

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, November 7, 2011 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 Schmidt
Village Attorney Feldman	Trustee Murtaugh
Treasurer Bullock	Trustee Raskob

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 Raskob and approved with a vote of 5-0.

General Fund	\$ 148,695.43
Water Fund	11,645.03
Sewer Fund	2,455.88
Capital Account	46,745.80
Trust & Agency	3,716.10
Total	\$ 213,258.24

3. PRESENTATIONS:

None

4. PUBLIC HEARING:

Village Manager Zambrano reviewed the procedures that were followed for the Public Hearing for General Splice, 1 Niles Road. Trustee Murtaugh made a motion to open the Public Hearing; second by Trustee Raskob; approved 5-0.

- a) John Bronson, 328 Grand St., stated that he supports the application; they have been great neighbors for many years.
- b) Trustee Murtaugh referred to Ray D'Alvia's letter requesting a longer period for the special permit; he asked if there is any way to avoid these 5 year special permit applications if there is no change of use. Village Attorney Feldman replied that it is the Board's authority under the Village Code regarding how many years to grant an extension; it can be done if the Board wants to. Village Manager Zambrano stated that the procedure was set as 5 years to give the Village the opportunity to address issues if

they come up. Trustee Murtaugh asked if it could be done on an exemption basis. Trustee Schmidt added that it will become a much easier process in the future if the Type II resolution is passed. Trustee Gallelli stated that there are potentially some downsides to extending the special permit time given the location of this business. Mayor Wiegman stated that the 3<sup>rd</sup> public hearing tonight includes a special permit with no change of use which in the future would not require the full permit process.

- c) Ray D'Alvia, representing General Splice on this matter, stated that he has gone before the Zoning Board several times; tonight is the first time anyone has come to a Board meeting to comment on the permit application and the comment is that he is in favor of it; hardly anyone knows this business is there; all their business is done inside the building; it is a mail order business since 1949; he asked that the resolution be worded the same as the ZBA's which is what they have gotten every time before and are asking for the same now.

Trustee Raskob made a motion to close the Public Hearing; second by Trustee Schmidt; approved 5-0.

**A1)** On motion of TRUSTEE RASKOB, seconded by TRUSTEE GALLELLI, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 5-0:

WHEREAS, the Village Board of Trustees has received a special permit application from General Splice Corporation for non-conforming use in a residential area at 1 Niles Road; and

WHEREAS, the applicant has submitted a short Environmental Assessment Form (EAF) and a Coastal Assessment Form (CAF); and

WHEREAS, this application was referred to the Planning Board in accordance with Village Law; and,

WHEREAS, the application, EAF and CAF were referred to the Waterfront Advisory Committee for a review of preliminary consistency; and

WHEREAS, the Planning Board has issued a memo to the Village Board with a favorable recommendation; and

WHEREAS, on September 22, 2011 the Waterfront Advisory Committee issued a preliminary review of consistency, and

WHEREAS, on October 3, 2011 the Village Board adopted a Negative Declaration with respect to this matter and directed the Waterfront Advisory Committee to conduct a final review of consistency; and

WHEREAS, in its memo dated October 06, 2011, the Waterfront Advisory Committee issued a final review of consistency;

NOW THEREFORE BE IT RESOLVED: The Village Board of the Village of Croton-on-Hudson hereby determines that the special permit for a non-conforming use in a residential area at 1 Niles Road complies with and is consistent with the policies, standards and conditions set forth in the Village's Local Waterfront Revitalization Plan.

A2) On motion of TRUSTEE SCHMIDT, seconded by TRUSTEE RASKOB, the following amended resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 5-0:

WHEREAS, the Village Board of Trustees has received a special permit application from General Splice Corporation for non-conforming use in a residential area at 1 Niles Road; and

WHEREAS, the applicant has submitted a short Environmental Assessment Form (EAF) and a Coastal Assessment Form (CAF); and

WHEREAS, this application was referred to the Planning Board in accordance with Village Law; and,

WHEREAS, the application, EAF and CAF were referred to the Waterfront Advisory Committee for a review of preliminary consistency; and

WHEREAS, the Planning Board has issued a memo to the Village Board with a favorable recommendation; and

WHEREAS, on September 22, 2011 the Waterfront Advisory Committee issued a preliminary review of consistency, and

WHEREAS, on October 3, 2011 the Village Board adopted a Negative Declaration with respect to this matter and directed the Waterfront Advisory Committee to conduct a final review of consistency; and

WHEREAS, in its memo dated October 06, 2011, the Waterfront Advisory Committee issued a final review of consistency; and

WHEREAS, on November 7, 2011, the Village Board issued a determination of consistency with its Local Waterfront revitalization Plan; and

WHEREAS, a Public Hearing was held and closed on November 7, 2011,

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees does hereby issue a Special Permit to General Splice Corporation for non-conforming use in a residential area at 1 Niles Road for a period of 5 years to December 31, 2014, with the following conditions:

1. All operations must be conducted inside the building

2. The parking of commercial vehicles must conform with Section 215-17-B of the Village Vehicle and Traffic Chapter of the Village Code, Parking of Commercial Vehicles on Residential Streets.

