

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, September 21, 2009 at the Municipal Building, Van Wyck Street, Croton-on-Hudson, NY 10520.

The following officials were present:

Mayor Wiegman	Trustee Gallelli
Village Manager Zambrano	Trustee Olver
Village Attorney Feldman	Trustee Restuccia
Treasurer Bullock	Trustee Murtaugh

1. CALL TO ORDER:

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

2. APPROVAL OF VOUCHERS:

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

General Fund	\$ 64,114.80
Water Fund	637.98
Sewer Fund	263.00
Capital Account	162,208.41
Trust & Agency	12,025.29
Total	\$239,249.48

3. CORRESPONDENCE:

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

- a) A letter from Fran Allen, Chair, WAC, regarding the consistency review of the Francy Steep Slope application, 57 Old Post Road North, stating that after review of the materials, the WAC made a determination that the steep slope application is not consistent with the Village's LWRP.
- b) A letter from John and Lillian Brijeski, 55 Truesdale, with concerns about the quality of the water in their area and asking the Village to give careful consideration to this matter. Village Manager Zambrano stated that there was a staff meeting today and they are going to increase the flushing the water pipes in the dead end sections of the Village and monitor more carefully; some recommendations for water improvement projects will be made to the Board at the time of the 2010-11 budget processes; he will reply to all property owners who signed the letter.
- c) An announcement from Assemblywoman Sandra R. Galef regarding a Fall internship program. Trustee Olver urged parents with high school or college students to avail of this opportunity and contact Sandy Galef's office if you have a student interested.

- d) An announcement from Sandra R. Galef, Assemblywoman, regarding the Education for Sustainability Project.
- e) A letter from Brian Kolb, Assembly Minority Leader, asking for support to convene a non-partisan grassroots "People's Convention to Reform New York". Mayor Wiegman stated that this will be placed on a future agenda.
- f) A flyer from Westchester County DOT regarding a safe routes to school local initiatives conference on October 16, 2009, 8:30 am at the Westchester County Center, White Plains; the Village will be one of the presenters at this conference and is one of the pioneers of this program.
- g) An announcement from Croton Friends of History regarding a lecture that will be held on Thursday, October 1st at the Croton Free Library on the Hudson-Fulton Celebration.
- h) A notice of comment period September 15 through September 28, 2009 from NY Metropolitan Transportation Council. Mayor Wiegman asked if the Village has made comments in the past. Trustee Gallelli replied that several years ago when first looking at parking lot improvements, the Village did respond and did get TIPS money; she believes when the work was going on, Dvirka and Bartilucci were also responding to get on the TIPS list, but is not sure this occurred.
- i) A letter from Paul Feiner, Greenburgh Town Supervisor, regarding an initiative to install bike sharing racks near the Hudson River or Train Station. Trustee Gallelli stated that she has experienced this in the Netherlands and it is very successful and popular and understands it is going on in many places in the United States. Trustee Murtaugh stated that the Board will be having a visit from a gentleman regarding rental of kayaks and perhaps he could tie in bike rentals. Trustee Restuccia asked that this information be given to the Bicycle-Pedestrian committee.
- j) A notice from Mark Page, Dir., Office of Water Supply Infrastructure and Watershed Assessment, New Croton Dam Rehabilitation and Normal Pool Restoration project. Trustee Olver stated that they had a presentation some time ago on this proposal, but he has no current information on the funding situation for repairs of the dam; it is clear they are going forward now with the measurement of noise throughout the Village; they are planning on 4 years of work including extensive blasting and much trucking out of debris and bringing in of materials; this study is simply to set a baseline on the noise then calculate what added burden they will bring the Village; the main route would be through the Village; this is a concern of the Board will be checking the situation regarding the project. Trustee Gallelli stated that this project has the potential to be very disruptive to the Village and the Board has to make sure we are included in every step along the way; they are at the stage that they have declared themselves as lead agency and the Village should apply to become an interested agency. Mayor Wiegman stated that it is outside the Village limits and they own the land; he asked counsel to find out what status the Village has. Village Manager Zambrano stated that the amount of water coming over the dam during construction is a concern also. Trustee Gallelli stated that they are doing this not only because the dam is in need of repair, but NYC is having problems with their other water systems and need to get to a point where they can shut another system down and fix it; part of the project is to raise the entire Croton reservoir capacity by 4 feet. Trustee Olver added that this would return the dam to the height it had before 1955.

k) A letter from John Mattis, Chair, Cortland ZBA, regarding a scheduled Public Hearing on September 16th for MetroPCS to co-locate a wireless facility at 51 Scenic Drive in the Town of Cortlandt.

l) A letter from Robert Hoch, Cablevision, regarding their discontinuing support for the limited number of analog boxes.

4. CITIZEN PARTICIPATION (agenda items):

a) Anthony Gagliotti stated that back in the 1950's, they had a crack in the dam and the spillway was lowered 4 feet to reduce pressure on the dam and now they want to increase the water level 60 years later and they want to blast; please be careful. Mr. Gagliotti stated that regarding the feasibility study for the potential parking garage; when the Village garage was put in, the pilings went down about 100-150 feet and it was all muck until hit hard pan; about 50 feet up from the ticket booth, there was a gas station and they could not put the tanks in the ground because of the tide; they put in concrete aprons to hold the tanks down. Mr. Gagliotti added that regarding the Harmon rezoning, he heard that the Palladino family wants to reopen their existing garage and they are being given a hard time; if the Village is so anxious to open businesses, this should be fast-tracked. He added that if these businesses were opened, the Village would not need additional housing and questioned if it all ties in with the county wanting to add affordable housing. Trustee Gallelli replied that Mr. Palladino is not getting a hard time; everything has been happening quickly and they are on the Planning Board agenda this week. Trustee Olver stated that this Board has done nothing and will do nothing to promote affordable housing in the Harmon area. Mayor Wiegman replied that existing businesses in the Harmon area are grandfathered and those businesses will undergo no change; Mr. Palladio's business was not open for 2 ½ years and he has now come forward to the Village and his application has been fast-tracked. Mr. Gagliotti also stated that he would like the Harmon project to be put on a referendum.

2) Rick Turner, 35 Truesdale Dr. stated that he missed the reading of the letter tonight from his neighbors on Truesdale Drive about the brown water situation. Mr. Turner had his water filter with him and stated that this is a real problem that needs to be addressed; it has been lost in the din of so many problems; the Village is providing many important services, but providing residents with clean water cannot be lost. Mr. Turner proposed that this should be engineered and come up with a staged plan and he believes this project would have qualified for stimulus money. Mayor Wiegman stated that there was a leak in the Village water supply, the leak was fixed and in the process, the discoloration in those homes went up; this is now a high priority. Mr. Turner stated that the CAC is interested in the Croton Dam project; it will provide an opportunity to get at some issues about the flow of the Croton River; the Village can track the flow by becoming an interested agency and become part of the scoping process. Village Manager Zambrano reiterated that they are taking steps to have the water pipes flushed more often and will propose a multi-year plan to replace some of these pipes.

