of oil; it costs \$5.00 to join; the list of oil companies will be updated regularly; this is only for residential, not business. Trustee Gallelli stated that last Friday and Saturday, the Croton Council for the Arts had their Arts-Jam at Croton Point Park; it was a lovely afternoon with good attendance. Trustee Gallelli stated that the Board agreed to have a televised presentation on Oct 28th here in this room; there will be an opportunity to ask questions.

Trustee Brennan reported that the Fire Fair this week was a great success. He congratulated everyone involved in Bike Week; he added that the Tough Man Half Triathlon came down Truesdale and he saw no mess left. Trustee Brennan stated that the Cortlandt heating plan seems like a good idea. Trustee Brennan wished the football team and all high school sports programs well.

Mayor Schmidt reported that the Rotary Car Show was rained out twice and has been cancelled; he thanked everyone who participated. Mayor Schmidt added that a Cuda which was slated to be restored, was stripped and primed and art students went to the auto shop and painted the car with the theme of starry night; it was parked at the top of Croton Point Ave.; they hope it will be brought back to the high school for a couple of days. Mayor Schmidt added that there was a meeting with Dvirka and Bartilucci regarding the train station parking lot improvements; a report should be coming back soon with final plans. Mayor Schmidt reported that MetroNorth is having their annual open house this Saturday, Oct. 11th and the Run Against Hunger is scheduled for Sunday, October 19th at 12:30 pm. He added that the Town of Cortlandt has a proposal about changing services at the Veteran's Hospital in Montrose and there will be a protest meeting on Tues. Oct 14th in front of the VA hospital. Mayor Schmidt reported that he received an email from Rick Herbek stating that the Senate has passed a bill to clear up regulations for railroad and the solid waste industry.

Trustee Konig made a motion to adjourn to Executive Session, second by Trustee Brennan, approved unanimously.

Trustee Brennan made a motion to adjourn. Trustee Olver seconded the motion; approved unanimously. The meeting was adjourned at 9:50 p.m.

Respectfully submitted,

Phyllis A. Bradbury

Phyllis A. Bradbury, Secretary

Village Clerk