

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, September 23, 2013 at the Municipal Building, Van Wyck Street, Croton-on-Hudson, NY 10520.

The following officials were present:

Mayor Wiegman	Trustee Raskob – arrived at 8:15pm
Village Manager Zambrano	Trustee Murtaugh
Village Attorney Feldman	Trustee Davis
Village Treasurer Bullock	Trustee Gallelli

1. CALL TO ORDER:

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

2. APPROVAL OF VOUCHERS:

Trustee Gallelli made a motion to approve the following Fiscal Year 2013-2014 vouchers. The motion was seconded by Trustee Davis and approved unanimously with a vote of 4-0. Trustee Raskob was not present at the time of this approval.

General Fund	\$ 27,436.35
Water Fund	\$ 283.75
Capital Fund	\$131,133.15
Trust Fund	\$ 9,515.14
Total	\$168,369.39

3. PUBLIC HEARING:

A motion to open a Public Hearing to consider a special permit for the renewal and amendment to operate Happy Hearts Child Care Center at 10 Old Post Road South was made by Trustee Murtaugh and seconded by Trustee Davis and unanimously approved with a 5-0 vote.

Village Manager Zambrano advised that Desiree Drapala, Owner of Happy Hearts, has applied for a 3,800 square foot expansion and under Section 230.16 of the Village Code a Day Care Center in a C-1 District requires a Special Permit by the Village Board.

Virginia Calcutti, 19 Hunter Place, Croton on Hudson, stated that it appears that the Planning Board has on their agenda tomorrow evening "Old Post Road

South” and asked if there is a connection between these two and if so is the Village Board authorizing this tonight or waiting until after a report is received from the Planning Board.

Trustee Gallelli explained that as part of the Special Permit process the Village Board requested a recommendation from the Planning Board; the Planning Board has since given their recommendation and depending on what we do tonight it will go back to the Planning Board for a final Site-Plan Review.

Mayor Wiegman advised that the Planning Board reviewed this application and rendered a favorable recommendation back to the Village Board which brings it to a Public Hearing this evening.

Desiree Drapala, Owner and Director of Happy Hearts, stated that Happy Hearts has been serving the community for the past six years; the community has grown over the years and with this expansion they will be better able to serve the community.

There being no further comments to come before the Board a motion to close the Public Hearing to consider a Special Permit for the renewal and amendment to operate Happy Hearts Child Care Center at 10 Old Post Road South was made by Trustee Davis and seconded by Trustee Murtaugh and unanimously approved with a 5-0 vote

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

WHEREAS, On October 5, 2009, the Village Board of Trustees approved a Special Permit for the operation of a child care center located at 10 Old Post Road South to Desiree Drapala, Owner of Happy Hearts ; and

WHEREAS, on July 1, 2013, Desiree Drapala, of Happy Hearts, applied to the Village Board an application for renewal and amendment of the special permit; and

WHEREAS, on July 8, 2013, the application was referred to the Planning Board for its review and recommendations; and

WHEREAS, on August 14, 2013, the Village Board of Trustees received a favorable recommendation from the Planning Board regarding this application; and

WHEREAS, a Public Hearing was held and closed on September 23, 2013;

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby approves the renewal and amendment of the Special Permit for the operations of a child care center located at 10 Old Post Road South subject to the following conditions:

1. To keep current all mandated New York State licensing
2. Applicant shall apply for renewal of this license 6 months prior to expiration date of October 5, 2016.
3. That an employee of the center will be present at the back parking lot to accompany the children in and out of the center
4. An interior staircase is to be built in the interior of the 10 Old Post Road South building in order to connect the upstairs and downstairs floors.

DISCUSSIONS:

Trustee Gallelli advised that she attended the Planning Board meeting where this was reviewed; they did a very thorough job focusing on issues having to do with traffic, parking and interior measures that would ensure the safety of the children. Trustee Gallelli advised that the Planning Board's recommendation that "improvements be made to the signage and the pavement markings in the Merwin Oak Parking Lot so that traffic flow moves in one consistent direction reducing potential conflicts" was a recommendation to the Village and not to Happy Hearts and wanted everyone not to construe that this is something that Happy Hearts has to undertake.

Village Manager Zambrano advised that the Village will be working with the applicant and we will be putting in directional signs so that we avoid any kind of discrepancies or conflict in the parking lot.

Trustee Gallelli also added that Happy Hearts did a thorough traffic and parking study at various key points that concentrated on the drop off and pick up times.

Trustee Raskob stated that he passes this location every morning and has never seen any issue with the school causing any problems.

Mayor Wiegman added that the space in the basement was previously occupied by offices that were busy during the daytime as well and this is essentially swapping one use for another in the same location.

Trustee Murtaugh stated that it is nice to see the success of this family business; this building had been vacant for quite a long time and believes that the school has also contributed to the vibrancy in the Upper Village.

4. CORRESPONDENCE

- a. Letter from Edward A. Davidson, Esq. dated September 25, 2013 including Mrs. Gouveia's offer to gift her property at 1300 Albany Post Road to the Village and the establishment of a Trust Fund for the Support and Maintenance of the property

Trustee Gallelli explained that now that we have a specific offer the Board can review this offer; this gift is an "Unlisted Action" under SEQRA and the next step for the Village is to develop an EAF (Environmental Assessment Form) and a CAF (Coastal Assessment Form) to meet the beginning requirements for an "Unlisted Action".