3) Susan Konig, 37 Elmore, stated that the dam project may be State property and it is their right to fix it, but it is Village roads they are going to use; the Board has to exert pressure to have a good percentage of those trucks to take other routes rather than through the Village. Ms. Konig added that the Harmon water issue was worked on diligently for 2 years and she

would like the Board to get back on that project. Ms. Konig stated that Mr. Paladino is trying to reopen a car dealership and the Anton's are trying to open a restaurant; please get behind these businesses and get them open.

5. PROPOSED RESOLUTIONS:

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

WHEREAS; on February 2, 2009 the Village Board of Trustees authorized the development of a two-step Request For Proposal (RFP) process to explore the potential for a structured parking facility at the Croton-Harmon Train Station; and.

And

WHEREAS, the RFP(s) were for the study of the full range of considerations for determining the feasibility, economic and structural viability and potential options for the location and design of such a parking structure, in two stages; and

WHEREAS, after further consideration it was determined in Spring 2009 that a Request for Qualifications (RFQ) to qualified parking consulting firms would be a more viable approach, and the RFQ solicitation was successful in bringing a number of excellent firms to the Village's attention; and

WHEREAS, the Village conducted extensive interviews with 4 qualified parking consultant companies during Summer 2009 and determined that Tim Haahs Associates would best meet the needs of the Village; and

WHEREAS, representatives from Tim Haahs also met with the Village Board of Trustees at a work session in August 2009 to explain the feasibility planning process in great detail; and

WHEREAS, Tim Haahs Associates has provided the Village with a scope of services for a Croton-Harmon Parking Lot Garage Feasibility Study, and this study involves a comprehensive process which will look at (1) market demand for commuter parking, (2) geotechnical conditions under the existing surface lot, (3) financial feasibility analysis for funding and operating a structure, and (4) design concepts for a potential parking structure at the Croton-Harmon Train Station, and this study will also review the overall site to produce a master parking plan addressing how future work can improve traffic flow, enhance safety, and maximize commuter services;

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to execute the contract with Tim Haahs Associates in the amount of \$97,000 for a Croton-Harmon Parking Lot Garage Feasibility Study at the Croton-Harmon Train Station.

Discussion: Trustee Murtaugh stated that \$97,000 is a lot of money, but it is analogous to putting an addition on your house; it is a step to make the Village gain more revenue in the future; later this evening they will speak about a \$132,000 savings that has been achieved which will pay for this with money left over. Trustee Gallelli added that approximately a year ago, this was an

important requirement in the approval of the current parking lot project; this was also budgeted for in the capital budget this year and was planned for. Trustee Olver stated that every 15 years or so the Village ends up renovating the existing parking lot; they have a vision of an alternative to create a multi-tier parking structure where the ground is firmest and access is best; it will expand the parking spaces and increase revenue; it will allow them to stop fighting nature for 30 or 40 spaces. He added that this study will tell if can be done; it will also look at reconfiguring the parking lot in general; last year they reached a bi-partisan agreement to do the current renovation of the parking lot and to undertake this study; all voted for it. Mayor Wiegman stated that it sounds like a lot of money, but one in every six dollars in Village revenue comes from the parking lot; even after the 3 million dollars is spent for the current renovation, it does not add any new parking spots and does not increase revenue; this will look at the demographics and the technical things such as where soil is best and they had lengthy interviews with the four firms; metering this lot by the hour may be a way to go; Janine King is working on putting in smart parking meters to allow paying with credit cards; this will save labor costs and be more convenient to commuters; these should be available after the Christmas holidays.

b) On motion of TRUSTEE Murtaugh, 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, part of the Train Station Parking Lot Improvement Project, the ticket office building was to be raised and reset at a higher elevation; and

WHEREAS, during the process of raising the building it was determined that due to the type of construction used and the existing foundation that raising the office was not practical and the building should be demolished; and

WHEREAS, the Village Engineer has received three quotes to perform the demolition work; two quotes from Sisca with an original quote of \$8640.71 and a revised quote of \$5990.23; and one quote of \$3,500 from Mr. Cheapee, Inc.; and

WHEREAS, based on the quotes received and discussion with both Contractors; the Village Engineer recommends that the Village award the work to demolish the ticket office building and foundation to Mr. Cheapee, Inc. in the amount of \$3,500;

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to award the contract to Mr. Cheapee, Inc.; in the amount of \$3,500 to demolish the ticket office building and foundation.

AND BE IT FURTHER RESOLVED: that this amount should be charged to the Train Station Capital Account #H5650.2101.98015.

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

WHEREAS, part of the Train Station Parking Lot Improvement Project, the contractor was required to locate and clean the outfalls of the two existing storm drain pipes, and add an extension of pipe onto the existing corrugated metal pipe; and

WHEREAS, the outfall of the storm drain pipe for the DPW facility was located and found to be blocked by soil and debris and also corroded; and

WHEREAS, it was determined that the pipe was corroded to the point that replacement was warranted; and

WHEREAS, the replacement of the pipe will ensure a properly operating storm drain system for the DPW facility; and

WHEREAS, the Village Engineer has received two quotes for the work to replace the pipe, one from Sisca in the amount of \$11,061.11 and one from Anthony Fiorito, a local contractor, in the amount of \$2,800.00; and

WHEREAS, based on the quotes received and discussion with both Contractors; the Village Engineer recommends that the Village award the work to replace the pipe to Anthony Fiorito in the amount of \$2,800.00.

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to award the contract to Anthony Fiorito in the amount of \$2,800 to replace the DPW storm drain outfall pipe.