- b) Village Manager Zambrano reviewed the procedures that were followed for the Public Hearing for renewal of a special permit for Personal Wireless. Trustee Schmidt made a motion to open the Public Hearing; second by Trustee Murtaugh; approved 5-0.

Trustee Murtaugh made a motion to adjourn the Public Hearing until next Board Meeting as requested by the applicant. Trustee Gallelli seconded the motion, approved with a vote of 5-0. No vote was taken on the following two resolutions:

**B1)** On motion of TRUSTEE \_\_\_\_\_, seconded by TRUSTEE \_\_\_\_\_, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the Village Board of Trustees has received a special permit application for a renewal of a Personal Wireless Services Facility at 1 Van Wyck Street

WHEREAS, the applicant has submitted a short Environmental Assessment Form (EAF) and a Coastal Assessment Form (CAF); and

WHEREAS, this application was referred to the Planning Board in accordance with Village Law; and,

WHEREAS, the application, EAF and CAF was referred to the Waterfront Advisory Committee for a review of preliminary consistency; and

WHEREAS, the Planning Board has issued a memo to the Village Board with a favorable recommendation; and

WHEREAS, the Waterfront Advisory Committee has issued a preliminary review of consistency,

WHEREAS, on October 3, 2011 the Village Board adopted a Negative Declaration with respect to this matter and directed the Waterfront Advisory Committee to conduct a final review of consistency; and

WHEREAS, in its memo dated October 06, 2011, the Waterfront Advisory Committee issued a final review of consistency;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of the Village of Croton-on-Hudson hereby determines that the renewal of the special permit for a Personal Wireless Services Facility at 1 Van Wyck Street complies with and is consistent with the policies, standards and conditions set forth in the Village's Local Waterfront Revitalization Plan.

**B2)** On motion of TRUSTEE \_\_\_\_\_, seconded by TRUSTEE \_\_\_\_\_, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the Village Board of Trustees has received a special permit application for a renewal of a Personal Wireless Services Facility at 1 Van Wyck Street

WHEREAS, the applicant has submitted a short Environmental Assessment Form (EAF) and a Coastal Assessment Form (CAF); and

WHEREAS, this application was referred to the Planning Board in accordance with Village Law; and,

WHEREAS, the application, EAF and CAF was referred to the Waterfront Advisory Committee for a review of preliminary consistency; and

WHEREAS, the Planning Board has issued a memo to the Village Board with a favorable recommendation; and

WHEREAS, the Waterfront Advisory Committee has issued a preliminary review of consistency,

WHEREAS, on October 3, 2011 the Village Board adopted a Negative Declaration with respect to this matter and directed the Waterfront Advisory Committee to conduct a final review of consistency; and

WHEREAS, in its memo dated October 06, 2011, the Waterfront Advisory Committee issued a final review of consistency; and

WHEREAS, on November 7, 2011, the Village Board issued a determination of consistency with its Local Waterfront revitalization Plan; and

WHEREAS, a Public Hearing was held and closed on November 7, 2011,

**NOW THEREFORE BE IT RESOLVED:** that the Village Board of Trustees does hereby issue a Special Permit to Nextel of New York, Inc. for the collocation of a personal wireless facility at 1 Van Wyck Street with the following conditions:

1. This permit expires on September 5, 2016 and must be renewed in accordance with the Telecommunications Chapter of the Village Code
2. That, the Nextel facility shall at all times during the life of the facility comply with the applicable FCC regulations pertaining to radio frequency emissions, including such regulations as applicable to cumulative radio frequency emissions. Any necessary mitigation measures to ensure compliance shall follow FCC requirements, procedures and protocols.

