

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, May, 13, 2013 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 Murtaugh
Village Attorney Whitehead	Trustee Raskob
Village Treasurer Bullock	Trustee Davis

1. CALL TO ORDER:

Mayor Wiegman called the meeting to order at 8:00pm and asked everyone to join in the Pledge of Allegiance.

2. APPROVAL OF VOUCHERS:

Trustee Raskob made a motion to approve the following Fiscal Year 2012-2013 vouchers. The motion was seconded by Trustee Murtaugh and approved with a vote of 5-0.

General Fund	\$ 88,223.10
Water Fund	\$ 3,587.79
Sewer Fund	\$ 50.70
Capital Fund	\$ 21,427.16
Trust Fund	\$ 8,693.51
Debt Fund	\$ -
Total	\$121,982.26

3. CORRESPONDENCE

- a. Letter from Mark Duncan, Recreation Supervisor, requesting permission to close streets in the Upper Village for "Summerfest" festivities.

On motion made by Trustee Murtaugh, seconded by Trustee Davis the Board of Trustees of the Village of Croton-on-Hudson, New York, unanimously approved the request to close various streets in the Upper Village on Sunday, June 2, 2013 for the "Summerfest" festivities as per their letter dated May 8, 2013 and further authorizes the Village Manger to make the necessary arrangements.

- b. Letter from Patrick Calcutti inviting the Village Board and community to the Memorial Day Ceremony on Monday, May 27th at the Croton Veteran's Monument.
- c. Letter from Steve Smith, Croton Little League, requesting a Special Permit to provide barbequed food to the League's members and families on Saturday May 18, 2013 and Saturday June 8, 2013 during their annual "Pitch Hit & Run" events.

On motion made by Trustee Murtaugh, seconded by Trustee Gallelli the Board of Trustees of the Village of Croton-on-Hudson, New York, unanimously approved the request from the Croton Little League to serve barbequed food at their annual "Pitch Hit & Run" events.

4. CITIZEN PARTICIPATION-AGENDA ITEMS

Virginia Calcutti, 19 Hunter Place, Croton-on-Hudson, commented that she thought that holding the Public Hearing regarding Bike Racks is a waste of time because she feels that the Board has already made up their minds and that the streets are already too congested.

Bob Wintermeier, 43 Radnor Avenue, Croton-on-Hudson, said that he considers a bicycle a vehicle and they should not be allowed to park on sidewalks. Mr. Wintermeier also suggested that the Board take a look at Sections A and B of the current law because he felt that it is somewhat archaic.

5. RESOLUTIONS:

- a. On motion of TRUSTEE RASKOB, seconded by TRUSTEE GALLELLI the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York, with a 5-0 vote.

WHEREAS, the Village Board wishes to amend chapter 197 of the code of the Village of Croton on Hudson to allow bicycle to be parked on Village sidewalks; and

WHEREAS, Local Law Introductory No.3 of 2013 has been drafted to reflect these changes;

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby calls for a Public Hearing on Monday, June 3, 2013 at 8pm in the meeting room of the Stanley H. Kellerhouse Municipal Building to consider Local Law Introductory No. 3 of 2013 amending Chapter 197 of the Village Code.

DISCUSSION

Mayor Wiegman stated that around 2004/05 the Village was in the process of rolling out the new sidewalk program and people at that time had been accustomed to parking things on what were not necessarily well maintained sidewalks. Mayor Wiegman said that the Law at that time was an attempt to protect those new sidewalks by preventing people from continuing to park things across them and that framework captured bicycles as well. Mayor Wiegman said that fast forward to the present time and we have a different situation entirely with more people riding bicycles than we had back then and we now have safe easy places to place bicycles that are not in the roadway. Mayor Wiegman stated that he does not believe we will be overwhelmed with bicycles but every five or ten bicycles that show up means five or ten fewer cars.