AND BE IT FURTHER RESOLVED: that this amount should be charged to the Train Station Capital Account #H5650.2101.98015.

d) On motion of TRUSTEE Restuccia, seconded by TRUSTEE Murtaugh, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with Trustee Olver voting “nay”:

WHEREAS, the Village and School District have been working together for several years on community related issues and as a result the Village/School District Liaison Committee was formed; and

WHEREAS, the Village and School District Liaison Committee have identified an opportunity to apply for a grant from the Substance Abuse and Mental Health Service Administration to provide additional services related to Drug and Alcohol Awareness and Education program; and

WHEREAS, as a requirement of the grant application, the Village and School District Liaison Committee formed the “Drug and Alcohol Coalition”, made up of members of the

Village Board, Board of Education, Village and School District staff, members of the business and professional community, clergy and the media; and

WHEREAS, in order to apply for grant, the Village was required to be the lead agency and manage the funds; and

WHEREAS, the Drug and Alcohol Coalition will be administering the program in accordance with the terms and condition of the grant; and

WHEREAS, the Village has been awarded a grant from the Substance Abuse and Mental Health Services Administration in the amount of \$125,000 for one year and maybe be submitted for renewal over the next four years; and

NOW THEREFORE BE IT RESOLVED: that the Village of Croton-on-Hudson hereby accepts the grant from the Substance Abuse and Mental Health Services Administration in the amount of \$125,000.00.

Discussion: Trustee Olver stated that he is voting against this; he believes that this program of education has not demonstrated evidence of proven results; he believes it is urgent and important to deal with substance abuse, but hiring an additional staff for a program with no proven results is not a good use of tax dollars. Trustee Restuccia stated that she is the liaison to this committee; in absence of any proof it would do harm and recognizing there is an issue and that the steps have not been taken in this Village, she is willing to take the risk; there will be kids from the High School involved in this. Trustee Gallelli stated that she is a member of this coalition committee, and was a liaison to the school district when this was raised, she felt they did not have a handle on where this money would go, however the grant requires this money be spent in a certain way, including a person to administrate then education for students, adults, parents and also providing money for projects that would involve business people; she will vote for it because the Village is in charge of and will manage the money; after the first year, when these required programs are done, the next years are non-competitive and they will know more about how to best use it; she is aware of several other communities who have gotten this grant, the enthusiasm for these types of programs dies off quickly and they lose interest; it will be a big challenge; without active interest, it will not work, but she is willing to give it a try. Mayor Wiegman stated that the grant calls for an accounting of services; the Village will know what in-kind service is given to the school. Trustee Restuccia added that this is not a matching financial grant. Village Manager Zambrano stated that the person who will be hired is going to be a Village part time employee and the Village will maintain control; all benefits that employee receives will come out of the grant money. Mayor Wiegman added that this program has been underway in other communities and we will have the benefit of learning from their experiences.

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

WHEREAS, the Village Board has previously approved the contract with Sisca Northeast, Inc. for the Croton-Harmon Train Station parking lot flood mitigation project on April 13, 2009; and

WHEREAS, additional work not included in the contract was required and performed consisting of labor, equipment and materials to excavate for the extension of an existing storm drain system and install a new stone lined ditch from the end of the extension to shoreline as direct by the Village Engineer;

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to sign Change Order No.1 of the Croton-Harmon Train Station parking lot flood mitigation project in the amount of \$6,569.01 subject to final review by the Village Engineer.

f) On motion of TRUSTEE Restuccia, 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 has previously approved the contract with Sisca Northeast, Inc. for the Croton-Harmon Train Station parking lot flood mitigation project on April 13, 2009; and

WHEREAS, additional work not included in the contract was required and performed consisting of labor, equipment and materials to realign the new gabion wall due to the reconfiguration of the parking area across from the DPW garage as to have the area conform to a more standard configuration of angled parking spaces with one way traffic;

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to sign Change Order No.2 of the Croton-Harmon Train Station parking lot flood mitigation project in the amount of \$6,513.78 subject to final review by the Village Engineer.

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

WHEREAS, the Village Board has previously approved the contract with Sisca Northeast, Inc. for the Croton-Harmon Train Station parking lot flood mitigation project on April 13, 2009; and

WHEREAS, additional work not included in the contract was required and performed consisting of labor, equipment and materials to replace existing catch basins supplied by the Village at Veterans Plaza;

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to sign Change Order No.3 of the Croton-Harmon Train Station parking lot flood mitigation project in the amount of \$14,307.51 subject to final review by the Village Engineer.

Discussion: these are catch basins along Veterans Plaza that need to be changed; existing were not the right size to fit the pipe; these were not part of the design; the project is still within the budgeted amount. Trustee Murtaugh asked that an accounting of how close we are be given at the next televised meeting. Village Manager Zambrano read a memo from Village Engineer O'Connor regarding requirements for this resolution. Trustee Gallelli asked if these catch basins have a bicycle-friendly grating on top. Village Manager Zambrano replied that he doesn't think these are in an area where bicycles will drive over them.

h) On motion of TRUSTEE Olver, 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 Planning Board has approved the Ackerman, Morgan and Harbeson three lot subdivision on Batten Road; and

WHEREAS, the Planning Board's final resolution requires the granting of a trail and sewer easement; and

WHEREAS, the trail easement links Valley Trail and Batten Road which is included in the 1993 Trails Master Plan and has been approved by the Trail Committee; and

WHEREAS, the Village Engineer has reviewed and approved the sewer easement; and

WHEREAS, the sewer easement will provide for a future sewer extension for Batten Road and Valley Trail; and

WHEREAS, the acceptance of these two easements furthers the Village's goals, recreation and sewer services to the residents;

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to sign the documentation to accept both trail and sewer easements.

i) Trustee Murtaugh presented the following bond resolution and moved that it be adopted. The motion was seconded by Trustee Gallelli. The Board of Trustees of the Village was polled. The motion was adopted by a vote of 5 affirmative votes (being at least two-thirds of the voting strength of the Board of Trustees of the Village) with zero negative votes and zero votes absent.

REFUNDING BOND RESOLUTION, DATED SEPTEMBER 21, 2009, AUTHORIZING THE ISSUANCE OF REFUNDING SERIAL BONDS OF THE VILLAGE OF CROTON-ON-HUDSON, IN THE COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO SECTION 90.10 OF THE LOCAL FINANCE LAW OF THE STATE OF NEW YORK, PROVIDING FOR OTHER MATTERS AND MAKING CERTAIN DETERMINATIONS IN RELATION THERETO AND PROVIDING FOR THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY.