3. That in accordance with section 206-5(B) of the Village Code antennas shall be subject to state and federal regulations pertaining to nonionizing radiation and other health hazards related to such facilities. The owner of the antenna shall submit to the Board of Trustees evidence of compliance with the FCC standards on a yearly basis. If new, more restrictive standards are adopted, the antennas shall be made to comply or continued operations may be restricted or prohibited by the Board of Trustees. The cost of verification of compliance shall be borne by the owner and operator of the tower.
4. That, within 60 days of the issuance of this special permit, as had been required under the initial special permit, a fire/smoke detector and strobe connected to the Municipal Building's fire alarm system shall be installed in the Nextel equipment room by the Village's fire alarm company with the cost of the installation being paid by Nextel.
5. That, Nextel is advised that the Village may switch to the Statewide Wireless Network system or other Emergency Services communication system in the future and that the Nextel system must be operated to prohibit interference, including implementation of the FCC rebanding plan, to current and future Village wireless systems.
6. That, within 60 days of the issuance of this special permit the electrical circuit for the attic lights and roll-up door be switched over to the Village's electrical panel with the cost of the work being paid by Nextel
7. That, any additional monthly cost charged by the Village's fire alarm company for the fire/smoke detector and strobe horn in the Nextel facility shall be paid by Nextel. The lease agreement with Nextel shall be amended to reflect the payment of this additional cost.
8. That, in order to secure the completion of items #4 and #6 above, a bond in the amount of \$3000 shall be required, which shall be submitted to the Village within 60 days of the issuance of the special permit. The bond shall be held until items #4 and #6 are completed and accepted by the Village Engineer. If the work required by items #4 and #6 above is not completed within the time frame specified the Village shall have the right to use the bond to have these items completed.
9. That, within six months from the issuance of this permit Nextel shall submit an engineer's report evaluating the feasibility of connecting the Nextel facility to the Village's emergency backup power system (diesel generator).
10. That, if the connection of the Nextel facility to the Village's emergency backup power supply is feasible Nextel shall meet with the Village to discuss the details and a reasonable timeframe to complete this connection.

C) Trustee Raskob made a motion to open the Public Hearing for the revision of Type II actions; Trustee Gallelli seconded the motion; approved with a vote of 5-0.

a) Roseann Schuyler, Olcott Ave., a member of the Zoning Board, stated that the ZBA approached the list conservatively; they looked at their list with that in mind; she objects to the inclusion of developments of up to 4,000 square feet, this is not conservative in this Village.

Trustee Gallelli made a motion to close the Public Hearing; second by Trustee Raskob; approved 5-0.

Discussion: Trustee Gallelli stated that this Board and all other boards have spent close to 2 years on this and have agreed this will facilitate applications to move through the process quicker if there is little or no impact; our current environmental laws and substantial review process allows us to handle any exceptions or impacts that need to be considered. Mayor Wiegman stated that 4,000 square foot is larger than most houses in the Village; we have quite a long list of internal reviews that have had changes the last few years. Vote was taken on the motion to close the Public Hearing; vote: 5-0.

c1. On motion of TRUSTEE MURTAUGH, seconded by TRUSTEE SCHMIDT, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 5-0:

WHEREAS, certain actions subject to review under the State Environmental Quality Review Act (“SEQRA”) and its implementing regulations may be classified as Type II, which are actions having been determined to not have a significant adverse environmental impact; and

WHEREAS, under section 617.5 of the SEQRA regulations, an agency may adopt its own list of Type II actions to supplement actions already designated by the State Department of Environmental Conservation as Type II; and

WHEREAS, the Village Board of Trustees (the “Board”) is considering Local Law Introductory No. 2 of 2011 to amend Chapter 116 of the Village Code to designate additional actions as Type II (the “Draft Law”), and the Zoning Board of Appeals, Planning Board, Village Engineer, and Police Chief are also considering adopting their own lists of Type II actions (collectively, with the Draft Law, the “Proposed Action”); and

WHEREAS, pursuant to the Local Waterfront Revitalization Program (“LWRP”) Consistency Review Law, the Village’s Waterfront Advisory Committee (“WAC”) reviewed the Proposed Action and related SEQRA documents, and on July 11, 2011, made a preliminary determination of consistency with the policy standards and conditions of the LWRP; and

WHEREAS, pursuant to SEQRA, on October 17, 2011, the Board adopted a negative declaration and determined that the Proposed Action will not have a significant adverse environmental impact; and

WHEREAS, pursuant to the LWRP Consistency Review Law, on October 27, 2011, the WAC concluded that the Proposed Action is consistent with LWRP policy standards and conditions, and, on November 1<sup>st</sup>., rendered its written recommendation of consistency and transmitted such recommendation to the Board; and

WHEREAS, the Board, as lead agency, must determine whether the Proposed Action is consistent with the policy standards and conditions set forth in the LWRP; and

WHEREAS, the Board members have carefully considered the LWRP Consistency Review Law, the WAC's preliminary recommendation of consistency and recommendation of consistency, and each policy standard and condition set forth in the LWRP,

NOW, THEREFORE, BE IT RESOLVED that the Village Board of Trustees hereby determines that the Proposed Action, consisting of Introductory Local Law No. 2 of 2011 and the proposed adoption of Type II lists of the Planning Board, Zoning Board of Appeals, Village Engineer, and Police Chief, is consistent with the LWRP and its policy standards and conditions, and the Board incorporates herein the attached reasons supporting its determination of consistency.

c2) On motion of TRUSTEE RASKOB, seconded by TRUSTEE GALLELLI, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 5-0.

