

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Tuesday, January 20, 2009 at the Municipal Building, Van Wyck Street, Croton-on-Hudson, NY 10520.

The following officials were present:

Mayor Schmidt	Trustee Brennan
Village Manager Zambrano	Trustee Gallelli
Village Attorney Feldman	Trustee Konig
Treasurer Bullock-absent	Trustee Olver
Deputy Treasurer Toome -present	

1. CALL TO ORDER:

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

- A moment of silence was held for former Village Attorney Seymour Waldman who passed away recently.
- Mayor Schmidt thanked the Croton Clergy Association for conducting the ceremony in commemoration of Martin Luther King. Mayor Schmidt read a Village proclamation in honor of Martin Luther King Jr.
- Mayor Schmidt spoke about the inauguration of President Obama today.

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	\$168,443.83
Water Fund	22,580.83
Sewer Fund	3,848.02
Capital Account	29,606.23
Trust & Agency	4,851.00
Total	\$229,329.91
Debt Service	126,465.36

3. CORRESPONDENCE:

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

- a) A letter from Jane Price Laudon, 124 Penfield Ave., expressing appreciation for the Croton Volunteer Ambulance and Croton Police Dept. for their assistance to her family.
- b) A letter from Karalyn and Alastair Lamb, 118 Young Ave., suggesting a lengthy and inclusive consultation period is required before any decision is made about the Harmon Zoning. Discussion followed about these concerns: Mayor Schmidt added that there will be further opportunities to publicly discuss this. Village Manager Zambrano stated that

the information is available on the web; until the Board decides what course of action is to be taken, he suggests not spending additional Village resources on this.

4. CITIZEN PARTICIPATION (agenda items):

None

5. PROPOSED RESOLUTIONS:

- a) 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:

BE IT RESOLVED, the Village Board of Trustees hereby ratifies the Settlement, Release, Waiver and Non Disclosure Agreement in file number 07-706 of Miranda, Sambursky, Slone, Sklarin, Verveniotis, LLP., and

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

Discussion: Village Attorney Feldman briefly explained that the litigation against the Village was defended by the insurance company and a settlement was agreed upon. Trustee Olver added that the Board has been apprised of the settlement and agreed to the terms.

- b) 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 Intermunicipal Agreement between the Village and Westchester County for enhanced 911 service calls has expired; and

WHEREAS, the Village wishes to continue utilizing the services of the enhanced 911 service provided by the County of Westchester; and

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to sign the Intermunicipal Agreement between the Village and Westchester County for a five year term commencing on July 11, 2008 and continuing through July 10, 2013.

Discussion: Trustee Gallelli stated that Croton is one of 46 communities in this 911 system and it is an extensive network. Village Attorney Feldman suggested that approval of this resolution be subject to review by the Village Attorney.

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

WHEREAS, due to a great deal of frozen precipitation and extremely cold weather this, winter the supply of road salt needs to be replenished ; and

WHEREAS, the Superintendent of Public Works is preparing a purchase order to order more road salt; and is requesting a transfer of funds from the Contingency Account into the Snow Supplies Account.

NOW THEREFORE BE IT RESOLVED: that the Board of Trustees hereby authorizes the Village Treasurer to transfer \$30,000.00 from the General Fund's Contingency Account number A1990.4000 to the Snow Removal Account number A5142.4200 for the purchase of road salt .

- d) 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, the warranty on the lights at Firefighter's Memorial Field is expiring on May 1, 2009; and

WHEREAS, the Superintendent of Recreation has received a quote of \$3,000.00 from Musco Lighting extending the Warranty for another 10 years; and

WHEREAS, funding for renewal of the warranty was not provided for in this fiscal budget; and

WHEREAS, the Superintendent of Recreation is requesting a funds transfer from the Contingency Account to the Recreation and Parks Contractual Account to avoid interruption of service.

NOW THEREFORE BE IT RESOLVED: that the Board of Trustees hereby authorizes the Village Treasurer to transfer \$3,000.00 from the General Fund's Contingency Account number A1990.4000 to the Recreation and Parks Contractual Account number A7140.4000 for the purchase of the extended warranty.