WHEREAS, the Village of Croton-on-Hudson, located in the County of Westchester, State of New York (the "Village") previously issued \$3,952,000 principal amount of Public Improvement Serial Bonds, Series 1999A (the "Series 1999A Bonds") pursuant to a certificate of determination of the Village Treasurer (sometimes referred to herein as the "Chief Fiscal Officer"), which Series 1999A Bonds are dated May 15, 1999 and matured or mature in annual installments on May 15 in each of the years 2000 to 2019, inclusive, as follows:

\$122,000 in the year 2000,
\$130,000 in the year 2001,
\$135,000 in the year 2002,
\$140,000 in the year 2003,
\$150,000 in the year 2004,
\$155,000 in the year 2005,
\$160,000 in the year 2006,
\$170,000 in the year 2007,
\$180,000 in the year 2009,
\$185,000 in the year 2009,
\$195,000 in the year 2010,
\$205,000 in the year 2011,
\$215,000 in the year 2012,
\$225,000 in the year 2013,
\$235,000 in the year 2014,
\$245,000 in the year 2015
\$260,000 in the year 2016
\$270,000 in the year 2017
\$280,000 in the year 2018
\$295,000 in the year 2019; and

WHEREAS, the Series 1999A Bonds were authorized pursuant to several serial bond resolutions duly adopted by the Board of Trustees of the Village for the objects or purposes described therein on October 7, 1998 and

March 8, 1999 and delegated to the Chief Fiscal Officer the power to prescribe the terms, form and contents of and to sell and deliver such serial bonds of the Village; and

WHEREAS, \$2,425,000 aggregate principal amount of the Series 1999A Bonds currently remain outstanding and unredeemed as of the date hereof; and

WHEREAS, it is hereby determined to be in the public interest of the Village to refund all of said outstanding \$2,425,000 aggregate principal amount Series 1999A Bonds by the issuance of the refunding bonds authorized herein pursuant to Section 90.10 of the Local Finance Law; and

WHEREAS, the Village of Croton-on-Hudson, located in the County of Westchester, State of New York (the "Village") previously issued \$2,000,000 principal amount of Public Improvement Serial Bonds, Series 2000A (the "Series 2000A Bonds") pursuant to a certificate of determination of the Village Treasurer (sometimes referred to herein as the "Chief Fiscal Officer"), which Series 2000A Bonds are dated December 1, 2000 and matured or mature in annual installments on August 1 in each of the years 2001 to 2016, inclusive, as follows:

\$65,000 in the year 2001,
\$85,000 in the year 2002,
\$90,000 in the year 2003,
\$95,000 in the year 2004,
\$100,000 in the year 2005,
\$105,000 in the year 2006,
\$115,000 in the year 2007,
\$120,000 in the year 2009,
\$125,000 in the year 2009,
\$130,000 in the year 2010,
\$140,000 in the year 2011,
\$150,000 in the year 2012,
\$155,000 in the year 2013,
\$165,000 in the year 2014,
\$175,000 in the year 2015
\$185,000 in the year 2016

WHEREAS, the Series 2000A Bonds were authorized pursuant to several serial bond resolutions duly adopted by the Board of Trustees of the Village for the objects or purposes described therein on August 16, 1999, September 17, 1999, February 15, 2000 and July 24, 2000 and delegated to the Chief Fiscal Officer the power to prescribe the terms, form and contents of and to sell and deliver such serial bonds of the Village and the 2000 Bonds were authorized pursuant to several ; and

WHEREAS, \$1,100,000 aggregate principal amount of the Series 2000A Bonds currently remain outstanding and unredeemed as of the date hereof; and

WHEREAS, it is hereby determined to be in the public interest of the Village to refund all of said outstanding \$1,100,000 aggregate principal amount Series 2000A Bonds by the issuance of the refunding bonds authorized herein pursuant to Section 90.10 of the Local Finance Law; and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF CROTON-ON-HUDSON, IN THE COUNTY OF WESTCHESTER, STATE OF NEW YORK (BY THE AFFIRMATIVE VOTE OF NOT LESS THAN TWO-THIRDS OF THE VOTING STRENGTH OF THE BOARD OF TRUSTEES OF THE VILLAGE), AS FOLLOWS:

Section 1. For the purpose of refunding all or a portion of the \$2,425,000 outstanding principal amount of the Series 1999A Bonds and \$1,100,000 outstanding principal amount of the Series 2000A Bonds, including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized shall be sufficient to pay: (i) the principal amount of the Refunded Bonds; (ii) the aggregate amount of the unmatured interest payable on the Refunded Bonds to and including the date on which any series of the Refunded Bonds which are callable are to be redeemed prior to their respective maturities in accordance with the Refunding Financial Plan (as hereinafter defined) and attached hereto as Exhibit B and made a part of this resolution; (iii) the costs and expenses incidental to the issuance of the Series 1999A Refunding Bonds and the Series 2000A Refunding Bonds, sometimes hereinafter referred to collectively as (the "Refunding Bonds") as hereinafter authorized and as described in Exhibit A, including without limitation, the development of the Refunding Financial Plan, costs and expenses of executing and performing the terms and conditions of the Escrow Contract (as hereinafter defined), and any securities supply contract, the premium with respect to any bond insurance policy or policies acquired with respect to the Refunding Bonds (as defined below), discount or compensation of underwriters, fees of bond counsel and financial advisors, rating agency fees, printing and service agency fees and expenses, and fees and charges of the Escrow Holder (as hereafter described); and (iv) the redemption premium, if any, to be paid on any series of the Refunded Bonds which are to be called prior to their respective maturities; there are hereby authorized to be issued in one or more series not exceeding \$4,000,000 aggregate principal amount of refunding serial bonds of the Village pursuant to the provisions of Section 90.10 of the Local Finance Law (the "Refunding Bonds"), it being anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$3,640,000 as provided in Section 4 hereof. The proposed principal amounts and dates of maturity of such Refunding Bonds are set forth in the Refunding Financial Plan attached hereto.

Section 2. It is hereby determined pursuant to Section 90.10 that:

(a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by subdivision 1 of paragraph (b) of Section 90.10 of the Local Finance Law with respect to each series of the Refunded Bonds;

(b) the aggregate amount of estimated present value savings computed in accordance with subparagraph (a) of subdivision 2 of paragraph b of Section 90.10 of the Local Finance Law is not expected to be less than \$120,000 subject to changes in market interest rates.