Trustee Gallelli stated that the Bicycle and Pedestrian Committee has been examining this in all areas of the Village not just the Upper Village and in all of that time this issue never came up. The Committee found this to be very useful for people in the Village who choose to ride and have no place to leave their bicycles. Trustee Gallelli said that the sense that a sidewalk was not the right place to have a bike rack was never raised at any time in the years that the Bicycle and Pedestrian Committee has been deliberating over this. Trustee Gallelli said that when the Committee came before the Board they had done a lot of research, showed the plan and made a reasonable suggestion and it was on that basis that the Board is moving ahead with this Public Hearing.

Trustee Raskob said that this amendment to the Law is a minor tweak; we are not making a major change in policy on this law.

Trustee Davis asked what is the current penalty for someone who parks their bicycle on the sidewalk.

Village Manager Zambrano said that a summons would be issued and they would have to appear before the Village Justice.

Trustee Davis commented that he has seen more people riding their bikes and by putting up bike racks we will give people more opportunity and hopefully see more people biking.

b. On motion of TRUSTEE GALLELLI seconded by TRUSTEE RASKOB the following resolution was unanimously adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York, with a 5-0 vote.

WHEREAS, the Volunteer Fire Department Service Award Program was approved by referendum in 2003; and

WHEREAS, Article 11-A of the New York State General Municipal Law requires that the list of members of the Fire Department indicating those who earned a year of service credit during the calendar year, those that did not earn a year of credit, and those who waived participation must be certified under oath by the Fire Department; and

WHEREAS, once certified, this list must be approved by the Village Board and then posted for 30 days; and

WHEREAS, the Village Board of Trustees approved the list on February 4, 2013

NOW, THEREFORE BE IT RESOLVED: that the Mayor is hereby authorized to sign the 2012 Sponsor Authorization Form.

DISCUSSION

Mayor Wiegman stated that there is quite a bit of record keeping involved in this program in terms of logging of hours of activity, verification of those hours and the circulation of those documents to the Village.

c. On motion of TRUSTEE RASKOB, seconded by TRUSTEE DAVIS, the following resolution was unanimously adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York, with a 5-0 vote.

WHEREAS, the Visual Environment Board (VEB) was commissioned with making recommendations to the Village Board for new signs at Silver Lake Park, and

WHEREAS, over the past several months, members of the VEB and Village Staff worked together and made recommendations to the Village Board at the work session of January 28, 2013, and

WHEREAS, the Board of Trustees agreed with the recommendations made by the VEB and staff and authorized the staff to proceed with the new signage for Silver Lake Park, and

WHEREAS, San Signs and Awnings of Yonkers, NY has provided the Village with a quote in the amount of \$4,789 for the fabrication of the signs for Silver Lake Park, and

WHEREAS, in anticipation of the cost of the signs, \$1,500 was encumbered from a prior fiscal year to pay for the signs and an additional \$3,289 is required to pay for the signs,

NOW THEREFORE BE IT RESOLVED: that the Board of Trustees authorizes the Village Treasurer to transfer \$3,289 from the Contingency Account number A1990.4000 to account number A7140.4000 to pay for the signs at Silver Lake Park.

DISCUSSION:

Trustee Raskob said that the signs are beautiful and thanked those individuals who worked on them.

Trustee Davis said that the Visual Environment Board worked with the Recreation Advisory Committee and the Recreation Department and their goal was to have all the signage visually linked.

Trustee Murtaugh stated that the new signage will clarify the rules and several changes in the language may prevent confusion and misunderstanding of what the hours and rights and responsibilities are in the park.

d. On motion of TRUSTEE GALLELLI, seconded by TRUSTEE RASKOB, the following resolution was unanimously adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York, with a 5-0 vote.