WHEREAS, actions subject to review under the State Environmental Quality Review Act ("SEQRA") and its implementing regulations fall into one of three categories: Type I, which are more likely to have significant adverse environmental impacts; Type II, which have been determined to not have a significant adverse environmental impact; and Unlisted, which are actions that are not Type I or Type II; and

WHEREAS, under section 617.5 of the SEQRA regulations, an agency may adopt its own list of Type II actions to supplement actions designated by the State Department of Environmental Conservation as Type II; and

WHEREAS, pursuant to section 617.5, the Village Board is considering Local Law Introductory No. 2 of 2011 to amend Chapter 116 of the Village Code to designate additional actions as Type II (the "Draft Law"); and

WHEREAS, pursuant to section 617.5, the Zoning Board of Appeals, Planning Board, Village Engineer, and Police Chief, are also considering adopting their own lists of Type II actions; and

WHEREAS, the proposed adoption of the Draft Law by the Board of Trustees and proposed adoption of Type II lists by the Planning Board, Zoning Board of Appeals, Police Chief, and Village Engineer constitute the Proposed Action; and

WHEREAS, on July 11, 2011, the Waterfront Advisory Committee issued its preliminary recommendation of consistency on the Draft Law; and

WHEREAS, on October 17, 2011 the Village Board determined that the Proposed Action will not have a significant adverse impact on the environment and, pursuant to SEQRA, adopted and issued the Negative Declaration (Notice of Determination of Non-Significance); and

WHEREAS, at its meeting on October 27, 2011, the Waterfront Advisory Committee concluded that the Proposed Action is consistent with the LWRP policy standards and conditions, and, on November 1<sup>st</sup>, the WAC rendered its written recommendation of consistency and transmitted such recommendation to the Village Board; and

WHEREAS, a Public Hearing to consider the Draft Law was held and closed on November 7, 2011; and

WHEREAS, on November 7, 2011, the Village Board determined that the Proposed Action is consistent with the LWRP and its policy standards and conditions,

NOW, THEREFORE, BE IT RESOLVED that the Village Board of Trustees hereby adopts Local Law Introductory No. 2 of 2011, a local law to adopt an additional list of Type II actions to supplement actions designated by the State Department of Environmental Conservation as Type II. Upon adoption, this Local Law becomes Local Law 5 of 2011.

Discussion: Trustee Murtaugh stated that the basic net result is that this streamlines a lot of policies and makes it easier for applicants. Trustee Gallelli read the six additional Type II actions.

- d) Village Manager Zambrano read the local law that applies to the resolution to override the property tax cap law enacted by NY State legislature.

Trustee Gallelli made a motion to open the Public Hearing; second by Trustee Raskob; approved with a vote of 5-0.

- a) Ginny Calcutti, Hunter Place, stated that she wished there was more written information; she would like to know what the rush is, our budget is not due until the end of April; if it is done too soon, the Board will not be looking at things as they should; many suggestions were made and nothing was done; please wait until January or February.
- b) Mike Mamone, 19 Young Ave., stated that he was speaking about Croton, the State and Federal governments; how are we to continue to bump taxes every year; we don't have the money to do the things we need because we spent it on things we wanted; the Board are the ones that can say no or yes; the 2% tax cap is having some effect and many communities are staying within the tax cap; public information meetings have not been held recently; let's do them again; State debt is beyond comprehension; spend money on things we need and hold off on things we want.

Trustee Murtaugh made a motion to close the Public Hearing; second by Trustee Raskob.