(c) The Village Treasurer is hereby authorized and directed to enter into an escrow contract (the "Escrow Contract") with a bank or trust company located and authorized to do business in this State as the Village Treasurer shall designate (the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with the Refunding Bonds, as the escrow holder to perform the services described in Section 90.10 of the Local Finance Law. In addition, the Escrow Contract may include a forward supply or purchase contract or agreement as part thereof or as a separate agreement for the provision of acquiring obligations of the United States of America or unconditionally guaranteed by the United States of America or other obligations or instruments qualified under Section 90.10 of the Local Finance Law or may be necessary for the completion of the Refunding Financial Plan. The Escrow Contract shall contain such terms and conditions as shall be necessary or required, including terms and conditions required for the completion of the Refunding Financial Plan, including provisions for the Escrow Holder, without further authorization or direction from the Board of Trustees of the Village, except as otherwise provided therein, including, without limitation, (i) to make all required payments of principal, interest and any redemption premiums to appropriate paying agents with respect to the Refunded Bonds, (ii) to pay costs and expenses incidental to the issuance of the Refunding Bonds, including the development of the Refunding Financial Plan, and of executing and performing the terms and conditions of the Escrow Contract by the Escrow Holder, (iii) at the appropriate time or times, to cause to be given on behalf of the Village in the manner provided by law the notice of redemption authorized to be given pursuant to Section 8 hereof, and (iv) to invest the moneys held by the Escrow Holder pursuant to the terms of the Escrow Contract and consistent with the provisions of the Refunding Financial Plan. The Escrow Contract shall be irrevocable and shall constitute a covenant with the owners of the Refunding Bonds.

(d) The proceeds, inclusive of any premium, from the sale of the Refunding Bonds, immediately upon receipt, shall be placed in escrow by the Village with the Escrow Holder pursuant to the terms of the Escrow

Contract. All moneys held by the Escrow Holder shall be invested only in direct obligations of the United States of America, in obligations the principal of and interest on which are unconditionally guaranteed by the United States of America or in obligations or instruments qualified under Section 90.10 of the Local Finance Law, which obligations or instruments shall mature or be subject to redemption at the option of the Escrow Holder not later than the respective dates when such moneys will be required to make payments in accordance with the Escrow Contract and the Refunding Financial Plan. Any such moneys remaining in the custody of the Escrow Holder after the performance in full of the Escrow Contract by the Escrow Holder shall be returned to the Village and shall be applied by the Village Treasurer to the payment of the principal of or interest on the Refunding Bonds then outstanding, to the payment of any amounts required to be paid to the United States of America in connection of with the refunding of the Refunding Bonds or to the payment of or reimbursement for the costs of issuance or other administrative costs incurred in connection with the issuance of the Refunding Bonds. In connection with the investment of moneys held by the Escrow Holder under the Escrow Contract, the Village Treasurer is authorized to execute on behalf of the Village any forward purchase or supply contract for the purchase or supply of the securities described in this subsection (d) at a date subsequent to the delivery of the Refunding Bonds, as is needed to accomplish the purposes of the Refunding Financial Plan.

Section 3. It is hereby determined that the maximum period or periods of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds for each of the objects or purposes for which the Refunded Bonds were issued is no less than as shown on Exhibit A attached hereto and made a part of this resolution taking into account the earlier of the original date of issuance of any such series of serial bonds or bond anticipation notes funded by such series of Refunded Bonds; and

Section 4. The financial plan for the refunding authorized by this resolution (the "Refunding Financial Plan"), showing the sources and amounts of all moneys required to accomplish such refunding, the estimated present value of the total debt service savings and the basis for the computation of the aforesaid estimated present value of total debt service savings, are set forth in Exhibit B attached hereto and made a part hereof. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in the aggregate principal amount of \$3,640,000 if fully insured and will mature, be of such terms, and bear such interest as set forth in the Refunding Financial Plan. The Board of Trustees of the Village recognizes that the principal amount of the Refunding Bonds, the series, maturities, terms, interest rate or rates borne by the Refunding Bonds, the provisions for redemption thereof prior to maturity and whether or not all of the Refunding Bonds will be insured, and the resulting present value savings are

likely to vary from such assumptions and that the Refunding Financial Plan will likely vary from that attached hereto as Exhibit B. The Village Treasurer is hereby authorized and directed to determine the principal amount of the Refunding Bonds to be issued, the series and designation or designations thereof, the time or times of the sale thereof, the maturities and terms thereof, the provisions relating to the redemption of the Refunding Bonds prior to maturity, if any, the rate or rates of interest to be borne thereby, whether or not the Refunding Bonds will be insured in whole or in part or uninsured, and to prepare, or cause to be provided, a final Refunding Financial Plan, all in accordance herewith, and all powers in connection therewith may be exercised by the Village Treasurer; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.10 of the Local Finance Law. The Village Treasurer shall file a copy of a certificate determining the details of the Refunding Bonds and the final Refunding Financial Plan with the Village Clerk within ten (10) days after the delivery of the Refunding Bonds, as herein provided.

Section 5. The faith and credit of the Village are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding Bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on the Refunding Bonds becoming due and payable in such year. To the extent that the same are not paid from other sources, there shall be annually levied on all the taxable real property in the Village a tax sufficient to pay the principal of and interest on the Refunding Bonds as the same become due and payable.

Section 6. Proceeds from the sale of the Refunding Bonds, including any accrued interest and, together with interest earned thereon, which shall be required for the payment of the principal of and interest on the Refunded Bonds, including any redemption or call premiums, in accordance with the Refunding Financial Plan, shall be irrevocably committed and pledged to such purpose and the owners of the Refunded Bonds shall have a lien upon such moneys and the investments thereof held by the Escrow Holder. The pledge and lien provided by this resolution shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding against all parties having claims of any kind in tort, contract, equity, at law or otherwise against the Village irrespective of whether such parties have notice thereof. Neither this resolution, the Escrow Contract, nor any other instrument relating to such pledge and lien, need be filed or recorded.

Section 7. In accordance with the terms of the Refunded Bonds and the provisions of Section 53.00 and of paragraph (h) of Section 90.10 of the Local Finance Law, and subject only to the issuance of the Series 1999A Bonds and the Series 2000A Bonds, as herein authorized, the Village hereby elects to call in and redeem all Series 1999A Bonds maturing on and after May 15, 2010 on December 1, 2009 and all Series 2000A Bonds maturing on or after August 1, 2010 on August 1, 2010. The sum to be paid therefor on such redemption date shall be the par value thereof plus the redemption premium, if any, as provided in the issuance proceedings for the Series 1999A Bonds and the Series 2000A Bonds and the accrued interest to such redemption date. The Escrow Holder is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the Village in the manner and within the times provided in the issuance proceedings for the Series 1999A Bonds and the Series 2000A Bonds, respectively. Such notice of redemption shall be in substantially the form attached to the Escrow Contract. Upon the issuance of the Refunding Bonds, the election to call in and redeem the applicable portion of the callable Series 1999A Bonds and Series 2000A Bonds the direction to the Escrow Holder to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the notice, requirements of paragraph (a) of Section 53.00 of the Local Finance Law, or any successor law thereto. It is hereby determined that with respect to the series of Refunded Bonds to be called in and redeemed as provided in this Section 7, it is to the financial advantage of the Village not to charge, impose and collect or receive from registered owners of the Refunded Bonds mailing, shipping, insurance or other similar charges in connection with such redemption or calls. Accordingly, pursuant to paragraph (c) of Section 70.00 of the Local Finance Law, no such charges shall be so charged, collected or received by the Chief Fiscal Officer, as fiscal agent.