WHEREAS, New York State Village Law Section 5-530 permits Villages to collect a gross receipts tax from all utilities doing business with the Municipality's territorial boundary, and

WHEREAS, on June 4, 2012 the Village Manager was authorized to accept a proposal from Morwood Oaks Management Associates, LLC to review the receipts from and reporting of Cable TV and Internet Companies in order to recover historical revenue owing to the Village and increase revenue going forward, and

WHEREAS, Morwood Oaks Management Associates, LLC has completed their review of Gross Receipts Tax Returns filed by Verizon New York for the years 2007 through 2012, and

WHEREAS, the review of the Gross Receipts Tax Returns filed by Verizon New York for the years 2007 through 2012 indicated that the Verizon New York had omitted to remit to the Village a total of \$13,198.00 for the years 2007 through 2012, and

WHEREAS, the Village has received a check in the amount of \$13,198.00 from Verizon New York and must now pay Morwood Oaks Management Associates, LLC for their services a fee equivalent to fifty percent (50%) or \$6,599.00 out of the amounts recovered, and

NOW THEREFORE BE IT RESOLVED: that the Board of Trustees authorizes the Village Treasurer to accept the recovered Gross Receipts Tax from Verizon New York for the years 2007 through 2012, and.

BE IT FURTHER RESOLVED: that the Village Treasurer is authorized to pay Morwood Oaks Management Associates, LLC for their services in the amount of \$6,599.00.

- e. On motion of TRUSTEE GALLELLI, seconded by TRUSTEE RASKOB, the following resolution was unanimously adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York, with a 5-0 vote.

WHEREAS, the Village Treasurer wishes to open both sides of the General Fund budget to record the receipt of a rebate from NYSREDA, amending the 2012-2013 General Fund budget as follows:

GENERAL REVENUE:

Increase

A1000.3089 – State Aid	\$1,087
------------------------	---------

GENERAL EXPENSES

Increase

A1680.4200

\$1,087

NOW THEREFORE BE IT RESOLVED, that the Village Treasurer is authorized to amend the 2012-2013 General Fund budget to reflect these changes.

f. 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, with a 5-0 vote.

WHEREAS, the Village Treasurer wishes to open both sides of the General Fund budget to record the receipt of insurance recoveries for damaged fire hoses, amending the 2012-2013 General Fund budget as follows:

GENERAL REVENUE

Increase

A1000.2680	Insurance Recoveries	\$3,780.00
------------	----------------------	------------

GENERAL EXPENSES

Increase

A3410.4220	Equipment supplies	\$3,780.00
------------	--------------------	------------

NOW THEREFORE BE IT RESOLVED, that the Village Treasurer is authorized to amend the 2012-2013 General Fund budget to reflect these changes.

CITIZEN PARTICPATION-NON AGENDA ITEMS

Gordon Baptiste, 405 Half Moon Bay, Croton-on-Hudson, stated that he objects to having a motorized shuttle along the bike-way/walk-way to Croton Landing. Mr. Baptiste said that walkers, bikers, senior citizens, skaters and handicap persons in wheelchairs use this and is concerned that this might interfere with those currently using this walkway.

Bob Wintermeier, 43 Radnor Avenue, Croton-on-Hudson, said that he was recently at Croton Landing and saw a lot of people with crutches and canes and agrees that this is not the place for a motorized vehicle. Mr. Wintermeier said that he continues to have safety concerns with respect to the Croton Point Avenue Bicycle and Pedestrian Path and the reduction of the size of the lanes from twelve feet to eleven feet. Mr. Wintermeier said that he is also concerned regarding easements that may be needed for the sidewalks and bike paths. Mr. Wintermeier said that he has taken some pictures overtime of the bike racks at

the train station and in general he has not seen more than seventeen bikes there. Mr. Wintermeier also complained about the bikes that are chained to the poles entering the train station and said that they should not be allowed to chain their bikes there.

Virginia Calcutti, 19 Hunter Place, Croton-on-Hudson, said that she read in the in the Village's Comprehensive Infrastructure Plan that the Village was awarded \$1,200,000 for Bicycle, Pedestrian and Traffic Improvements along Croton Point Avenue and South Riverside and that the Village anticipates that construction will begin in the Spring of 2014. Mrs. Calcutti asked if a decision has been made.