Discussion: Trustee Gallelli stated that if we pass this tonight, it is not meant to be a plan to break the cap, the Board has every intention of meeting the 2% cap; this is a proposal to keep us from paying a penalty if something unforeseen comes up at budget time; NYCOM meetings have continually emphasized there is a downside if we do not have protection in place. Trustee Murtaugh added that this is an insurance policy for the Village; there is no higher goal than to reduce or keep a tax increase at a minimum. Trustee Raskob stated that

we must live within our means; the State sent pension and workers comp. bills that were unexpected; this will apply to every municipality in the State of NY. Trustee Schmidt stated that the State passed this, but they do not have to live by the same rule; this is an insurance policy that we will not penalized; Trustee Murtaugh is correct, there is not a whole lot left to cut; we must ask what services we are willing to cut. Trustee Gallelli stated that the Town of Bedford came in under the 2%; the passing of this legislation is an insurance against being penalized. Village Manager Zambrano stated that every dollar does count; he has sent out budget worksheets to department heads and will start the process now; worksheets need to be back to his office by the end of November. Ginny Calcutti, Hunter Place, stated that last year she suggested freezing attendance at the Mayor's conference and have just the Board go; however, in September a whole entourage went once again; she doesn't understand why all these people have to go. She inquired how much are we spending on food or coffee; there are ways of saving a little bit of money here and there. Mayor Wiegman stated that the Cortlandt levy increase is under 2%, but the tax rate for Croton residents will be a 4.4% increase; the biggest piece of tax pie is the school districts. Mike Mamone stated that all have grown accustomed to a lot of waste, not just what we need; some State regulations cost a lot of money and should be turned around back to them. Mayor Wiegman stated that the Village budget has been on a steady diet for the past 3 years; if the State Workers Comp increase hits us late again next year, we will not have time to call for the public hearing and even if we go over the tax cap by \$1.00, we will incur a fine. Trustee Schmidt stated that we have had two major storms already this year, we will have some unexpected costs and we don't know what the winter season will bring. Trustee Gallelli added that another unknown is how many tax grievances we will get.

Vote was taken to close the Public Hearing; 5-0 in favor.

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

WHEREAS, the State Legislature and the Governor recently enacted legislation that establishes a "property tax levy cap" on the amount that a local government's property tax levy can increase each year; and

WHEREAS, this law is effective for local government's fiscal year beginning in 2012; and

WHEREAS, under this law, the total amount to be raised through property taxes charged on the municipality's taxable assessed value of property, will be capped at 2 percent or the rate of inflation, whichever is less, with some exceptions; and

WHEREAS, the state legislation provides for local governments to override the cap to protect the Village from unforeseen financial circumstances; and

WHEREAS, state legislation requires that in the event that an override is necessary, the law enabling it must already have been adopted by the Board of Trustees; and

WHEREAS, Local Law Introductory No. 5 of 2011 has been drafted to override the “property tax levy cap” law enacted by State Legislature if necessary;

WHEREAS, a Public Hearing was held and closed on November 7, 2011,

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby adopts Local Law Introductory No. 5 of 2011 to override the “property tax levy cap” law enacted by State Legislature if necessary, which upon adoption will become Local Law No. 6 of 2011.

5. CORRESPONDENCE

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

- a) A letter from Patrick Calcutti, Chair, Croton Central Veterans Committee regarding Veterans Day
- b) A letter from Kenny Schulze, Commodore, Croton Yacht Club, regarding a Veterans Day luncheon free for all Village veterans and active military.
- c) A letter from Mary Haley, Communications and Special Event Coordinator, Teatown Lake Reservation, regarding Hudson River EagleFest viewing site at Croton Boat Landing. Motion to allow the Village Manager to organize the details was made by Trustee Schmidt, second by Trustee Murtaugh, approved 5-0.
- d) A letter from Paul J. Feiner, Town Supervisor, Greenburg, regarding construction of a new Tappan Zee Bridge. Trustee Gallelli stated that we might ask the bicycle/pedestrian committee to be our representatives. Trustee Murtaugh agreed that we should keep an open mind on this project.
- e) A letter from Robert Hoch, Director, Government Affairs, Cablevision, regarding the change for the Smithsonian Channel
- f) A letter from Robert Hoch, Director, Government Affairs, Cablevision, regarding their cable franchise with the Village which is due to expire on September 3, 2014.

6. CITIZEN PARTICIPATION (AGENDA ITEMS):

- a) Roseann Schuyler, Olcott Ave., commented on the contents of the minutes of the meeting of October 17, 2011, stating that they do not reflect her comments from that evening and insisted that these comments be included in the minutes of October 17th; she wants included that she spoke to the Board about the Harmon rezoning law which manifests blatant housing discrimination provisions. Ms. Schuyler added that she came before the Board at other meetings, especially March 15, 2011 and these minutes are not available and appear to have not been approved by the Board; she insisted that the substance of her contents be included in the minutes and the Board must approve and post the minutes of March 15, 2011. Ms. Schuyler added that the Board has stated that it is under no obligation to respond to citizen’s questions, but they cannot falsify the public record; be advised that the Board is putting the Village at risk by engaging in intentional housing discrimination in the Harmon Law and you cannot chose to keep that from the public by hiding it and not putting it in public record; she called on the Board to change that immediately.