Section 8. The Refunding Bonds shall be sold at a public or private sale to a purchaser to be determined by the Village Treasurer, upon advertisement using a notice of sale or otherwise, and said purchaser may publically offer the Refunding Bonds or hold them for investment, provided that the terms and conditions of such sale shall be approved by the State Comptroller and further provided that, prior to the issuance of the Refunding Bonds the Village Treasurer shall have filed with the Board of Trustees of the Village a certificate approved by the State Comptroller pursuant to subdivision 2 of paragraph (g) of Section 90.10 of the Local Finance Law setting forth the present value savings to the Village resulting from the issuance of the Refunding Bonds. In connection with such sale, the Board of Trustees of the Village hereby authorizes the preparation of an Official Statement and approves its use in connection with such sale, and further consents to the distribution of a Preliminary Official Statement prior to the date said Official Statement is

executed and available for distribution, all in accordance with applicable State and Federal securities laws, rules and regulations.

Section 9. The Board of Trustees of the Village hereby appoints the law firm of Squire, Sanders & Dempsey L.L.P., of New York, New York, as bond counsel in connection with the issuance and sale of the Refunding Bonds. The Board of Trustees of the Village hereby appoints the firm of Capital Markets Advisors, LLC of Hopewell Junction, New York, as financial advisor in connection with the issuance and sale of the Bonds. The Board of Trustees of the Village is hereby authorized to appoint an Escrow Holder, as that term is referred to herein, at a future date.

Section 10. Each of the Refunding Bonds authorized by this resolution shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Refunding Bonds shall be general obligations of the Village, payable as to both principal and interest by a general tax upon all the taxable real property within the Village, without limitation as to rate or amount.

Section 11. The Village Treasurer, pursuant to Sections 50.00, 90.00, 90.10 and 168.00 of the Local Finance Law, and all other officers, employees and agents of the Village are hereby authorized and directed for and on behalf of the Village to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby, including to correct or amend the documents and certificates authorized to complete the transactions contemplated by this resolution.

Section 12. All other matters pertaining to the terms, issuance and sale of the Refunding Bonds consistent with the provisions of Section 90.10 of the Local Finance Law shall be determined by the Village Treasurer and the powers in connection therewith not otherwise heretofore delegated thereto are hereby delegated to the Village Treasurer.

Section 13. The Village intends to issue the obligations authorized by this resolution to finance the costs of the purposes described herein for the completion of the Refunding Financial Plan. The Village covenants for the benefit of the holders of the Refunding Bonds that it will not make any use of (a) the proceeds of the Refunding Bonds, any funds reasonably expected to be used to pay the principal of or interest on the Refunding Bonds or any other funds of the Village, and (b) the purposes financed with the proceeds of the Refunding Bonds, which would cause the interest on which to become subject to Federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the Village to any penalties under Section 148 of the Code, and that it will not take any action or omit to take any action with

respect to the Refunding Bonds or the proceeds thereof, if such action or omission would cause the interest on the Refunding Bonds to become subject to Federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the Village to any penalties under Section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of the Refunding Bonds or any other provision hereof until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of the Refunding Bonds may be applied to reimburse expenditures or commitments made for the purposes on or after a date which is not more than sixty (60) days prior to the adoption date of this resolution by the Village.

Section 14. For the benefit of the holders and beneficial owners from time to time of the Refunding Bonds, the Village agrees, in accordance with and as an obligated person with respect to the Refunding Bonds under, Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of the Refunding Bonds in accordance with the Rule, with any changes or amendments that are not inconsistent with this resolution and not substantially adverse to the Village and that are approved by the Village Treasurer, on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed, collectively by this paragraph and the Commitment, shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent

special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 15. The validity of the Refunding Bonds may be contested only if such obligations are authorized for objects or purposes for which the Village is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of publication, or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 16. When this bond resolution takes effect, it shall be published in full by the Village Clerk, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, and such publication shall be in the Journal News and Gazette newspapers having a general circulation in the Village and which is hereby designated as the official newspaper of the Village for such purpose.

Section 17. This bond resolution shall take effect immediately upon its adoption by the Board of Trustees of the Village.

Exhibit A to the Refunding Bond Resolution,
dated September 21, 2009,
of the Village of Croton-on-Hudson
in the County of Westchester, State of New York

Series 1999A Bonds - Refunding Bonds

<u>Maturity Date</u>	<u>Principal Amount</u>
5/15/2010	\$250,000
5/15/2011	\$220,000
5/15/2012	\$225,000
5/15/2013	\$230,000
5/15/2014	\$235,000
5/15/2015	\$245,000
5/15/2016	\$255,000
5/15/2017	\$265,000
5/15/2018	\$270,000
5/15/2019	\$285,000

Series 2000A Bonds-Refunding Bonds

8/1/2010	\$145,000
8/1/2011	\$155,000
8/1/2012	\$160,000
8/1/2013	\$165,000
8/1/2014	\$170,000
8/1/2015	\$180,000
8/1/2016	\$185,000

Exhibit B to the Refunding Bond Resolution,
 dated September 21, 2009,
 of the Village of Croton-on-Hudson,
 in the County of Westchester, State of New York
Refunding Financial Plan

Village of Croton-on-Hudson

Westchester County, New York

\$3,640,000 Refunding Serial Bonds, 2009

Prevailing Insured 'AAA' Rates plus 25 bps - 09.04.09

Refunding Summary

Dated 11/01/2009 | Delivered 11/01/2009

	1999 Series A Bonds	2000 Series A Bonds	Issue Summary
Sources Of Funds			
Par Amount of Bonds	\$2,480,000.00	\$1,160,000.00	\$3,640,000.00
Reoffering Premium	103,403.50	44,643.40	148,046.90
Total Sources	\$2,583,403.50	\$1,204,643.40	\$3,788,046.90
Uses Of Funds			
Total Underwriter's Discount (0.750%)	18,600.00	8,700.00	27,300.00
Costs of Issuance	47,692.31	22,307.69	70,000.00
Gross Bond Insurance Premium	14,903.57	6,588.00	21,491.57
Deposit to Net Cash Escrow Fund	2,500,025.05	1,165,872.39	3,665,897.44
Rounding Amount	2,182.57	1,175.32	3,357.89
Total Uses	\$2,583,403.50	\$1,204,643.40	\$3,788,046.90
Flow of Funds Detail			
State and Local Government Series (SLGS) rates for	9/04/2009	9/04/2009	9/04/2009
Date of OMP Candidates			