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

WHEREAS, the Police Department has applied for a grant with NYS , Governor's Traffic Safety Committee, Department of Motor Vehicles for funds to promote the Child Safety Program; and

WHEREAS, the purpose of this program is to provide information to the public on proper use and installation of child safety seats; and

WHEREAS, the Police Department has been notified that the Village has been awarded \$1,400.00 to participate in the statewide "Child Passenger Safety" program,

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to accept the grant in the amount of \$1,400.00 to participate in this program.

- f) 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, 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 for the connection of the new Well 5; and

WHEREAS, Chazen has recommended that a Feasibility Study be prepared including pros and cons and opinions of probable cost, to help the Village evaluate and select between 3 wellfield improvement options

- a. Connect Well 5 without centralization
- b. Connect and centralize the wellfield with controls housed in the current building area
- c. Connect and centralize controls for the wellfield with controls housed at a higher more accessible location along the road,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to execute the proposal from Chazen Engineering in the amount of \$10,000.00 for a Feasibility Study of the pros and cons and opinions of probable cost of the 3 options for connecting Well 5,

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

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

WHEREAS, the Village has been in negotiations with the Croton Police Association for a new contract to be effective as of June 1, 2009; and

WHEREAS, the Village and the Croton Police Association agreed upon the terms of a new contract for a five (5) year period on January 7, 2009 and representatives for both the

Village and the Croton Police Association signed a Memorandum of Agreement dated January 7, 2009 ; and

WHEREAS, this Memorandum of Agreement provides for annual salary percentage increases of 2.75% for the first year, 3.00% for the second year, 3.65% for the third year, and 4% for the fourth and fifth years with other changes as set forth in the Memorandum of Agreement; and

WHEREAS, the Memorandum of Agreement was ratified by the membership of the Croton Police Association on January 14, 2009;

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby ratifies the Memorandum of Agreement dated January 7, 2009 and authorizes the Village Manager to sign a new contract with the Croton Police Association for the period June 1, 2009 through May 31, 2014.

6. CITIZEN PARTICIPATION (non-agenda items):

Bob Wintermeir, 43 Radnor Ave., stated that he agrees with Trustee Brennan's comments regarding Village Manager Zambrano who is appreciated by all residents. Mr. Wintermeir asked for a comparison of the present fund balance with general fund balances. Mr. Wintermeir stated that although they cannot talk about settlement, could he be told what the amount of the settlement was. Village Manager Zambrano replied that it was \$3,000. Mr. Wintermeir stated that he commends the selection of this new grant for safety; as a grandparent, had a terrible time with car seats and assistance would have been most welcome.

Don Daubney, 45 Bungalow Rd., stated that regarding the Harmon district business proposals, he thinks that there is a groundswell to move ahead with the proposal; the committee was formed to see how business could be improved; it seems like housing is in it rather than business improvement; a petition circulated in that neighborhood was not in support of the proposal. Mr. Daubney suggested take the good information and seek help to provide input to make decisions before costing the Village more money.

Ian Murtagh, 60 Young Ave., stated that he was asked to sign the petition (that was just mentioned) and declined; he felt the information about that petition was misinformation and suggests that signatures on the petition should be declared ill-informed signatures. He added that they were well intentioned, but it should be looked at cautiously.

Demetra Tseckares-Restuccia, 3 Cedar Lane, stated that in Carolyn Lamb's letter, the suggestions were great; there are many people who want to know more; invite the committee to make the recommendations again and incorporate suggestions after the Village and School Boards' joint meeting; zoning changes may take three years and she would like to get started on this. Trustee Konig asked Village Manager Zambrano when the RFPs are due back. Village Manager Zambrano replied they are due the 26th; they will be reviewed and then shared with the Board. Trustee Gallelli added that they probably won't see anything back until 2 or 3 months after choosing a consultant. Mayor Schmidt stated that the joint meeting with the school board is

on the 26th and they will be discussing a lot of shared issues, common practices, facility use requests, a new demographic study of Croton and better communication between the school and the village. Trustee Gallelli pointed out that the demographic study will be of the school district, not the Village. Trustee Olver clarified that the agenda being finalized is focusing on a demographic study and an education campaign on drug, alcohol and tobacco use; they will set a time and place for further meetings with the school; they will not be having a substantial discussion about the Harmon business district proposal.