- c) Eugene Parrotta, Mt. Airy Road, stated that he received a letter from Sen. Greg Ball which invited 27 elected officials to nominate a Veteran to go into the Senate District Veterans Hall of Fame and he believes that Croton was not going to have anyone represented; he was nominated to go to represent Croton by Mr. Branda. Mayor Wiegman replied that he did get a phone call from Mr. Branda during the recent snow storm asking if we had someone to nominate and he was notified that Mr. Parrotta was nominated; he had no advance notice or a chance to respond as he got the letter the same time Mr. Parrotta did. Trustee Murtaugh stated that we respect Mr. Parrotta's service and everyone else who has served this country; the first thing we would do if we had gotten a letter would be to turn it over to Pat Calcutti and have a nominee from Croton.
- d) Mike Mamone, 19 Young Ave., regarding the proposal to keep the old Tappan Zee Bridge as a park, he wants to know how much it is going to cost; the new bridge is supposed to have a path for bicycles and pedestrians; how much do we need to keep this old bridge. Trustee Murtaugh replied that he thinks it is the goal of Mr. Feiner to keep the bridge using private funds. Mr. Mamone inquired as to why we need a street sweeper picking up nothing; he understands there is a state regulation that we have to pick up after ourselves, but what is the cost. Village Manager Zambrano replied that this is a part of storm water management. Mr. Mamone commented that we have to curb our way of thinking.
- e) Ginny Calcutti, Hunter Place, stated that she does not think the Village Board should be blamed for what happened with the Veteran's nomination.

7. PROPOSED RESOLUTIONS:

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

WHEREAS; the Village is in the third year of a grant from the U.S. Department of Health Human Service and Substance Abuse and Mental Health Services Administration under the Drug Free Community Support Program; and

WHEREAS, Student Assistance Services Corporation will be providing services as part of the grant program; and

WHEREAS, the local grant program is known as the Coalition Against Alcohol and Drug Abuse and consists of representative from 12 sectors of the community; and

WHEREAS, Student Assistance Services Corporation has provided a contract for the services this agency will provide to the Village under the grant program; and

WHEREAS, the contract costs will not exceed \$16,230 of which the entire amount will be reimbursed under the grant program,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to execute the contract with Student Assistance Services Corporation for an amount not to exceed \$16,230.

- b) On motion of TRUSTEE MURTAUGH, 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 vote of 5-0:

WHEREAS, the Village and the New York State Department of Transportation have entered into a snow and ice agreement which will expire on June 30, 2013; and

WHEREAS, the Village has received an amendment to this agreement extending the term to June 30, 2014; and

WHEREAS, under this amendment the indexed lump sum estimated expenditure shall be \$1,554.00 per lane mile for 11.24 lane miles for a total of \$17,466.96 for the 2011/12 season and for the remainder of the term of the agreement commencing July 1, 2011, unless changed by future update,

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to sign the agreement to June 30, 2014

- c) On motion of Trustee Gallelli, seconded by Trustee Murtaugh, the following amended resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 5-0:

WHEREAS, the Village has been awarded \$200,000 from the CDBG FY 2009-2011 Funding Cycle for Farrington Road Infrastructure Improvements consisting of replacement of the existing sanitary sewer main, installation of 10 manholes, replacement of existing sidewalk and curb including 100 feet on Hunter Place, and the installation of new water valves on Farrington Road; and

WHEREAS, the Village's intention is to replace the water mains on Farrington Road and Hunter Place as part of this project; and

WHEREAS, Westchester County Planning Department will provide the design services for the sidewalk and curb portion of the project; and

WHEREAS, on April 18, 2011, proposals were received for engineering services for the remainder of the infrastructure improvements of the project; and

WHEREAS, on May 2, 2011, the Village Board authorized the Village Manager to award the engineering services for the Farrington Road Hunter Place CDBG project to John Meyer Consulting of Armonk, NY in the amount not to exceed \$49,000.00; and

WHEREAS, the Village has requested additional service to the project to depict a proposed storm drain system; and

WHEREAS, the Village will be billed a fixed fee in the amount of \$2,500 for the additional service;

NOW THEREFORE BE IT RESOLVED: that the Village Manager is authorized to sign Work Authorization #1 provided by John Meyer Consulting of Armonk, NY in the amount of \$2,500 for additional service to the Farrington Road and Hunter Place Water and Infrastructure Improvement Project.

AND BE IT FURTHER RESOLVED: that this amount shall be charged to Capital Account #H8660 2106 09183.