Primary Purpose Fund Solution Method	Net Funded	Net Funded	Net Funded
Total Cost of Investments	\$2,500,025.05	\$1,165,872.39	\$3,665,897.44
Interest Earnings @ 0.018%	180.64	6.37	187.01
Total Draws	\$2,500,205.69	\$1,165,878.76	\$3,666,084.45

PV Analysis Summary (Net to Net)

Net PV Cashflow Savings @ 3.556%(AIC)	107,629.53	19,966.66	127,959.78
Contingency or Rounding Amount	2,182.57	1,175.32	3,357.89
Net Present Value Benefit	\$109,812.10	\$21,141.98	\$131,317.67
Net PV Benefit / \$3,525,000 Refunded Principal	4.528%	1.922%	3.725%
Net PV Benefit / \$3,640,000 Refunding Principal	4.428%	1.823%	3.608%

Bond Statistics

Average Life	5.230 Years	3.905 Years	4.808 Years
Average Coupon	3.8601324%	3.4790287%	3.7614891%
Net Interest Cost (NIC)	3.2063617%	2.6855762%	3.0715638%
Bond Yield for Arbitrage Purposes	2.9492766%	2.9492766%	2.9492766%
True Interest Cost (TIC)	3.1145408%	2.6216213%	2.9848421%
All Inclusive Cost (AIC)	3.6476637%	3.3008736%	3.5560410%

Discussion: Treasurer Bullock explained that the Village will be refunding 1999 series and 2000 series bonds which will have a proposed net savings of approx \$131,000 for the life of the bond; refunding can be compared to refinancing; will be a net savings for the current budget year of \$31,422; these are current rates but the bond is not projected to be issued until December 1st, so if it doesn't generate a net savings of at least \$120,000 they are not committed to go out to market. Trustee Murtaugh stated that we are not extending the life of bond, are lowering interest rate and paying less money; net gain over the remaining life of this bond will be approximately \$131,000; this is the savings he was referring to earlier this evening to pay for the feasibility study of the train station with money left over. Trustee Olver congratulated Treasurer Bullock and Village Manager Zambrano the work done on this and for the clear explanation.

6. CITIZEN PARTICIPATION (non-agenda items):

a) Bob Armanini, Thompson Ave., stated that regarding Harmon there seems to be a lack of consistency of information going out; last Tuesday at the Economic Development Committee meeting it was stated that Saccardi and Schiff believes that developers would not develop owner-occupied housing units on the Harmon area in question; however, many feel that owner-occupied units are preferred and encouraged. Mr. Armineni stated that low income housing was discussed

at the meeting he attended. He stated that Joe Biber commented that there is no market for market rate housing and he is promoting housing; tax benefits are not first and foremost in his mind. Mr. Armineni asked who is this going to help and wants to be reminded why this is a good idea.

b) Anthony Gagliotti stated that he needs an answer why there cannot be a referendum; this is an important issue in the Village and could hurt the village; quaint Croton will cease to exist; people have a right to vote on it. Village Manager Zambrano replied that he has explained that this is not subject to a referendum; NYS law does not allow it even if the Trustees wanted to. Mayor Wiegman stated that they would be breaking general municipal law if they put it out to referendum; he added that they have solicited a lot of public input for many months. Mr. Gagliotti replied that at the meetings he attended, people were against it. Mr. Gagliotti stated also that the Duck Pond should be looked at to pipe the pond and make it a recreation area; it would not be that big a job; this is not a great looking pond that is needed in the Village. Trustee Olver stated that he agrees that something needs to be done with the pond; treating with herbicide and putting in sterile carp is not allowed, there may be another solution; he wants to explore and figure out what can be done. Village Manager Zambrano stated that Marco Gennarelli is getting a quote from a company who worked at the Duck Pond several years ago; another option presented is to lower the level of the water during the winter to kill the plants. Trustee Olver stated that this is a wonderful winter recreational resource and would hate to see us lose it. Trustee Murtaugh stated that he received a suggestion for a temporary ice rink in the Village which might be a solution.

c) Bob Armanini stated that he would like to hear feedback from the three Trustees who were at the meeting the other night. Trustee Murtaugh replied that we are liaisons to that committee but were spectators; Kieran Murray is skeptical about the potential down side for any rezoning; Joe Biber comes from another place as do each of the people on the committee; there is give and take; he thought the meeting was a good meeting; County Legislator Burton was there; this was a reaction to concerns of the community; the plan is a retail rehabilitation plan. Trustee Gallelli added that she concurs with Ian and not only that meeting, but the one 2 weeks before were in response to citizen concerns about housing and the impacts on the potential signing of the County housing bill which was vetoed; Saccardi and Schiff were asked to look at tax implications if the workforce housing act was passed and they were all still positive; the bill is not a factor any longer; at the end of the meeting, when Mr. Murray asked if they wanted to make any recommendations to the Village Board regarding changes in the draft law, none were recommended. Trustee Olver stated that whatever a committee says or does, the final responsibility lies with this Board; it is this Board's job to assure legislation contains safeguards to prevent the kinds of outcomes that have raised legitimate concerns; what we want is a retail street scape with not more than 3 stories with offices on the second floor and market rate housing above; this is simply a zoning change to make it more feasible for business people to invest in an area that is woefully short of investments.

d) Joanne Minnet, 5 Van Cortlandt Place, stated that everyone wants to see businesses thriving; however, those buildings after being rezoned then the owner selling, it changes to the zoning you want it to change to, but in that building, only 50% is required to be for business which is half the first floor. Mayor Wiegman replied that there is no mandate for mixed use; owners can have

all business; there is no requirement to have residential and the maximum residential proposed is 50%. Ms. Minnet stated that if it turns out to be 3 stories, it would be possibly 2 apartments and a business; she wants the business, not the housing; Bill Burton's priority is for affordable housing. Ms. Minnett stated that she has been in the Village for 12 years and saw many people come up complaining about the brown water; the Harmon area was taken care of, but High St. has brown water issues. Village Manager Zambrano stated that High St. is being worked on; there will be a project meeting on Thursday and the project should begin shortly after; he is bringing to the Board a list of project to be done in stages. Mayor Wiegman stated that the staff is highly aware of the issues in the Truesdale area and is bringing this plan to the Village during the next budget cycle. Mayor Wiegman added that the whole project was addressed during the Elliott years and implemented during the Schmidt term; water infrastructure projects are very expensive and water quality issues take a long time to go through the planning and permit process.

e) Eleanor Soderlund, 57 High St., a resident of 40 years; stated that changes in the Village have ultimately all been positive; the people who come to these meetings are the watchdogs of the community, but people get frightened by certain words like low income and affordable housing; she went to a presentation in Ossining for the building opposite the Post Office; this has been renovated and is affordable housing and the condos and are not cheap; they will be going for \$172,000 after a \$40,000 stipend from the government; people in the audience were mostly young couples and commuters and the clientele will be business people.

f) Anthony Gagliotti stated that Ms. Soderlund is talking about condos, not rentals. Trustee Murtaugh stated that if an investor wants to build condos, it is fine.