Village Manager Zambrano said that this number is based on estimates of the plans that the Village has now; the Board still has to approve the project and funding. Mr. Zambrano said that the plans have been sent to the New York State Department of Transportation for their final review and once we receive that final review the Village will have bid packages prepared to go out for bid. Mr. Zambrano said that once the bids come back the Board then has the right to either approve the project or not approve the project.

Trustee Gallelli stated that prior to this the Village Board authorized the expenditure of the money for the design of the project; once that design is completed then the next step is to develop the bid packages.

Virginia Calcutti, 19 Hunter Place, Croton-on-Hudson, stated that with respect to the walkway to Croton Landing; there are a lot of senior citizens that have problems walking and asked that benches be added along the pathway. Ms. Calcutti also suggested the shuttle run along the railroad.

Village Manager Zambrano said that he has spoken with the railroad and they are not very keen on having continuous traffic on the railroad and there would also be a cost factor to the Village. Mr. Zambrano said that they are also looking at installing more benches along the walkway.

APPROVAL OF MINUTES

Trustee Davis made a motion to approve the minutes of the Budget Hearing held on April 8, 2013 as amended. Trustee Gallelli seconded the motion. The motion was approved unanimously with a vote of 5-0.

Trustee Gallelli made a motion to approve the minutes of the Regular Meeting held on April 15, 2013 as amended. Trustee Murtaugh seconded the motion. The motion was approved unanimously with a vote of 5-0.

Trustee Murtaugh made a motion to approve the minutes of the Executive Session held on April 15, 2013. Trustee Raskob seconded the motion. The motion was approved unanimously with a vote of 5-0.

Trustee Murtaugh made a motion to approve the minutes of the Executive Session held on April 22, 2013. Trustee Raskob seconded the motion. The motion was approved unanimously with a vote of 5-0.

Trustee Murtaugh made a motion to approve the minutes of the Budget Adoption Meeting held on April 29, 2013. Trustee Davis seconded the motion. The motion was approved unanimously with a vote of 5-0.

Trustee Raskob made a motion to approve the minutes of the Executive Session held on April 29, 2013. Trustee Gallelli seconded the motion. The motion was approved unanimously with a vote of 5-0.

6. REPORTS

Village Manager Zambrano stated that the shuttle to Croton Landing was put in place at the request from members of the public who are not able to walk the distance to the 9-11 Monument. Mr. Zambrano said that he understands Mr. Baptiste's concern but there are residents who have limitations and this is a way to accommodate them.

Village Manager Zambrano stated that the bikes that are chained to the poles at the train station are being addressed; we are asking them to park their bikes at the designated bike rack areas.

Village Manager Zambrano advised that the Croton Garden Club will be holding another meeting at the Public Library on May 16th; they are focusing on some of the public spaces in various locations throughout the Village.

Village Manager Zambrano advised that he along with Mayor Wiegman, Trustees Gallelli and Davis and the Village Clerk attended the New York Conference of Mayor's Training School last week. Mr. Zambrano stated that he found this particular Training School to be one of the better ones with very interesting and valuable classes.

Village Treasurer Bullock advised that the Village received a report from Moody's stating that the Village's rating continues to be at Aa2. Ms. Bullock also advised that a representative from the New York State Comptroller's Office was on site at Village Hall and did a "Tax Cap Review" and is pleased to announce that they found everything in order and that the calculations were done properly.

Trustee Davis advised that a very successful Earth Day was celebrated on April 27th at Vassallo Park this year.

Trustee Davis said that he learned a lot while attending the NYCOM Training School; attended classes regarding proposed new legislation and their impact on the Village, net-worked with other elected officials and attended many presentations on topics such as Municipal Finance and various Municipal Laws.