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

WHEREAS, in September 2011, the Office of the State Comptroller issued updated information on pension accounting and reporting, as well as corrections to past instructions for expenditure and liability recognition of pension costs in governmental funds; and

WHEREAS, the Village's auditors have submitted year end adjusting entries for fiscal year 2010-2011 that require adjustments to the current fiscal year in order to reflect these new instructions from the State; and

WHEREAS, the Treasurer wishes to open both sides of the General Fund and the Water fund budgets to cover the cost of operating expenses, amending the 2010-2011 General Fund and Water Fund budgets as detailed below:

Increase	
A9015.8000	\$30,597
F9010.8000	8,418

Decrease	
A9010.8000	\$30,597
F8320.4000	8,418

NOW, THEREFORE BE IT RESOLVED: that the Village Treasurer amend the 2010 - 2011 General Fund and Water Fund budgets to reflect these changes.

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

WHEREAS, the Village retained Dvirka and Bartilucci Consulting Engineers to model the storm water pond and tributary watershed and make recommendations for improvements at the Georgia Lane subdivision, and

WHEREAS, the report titled "Georgia Lane/Waldwood Subdivision Storm Water Management Basin Engineering Design Report" was received on October 6, 2011, and

WHEREAS, this report contains the results of the computer modeling and proposes 3 options to improve the operation of the pond; and

WHEREAS, all options include repairs to the emergency spillway and damaged sections of the pond berm and installation of a trash rack; and

WHEREAS, the Village Engineer has reviewed the proposal and recommends option 3 which is a complete replacement of existing outlet structure and discharge pipe at an estimated cost of \$126, 350.00; and

WHEREAS, a proposal from Dvirka and Bartilucci was received for the phase one design work for the project in the amount of \$8,500.00,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to approve the proposal from Dvirka and Bartilucci in the amount of \$8,500 for the phase one design work improvements at the Georgia Lane subdivision.

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

WHEREAS, the Village wishes to supplement the EMT services provided by a group of well-trained, highly capable, and dedicated volunteers emergency responders, and

WHEREAS, a Request for Proposal (RFP) was published and mailed to numerous agency providers, and

WHEREAS, two agencies submitted proposals and one agency submitted a letter declining to respond to the RFP, and

WHEREAS, The Mid Hudson Ambulance District submitted the lowest bid at a rate of \$17.26 per hour for regular and holiday hours and \$24.75 for regular overtime and Holiday overtime, and

WHEREAS, the Village's Director of Emergency Management, the Officers of the Croton EMS and the Village Manager have reviewed the proposals and recommend that the Mid Hudson Ambulance District be awarded the contract, and

NOW THEREFORE BE IT RESOLVED: the Board of Trustees of the Village of Croton on Hudson authorizes the Village Manager to award the contract for EMT services to the Mid Hudson Ambulance District for a period of one year with a renewal provision of three, one year terms.

8. CITIZEN PARTICIPATION (NON-AGENDA ITEMS)

a) Mike Mamone, 19 Young Ave., regarding adding zinc orthophosphate to Village water, stated that he has 13 separate tests done by Croton and some show 6.93 parts per billion of lead; the allowable limit is 15; some municipalities are doing corrosion control; most use surface water and are not doing badly; the facts do not bear out that we are going to fail; some are using corrosion controls which are higher than allowed; do not compare us with other communities; levels will go down with the new means of construction.

b) Phyllis Morrow, Nordica Drive, stated that the water forum last Wednesday was about some of the plans the Village has to improve the water system for the Village; there was a huge turnout; less than 10 people came from 2 specific neighborhoods that fall within the dead ends of the water system who have an excessive amount of brown water issues; zinc orthophosphate will not fix the problem. Ms. Morrow had photographs of clear water and pipes and their capacity and what the water looks like in her neighborhood; has been asking to have the pipes fixed for more than a decade; 10% of the residents do not have potable water. She suggested that the board take a proactive stance in getting these pipes fixed; the Village has a responsibility to provide residents with safe water.

9. APPROVAL OF MINUTES:

Approval of the minutes of the Regular Board meeting held on October 17, 2011 was held over to next meeting.

10. REPORTS:

*Village Manager Zambrano reported* that regarding Ms. Schuyler's comments tonight, the March meetings are published on the Village web site and March 15<sup>th</sup> was the night of the election; there was no meeting held. Mr. Zambrano reported that the Village Court will be accepting credit cards; they have everything they need to do so; after a telephone line is installed, they will run some tests and hopefully will be able to accept credit cards by the end of this month. Mr. Zambrano reported that he met with representatives from FEMA today and had a kick off meeting of projects he hopes will be reimbursed; there are about 24 projects due to the affects of the tropical storm and he hopes to get funding; it is a slow process, but well worth it. He added that FEMA still does not know if last Saturday's storm will meet the threshold of damages to be declared an event; the Westchester Dept of Emergency Management is collecting data. He stated that regarding the snow storm on Saturday, the village was tremendously impacted; dozens of trees came down and the emergency center was opened; On Sunday we surveyed the village making assessments and we started working with ConEd to get power restored; regarding debris, residents can cut up tree limbs, bring them to the curb in as small pieces as possible and DPW will pick up debris and leaves. He thanked the entire DPW crew for their work during storm.