Vito Divenere, 51 Farrington, stated that he sees a need for waiting for 2 or 3 months; they need information and believes the Board should commit to another information session.

Demetra Tseckares–Restuccia, 3 Cedar Lane, spoke again, stating that if the Village is going to hire a consultant, can someone give a reason why a SEQRA study is not being used; a consultant will cost money that doesn't need to be spent. Attorney Feldman replied that the SEQRA review is prompted by an action; the Village cannot base an analysis on a general idea; a consultant will come forth with a proposal for consideration by the Board. Ms. Tseckares–Restuccia stated that the proposal was extremely well thought out with the help of a consultant hired by the Board; to hire a consultant again is a waste of money and time. Trustee Gallelli stated that she agrees that they have a very precise proposal for precise zoning changes that can be studied by SEQRA; also the RFP is asking for a much more generalized answer for options to pursue. Trustee Olver stated that it was agreed to take a two track approach to move forward on Harmon and also to review a more general overview of the Village. Mayor Schmidt stated that there needs to be more study; this one will have an impact on the school coffers; the committee never went to the schools; it is very important for the community to look at; he is not for a proposal that will put 90 plus additional apartments in the Village. Trustee Gallelli added that this is not a development proposal, it is a rezoning change proposal. Mayor Schmidt replied that this will lead to a redevelopment of the area; if a mistake is made, the Village will have to live with it for 50 years. Trustee Brennan stated that they are moving on parallel tracks; he would like to slow down and get additional information; there is a difference of philosophical ideas; he looks at the report as a housing study; the committee was asked for a retail study and came back a housing study; he needs to get more information from more than one group before committing his vote to a proposal that will add housing density; he does not see how adding apartments will help that area grow as a retail area; no one is contacting him that saying that they want this kind of growth in this area; he wants to talk to shopkeepers, residents and property owners that they want this; and hopes that they also show up at meetings.

7. APPROVAL OF MINUTES:

Trustee Brennan made a motion to approve the minutes of the Board Meeting held on January 5, 2009 as corrected. Trustee Olver seconded the motion. The Board voted unanimous approval.

8. REPORTS:

Village Manager Zambrano reported that he attended a Westchester County meeting regarding cooperative purchasing; the County is offering a better way to purchase items and services in cooperation with other municipalities; such as vehicles through a NYS contract. He reported that Joyce Finnerty received a request to borrow 3 renderings of the Lenape Indians that are now in

Village Hall for a Lenape Indians exhibit on Ellis Island. Village Manager Zambrano reported also that the U.S. Census Bureau is recruiting residents for the 2010 census; if interested, contact Village Hall or go to: www.census.gov/2010censusjobs. He added that this will be posted on the Village web site; they also want to use this building as a training center.

Trustee Konig noted that tonight residents have heard nothing new from anyone on the Board; they have made themselves clear on how they stand on the Harmon Development; it is very clear how each stands; they do need to hear from residents; it should not appear that the Board is foot dragging and that the Board is doing nothing for businesses in the Village; the wheels are in motion. Trustee Konig stated that it is exciting to see the Duck Pond frozen and lighted. Trustee Konig reported that she attended the Artists' reception for a local artist; people came out and it was a nice cultural moment in the community. Trustee Konig stated that she had to drive back into Croton in the snowstorm on Sunday and when she got to Croton, the roads were black and clean; she drove through several communities where this was not the case. Trustee Konig reported that some Croton High School football players were elected to the State all star team.