Trustee Davis thanked the Board and staff for the recent Budget that was adopted; the Board adopted a Budget that was again under the "Tax Cap" and looks forward to working on the next Budget.

Trustee Gallelli reminded everyone of the following upcoming events; Memorial Day Ceremony Monday, May 27th; Summerfest, June 2nd in the Upper Village; and "Vassallofest" May 24th; a special event that brings awareness to Drug and Alcohol Abuse to be held at Vassallo Park.

Trustee Gallelli reported on some of the sessions that she attended at the recent New York Conference of Mayor's Training School; Legislative Update regarding laws that are being considered that could possibly impact the Village such as Binding Arbitration; the Open Meetings Law and was very pleased to learn that the Village of Croton more than complies with those requirements; Partnering with Non-Profits and how the Village can work with Non-Profits towards an exchange of sharing of services; Administering Volunteer Fire Departments with respect to the intricacies of Volunteer Fire Department's and the rules that govern them; and Cyber Liability and Data Breach which is something that all municipalities are having to take more seriously and which can be very costly if it occurs. *Trustee Gallelli* reported that Croton has already started making inroads and finding out how we can better protect ourselves.

Trustee Gallelli updated the community with respect to the Croton Harmon Article 78 Litigation and advised that the costs as of March 31, 2013 are at \$432,114.06. *Trustee Gallelli* said that while we did receive a favorable decision we are still not out of the woods yet as there is still time for a "Notice of Appeal" to be filed.

Trustee Murtaugh stated that with respect to the Croton Point Avenue Project there seems to be a fixation on bicycles and it should be pointed out that the portion of the project which is dedicated specifically to bicycles is a miniscule portion of the entire project; the project better speaks to vehicle traffic control and safety for pedestrians. *Trustee Murtaugh* stated that the narrowing of the road width by twelve inches is certainly within State Guidelines and it is a meaningless amount and assured everyone that the Village cannot make these changes without having very high scrutiny from the State; we are confident that the traffic experts are keeping an eye on this entire project.

Mayor Wiegman advised that the New York Conference of Mayor's Training School was very helpful and that he attended some very interesting sessions. *Mayor Wiegman* stated that he learned what other cities are doing to compact the inflation on Health Insurance with the introduction of Wellness Program Incentives and is pleased that our staff has already begun to look at this.

Mayor Wiegman stated that the impetus for an electric golf cart that will be traveling two-three miles per hour on the pathway for a few hours on weekend mornings to bring people from the parking lot to the 9-11 Memorial is something that we are doing at the behest of those residents who are less able to walk that long distance. *Mayor Wiegman* stated that this will enable those residents to enjoy the park and it is a way to offer them this in a very safe quiet vehicle that will travel very slowly and be able to pull off on the grass as needed.

Mayor Wiegman stated that there was a recent major drug arrest in the Village; this was a significant investigation that took place over a period of seven years and follows four different overdoses that occurred in the Village in the past several weeks. *Mayor Wiegman* said that our Police Department has very active on this and has been collaborating with the District Attorney's Narcotics Initiative Program; the County Police and State Police.

Mayor Wiegman reported that is has been 344 days since the adoption of the Local Law in June of 2012 regarding the Harmon Re-Zoning and 1,275 days since the Village initially adopted the Local Law in November of 2009. The Village has now spent \$432,116.06 since the litigation began in 2010 to defend the Village's right to amend our Zoning.

A motion to enter into an Executive Session to update the Board on a Matter of Real Property, update on Litigation and update on Labor Negotiation was made by Trustee Davis and seconded by Trustee Raskob. Motion was approved unanimously with a 5-0 vote.

There being no further business to come before the Board, Trustee Gallelli made a motion to adjourn the meeting. Trustee Murtaugh seconded the motion; approved unanimously with a 5-0 vote. The meeting was adjourned at 9:37pm.

Respectfully submitted
Judy Weintraub, Board Secretary

Village Clerk