*Treasurer Bullock* reported that the Village has received \$18,594.20 from the NY Power authority; the Board was previously notified about a notice of credit.

*Trustee Schmidt* reported that on October 29<sup>th</sup>, the Croton Coalition did a drug take back; two police officers accepted unused medication and they collected over 200 lbs. He added that the Coalition is also sponsoring the 2<sup>nd</sup> annual vigil on Thursday, November 17<sup>th</sup>, Thursday, 6 to 8 pm at Vassalo Park. Trustee Schmidt reported that the daffodil planting went off very well; it has been suggested to contact service clubs and businesses and plant even more next year. He reported that the Hudson Valley Gateway Chamber of Commerce will meet to discuss the holiday season. He stated that tomorrow is Election Day – please vote. Trustee Schmidt stated that Gene Parrotta has the intensity and vibrancy of people half his age and is an advocate for veterans; he worked to get 30 units of housing dedicated to veterans and he deserves this honor.

*Trustee Raskob* stated that the tax cap is a horrible piece of legislation and the execution is horrible; we are beyond the point of cutting a few things in the Village which will not compensate for what comes from Albany; the problem is that the higher level of government does not follow the running of Village government; budgeting requires some knowledge, but a lot of the choices are made for us; we are doing the best we can here. Trustee Raskob stated that he will not be in the Village for Veterans Day, but it is heartbreaking having to deal with veterans returning from overseas now; everyone must do what you can for these people. Trustee Raskob stated that since the storm, there are now many generators in the Village; look into power, safety, and wiring and have an electrician install the unit if possible. He thanked the village staff for working efficiently with ConEd; Channel 12 coverage was a help.

*Trustee Gallelli* stated that she is appreciative of the hard work of the staff and DPW during the last storm; they always come through and do the utmost for us. Trustee Gallelli reported that last week they had a successful water forum; there was a large turnout and she came away with the feeling people recognize the main solution to water problem is we need new pipes; the short term help for brown water areas still needs to be resolved; the forum ended about 9:30 with some questions still to be answered; they will review the transcript, answer questions and post on the Village web site. Trustee Gallelli reported also that High St. is getting paved tomorrow. She stated that the Arboretum suffered a lot of damage in the recent storm and they have been forced to close for time being and undertaking a clean-up. Trustee Gallelli reported that the Library is having a capital campaign program in memory of Mary Donnery's service and are looking for people to make donations; for more information, residents contact the library or their web site at [www.crotonfreelibrary.org](http://www.crotonfreelibrary.org)

*Trustee Murtaugh* reported that the water forum was well attended and was collegial in almost all respects; there is an aversion to chemicals in our water and we need new pipes; we now have to figure out how to pay for them. Trustee Murtaugh, regarding the recent storm, thanked staff and administration for handling it as well as they did. Trustee Murtaugh stated that the campaign season seems to have a lot of anti-union rhetoric, but most workers repairing wires, etc. were mainly union members. Trustee Murtaugh apologized if he seemed like he was a little exasperated about the nomination of a veteran, but he knew nothing about this issue until tonight;

next year he hopes they will have an opportunity to nominate and we have many fine candidates in the Village.

*Mayor Wiegman* reminded that tomorrow is elections and voting will be held at the November locations from 6 am to 9 pm. Mayor Wiegman stated that the resolution passed awarding the contract to Mid Hudson, costs will be largely covered by seeking reimbursement from clients' health insurance. Mayor Wiegman added that they had a useful water forum last week; he thanked the staff for working closely preparing for that. Mayor Wiegman reported that in the works is a transportation enhancement grant for Croton Point Ave. and he would like an update at the next meeting. Mayor Wiegman reported that the storm last week was an unanticipated, unprecedented event and he commended the village staff, especially the communications that were put out; a good job was done keeping the community informed as best we could.

Trustee Raskob made a motion to adjourn. Trustee Schmidt seconded the motion; approved with a vote of 5-0. The meeting was adjourned at 11:25 pm.

Respectfully submitted,

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Phyllis A. Bradbury, Secretary

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Village Clerk