7. APPROVAL OF MINUTES:

Trustee Restuccia made a motion to approve the minutes of the Regular Board Meeting held on September 8, 2009 as corrected. Trustee Murtaugh seconded the motion. The Board voted unanimous approval.

8. REPORTS:

Village Manager Zambrano reported that Quaker Bridge Road will be closed starting Wednesday for the duration of the repair project which is about 6 months depending on the weather. He stated that the school district has already made allowances for buses traveling that route. Mr. Zambrano reported that the Village newsletter will be offered electronically; if you do not want a hard copy send an email to rose@crotononhudson-ny.gov. Village Manager Zambrano reported also that he spoke to John Butler, Verizon Government Affairs, who confirmed their policy that additional franchises will not be considered at this time. Mr. Zambrano suggested notifying the residents and also issuing a press release. Trustee Murtaugh read a communication from a Village resident and Mayor Wiegman's response. Trustee Restuccia suggested that when residents are notified, please include Verizon contact information so residents can register complaints directly. Trustee Olver suggested all notifications from the Village should be cleared by counsel and also, it is time to consider taking active steps to confront Verizon; he continues to receive information several times a month for service he cannot get; he asked to sit with counsel and view the options. Village Manager Zambrano reported that the Croton Yacht Club will be having an educational presentation about the history

and ecology of the Hudson River from 11 am – 3 pm on Sept. 26th and on Oct 1st, the Croton Free Library will have a presentation of the 1909 Fulton celebration; on October 2nd, 400 Years of the Hudson in story and song will be at the Croton Free Library; on October 3rd at Croton Landing there will be a native American crafts and stories festival.

Trustee Olver reported that the Arboretum had a successful talk on bio-diversity last Tuesday; on October 3rd they will have an expert on Native American crafts and stories and Barry Keegan will demonstrate flints and a birch-bark canoe that he made at 1:30 at Senasqua Park. Trustee Olver thanked Village Manager Zambrano and Marco Gennerelli for filling in potholes and filling in the road to the Arboretum. He added that the Arboretum is asking for help; 2 years ago, they received a grant to extend the boardwalk and have complied with every request for additional information, now they cannot get anyone to respond; this was an approved grant. Village Manager Zambrano replied that he spoke with the chair of the Arboretum this morning and she will give him documentation so he can pursue it. Trustee Olver reported there will be a new exhibition downstairs in the municipal building beginning the 1st of October showing 400 years of Croton Point history.

Trustee Restuccia reported that a week ago the tough men and women half triathlon was held and the kids competed the day before; both were great events. Trustee Restuccia reported that they inspected firefighters' trucks and this also was a great day; she thanked the firefighters for extending the invitation. Trustee Restuccia reported that the Daffodil planting is scheduled for Saturday, Oct 10th, 9 to 1, rain or shine, on Benedict Blvd. Trustee Restuccia stated that in talking about Harmon, she respects all points of view of the committee; now the County is saying certain communities in Westchester have not broken the 'race barrier' in an acceptable way, but Croton has; the Harmon zoning change is not a housing development proposal; all concerns expressed for months have been examined very thoroughly and the final report is heading for their desks.

Trustee Gallelli reported that the weekend of Oct 1st, 2nd, 3rd & 4th is full of Quadricentennial events. Trustee Gallelli offered congratulations to the bicycle-pedestrian committee and subcommittee who put together the bicycle week; she also thanked merchants who participated. Trustee Gallelli reported that she and Mayor Wiegman attended the Town of Cortland's new recreation building opening; the building has lots of rooms for many things and they are reaching out to the Croton seniors group to see if they would be interested in using the facility. Trustee Gallelli stated that residents may be experiencing a lot of deer this season; a Westchester County presenter will be here on Oct 5th with proposals the County task force has made. Trustee Gallelli said people should go to www.runagainsthunger.com to sign up to participate in the 27th annual run on Sunday Oct 11th. Trustee Gallelli congratulated Mayor Wiegman on his contribution to the veto of the Westchester Housing Law by sending a detailed letter outlining why the housing bill was a very bad bill full of holes and his letter was a contributing factor to the ultimate veto of the bill.

Trustee Murtaugh reported that he has been trying to link Historic Hudson Valley with some local restaurants to capitalize on the traffic during the Blaze; he invited all restaurants to include their web link but there was a very disappointing response with only 4 and none from the Upper Village responding. Trustee Murtaugh stated that he would like to extend this to other events

next year. Trustee Murtaugh stated that he received two comments about things to do at Senasqua; one was the goose problem and the resident suggested looking at coyote decoys that are moveable and realistic and keep the geese from landing; he will look into it and bring information to the Board. Trustee Murtaugh stated that the second comment was a temporary ice rink at Senasqua; it may be advisable to make the Duck Pond a year round recreation place and install a temporary ice rink in winter.

Mayor Wiegman reported that the governor did get the bill after the Senate passed it; it was based on a bill from Long Island; local opposition from Westchester was instrumental based on experience from other communities facing similar legislation. Mayor Wiegman stated that tomorrow 100 nations will convene at the United Nations to discuss climate change and global warming. Mayor Wiegman named his Sustainability team which will be working on many issues; the team consists of: Chair, Susan Lunden, Lindsay Audin, Lee Streisfeld-Lietner, Taylor Vogt, Carl Grimm and Niall Kelleher. Mayor Wiegman reported that Ronnie Rose conducted an inventory of the Village's energy bills for 2007 and placed them into software which tells the impact of burning that much fuel; in 2007, the Village spent over ½ million dollars to buy electricity or fossil fuels which is 1,500 metric tons of carbon dioxide that went into the atmosphere; a much larger report will be issued next week.

Trustee Olver made a motion to adjourn. Trustee Murtaugh seconded the motion; approved unanimously. The meeting was adjourned at 10:55 pm.

Respectfully submitted,

Phyllis A. Bradbury

Phyllis A. Bradbury, Secretary

Village Clerk