Trustee Olver agreed that the Village is in good shape in responding to the 17 frozen precipitation events; hats off to the DPW. Trustee Olver stated that he agrees about the residents not hearing anything new from the Board regarding economic redevelopment; but it seems very much like foot dragging to him; he is hearing distortions of what is being proposed; the longer the questions are not addressed, the more off the track they will get; let's return the debate to the facts; that's what SEQRA is for, rather than an opinion based discussion; all want to make it a better more vibrant, prosperous place and take the burden off resident's backs; a mixed use will bring businesses in. Trustee Olver reported that today was a special day and the President spoke of a government that works. He reported also that on the 22nd from 7 to 9, Sandy Galef will be sponsoring a session about tax relief including Tom Suozzi's presentation. Trustee Olver reported that on February 1st from 12 to 2 there will be a winter tree identification at the Arboretum. Trustee Olver asked where the Village stands regarding the FIOS agreement with Verizon. Village Manager Zambrano replied that there was a meeting in early December, but Verizon had a change in attorney who was working on the franchise agreement and there are some issues about poles; it may take a while longer than anticipated. Janine King added that she is waiting for a draft agreement from Verizon.

Trustee Gallelli stated that the School/Village joint meeting next Monday night is 8 P.M. not 7:30 as reported in the paper today. Trustee Gallelli stated that she believes nothing is going on about the Harmon Economic Development Committee proposal; the Village Board has not been involved in talking about it except in work sessions with the committee present. Trustee Gallelli added that this is not a development proposal; it is a zoning amendment proposal and would change and expand the Gateway area by about a block and a half; it would allow commercial property owners to made improvements to their property similar to what exists on the west side of South Riverside right now; they will have the options to do nothing, to improve within current framework, or improve to the size and height of what exists on the west side of South Riverside now; there are a lot of legitimate questions that can be addressed in the SEQRA process; she thought they would be moving forward with the RFP and SEQRA process running parallel. Trustee Gallelli read a statement about the recent passing of former Village Attorney Seymour Waldman recounting his service to the Village and to the many committees over many years.

Trustee Brennan stated that Seymour Waldman was a very good lawyer and a courteous gentlemen; he offered his condolences to the family. Trustee Brennan announced a happy belated Martin Luther King Day; he was a great man ahead of his time. Trustee Brennan reported that the Arboretum tree walk on February 1st is very interesting. He reported also that the Trustees received a packet from the Friends of History in Croton; they can be contacted at www.crotonfoh@gmail.com to request their pamphlet. Trustee Brennan agreed that it was good to see skating at the Duck Pond and also offered congratulations to the DPW for a great job. Mr. Brennan offered congratulations also to the new EMS officers sworn in last weekend. He added that regarding the Harmon Economic Development Committee report, he does not believe he has enough information or enough support from that area to go to SEQRA, especially information from the school district; it is good to get all information out there, but they may not need to get the committee back here again; any zoning change will lead to a development; he is not sure that is what he wants to see; if residents do, please come and tell him and may change his mind, but right now needs more facts.

Mayor Schmidt reported that he received a letter from Town Supervisor Linda Puglisi, they submitted a 2008-2009 efficiency planning grant; they are looking at how to cut spending over the last couple of years such as purchasing together and shared services which will save the Village money. He added that the Joint meeting is on the 26th at 8 PM and it will be televised; this illustrates a school/village liaison committee in existence for many years and they have addressed many things. Mayor Schmidt stated that the next meeting on February 2nd, Treasurer Bullock will be giving a presentation on the financial status of the Village. He reported that he swore in the new EMS officers and offered thanks for their dedication to the Village. Mayor Schmidt stated that regarding the Harmon Development, there are many questions that need to be answered; even analysis of questions during SEQRA may cost a lot of money; he is anxious to sit with the school to see what their response is; the school board is coming into a very tough budget season; reducing the burden on taxpayers is what he has been working very hard on, including more efficient running of the Village office. He stated that they are also working on how to make the government more efficient on an energy standpoint without spending a ton of money.

Trustee Brennan made a motion to adjourn. Trustee Olver seconded the motion; approved unanimously. The meeting was adjourned at 9:45 pm.

Respectfully submitted,

Phyllis A. Bradbury _____
Phyllis A. Bradbury, Secretary

Village Clerk