- b. Letter from Mark Duncan, Recreation Supervisor, dated September 19, 2013 requesting permission to hold the annual Goblin Walk on Saturday, October 26, 2013 at 12noon.

Upon a motion by Trustee Raskob and seconded by Trustee Murtaugh the Board unanimously approved the request from the Recreation Supervisor to hold the annual Goblin Walk on Saturday, October 26th at 12noon and to further authorize the Village Manager and staff to make the necessary arrangements; with a 5-0 vote.

- c. Letter from Patrick Natarelli, Westchester County Chief Planner, dated September 13, 2013 advising that the Westchester County Planning Department, as part of the SEQRA process, has received the necessary documents with respect to the Croton Point Avenue Project.
- d. Letter from Westchester County Rent Guidelines Board advising of a Public Hearing regarding the Certification of 2013/14 Rent Guidelines and adoption of the Explanatory Statement.

- e. Letter from Jean Huant, RAMPP Task Order Manager, dated September 13, 2013 advising that the Federal Emergency Management Agency is conducting new coastal flood hazard studies for Westchester County.
- f. Letter from Patrice O'Connor, Utility Consumer Program Specialist of the New York State Department of Public Service dated August 26, 2013 requesting that the Village of Croton on Hudson make the public aware of a "Lifetime Discount Telephone Service Program"
- g. Letter from Jennifer Wolff, Senior Project Manager, ProSource Technologies, dated September 12, 2013 informing the Village of their request for Lead Agency Status with respect to a "Recreate NY Home Buyout Program".
- h. Letter from John Corlett, Director of the Traffic Safety and Government Affairs Program dated September 6, 2013, congratulating the Village on receiving a Gold Award in the 2013 Community Traffic Safety Awards Program.
- i. Letter from Robert Hoch, dated September 9, 2013 advising of station programming changes.

5. CITIZEN PARTICIPATION-AGENDA ITEMS

Dan Chesnard, 64 Farrington Road, Croton on Hudson, said that he believes that the donation of the Gouveia property would not constitute a gift because of the demands Mrs. Gouveia is associating with this gift. Mr. Chesnard stated that the portion of the property that the Village will take over is wooded and not usable and the Village would have to spend money on making it safe, installing trails, and putting in entrances. Mr. Chesnard referred to the close proximity of the Skyview Nursing Home and noise restrictions that could affect uses of the property as well. Mr. Chesnard stated that besides the loss of taxes, the one million dollars going into the Trust Fund the Village would not be able to use until Mrs. Gouveia vacates the property. Mr. Chesnard stated that Mrs. Gouveia should not stay on the property and dictate what we can and cannot do with it.

Joel Gingold, 44 Nordica Drive, Croton on Hudson, stated that Mrs. Gouveia's offer appears on its face a generous offer but the question to ask is it in the Village's best interest to accept this property. Mr. Gingold said that the Village needs to look at the cost benefits, taking into consider the money lost

through taxes, the investments to be made in the property and the cost of maintaining the property. Mr. Gingold asked if the Village has done an analysis of these costs. Mr. Gingold stated that we have many open space properties in the Village already.

Mayor Wiegman stated that now that we have the terms from Mrs. Gouveia the Village will be reviewing that as part of our environmental review. Mayor Wiegman stated that the Village is under no obligation to spend any money on the site for as long as Mrs. Gouveia continues to be a resident because she will continue to make those investments and maintain the property as she has for the past thirty-five years.

Trustee Murtaugh stated that parks do not benefit necessarily from a cost benefit analysis; you do not always make money on a park and we do not have to approach this question as to whether or not this is a money or profit maker. Trustee Murtaugh added that there is an assumption that this is a done deal and it is not; this is just the beginning step in this process.

Joel Gingold stated that there are certainly intangible benefits that we cannot quantify but he is also concerned about the loss of tax revenue to the Village over the years. Mr. Gingold stated we also only have half the cost benefit for the Croton Point Avenue Project with the project approaching three million dollars of which one to two million dollars will come out of our pockets. Mr. Gingold stated that he felt that this is really about enhancing the desirability of the parking lot for out-of-town commuters even though people are begging to come here with the current situation. Mr. Gingold said he is also concerned that the businesses along Croton Point Avenue will lose business because of the loss of parking.

Pat Moran, Penfield Avenue, Croton on Hudson, does not understand how we can make the Gouveia property tax exempt as long as she is living there and if this property becomes tax exempt does that bind Cortlandt and the School District as well. Ms. Moran said that she received an opinion from the Office of Real Property Tax Services where a seller retained a "Life Estate" and taxes had to be paid on a portion of the property. Ms. Moran felt that Mrs. Gouveia will be getting all the income and questioned who is going to be the trustee of this trust and manage the assets.

Village Attorney Feldman stated that she believes that it is up to the assessing municipality to decide whether a property is tax exempt. Attorney Feldman said that she did not believe that the Village's decision to grant a tax exemption is necessarily binding on other municipalities or other

assessing/taxing jurisdictions. Attorney Feldman said she would pass this on to Attorney Staudt for further clarification.

Trustee Raskob said that if the title transfers to the Village as a "Life Estate" then at that point it becomes municipal property and non-taxable status.

Village Attorney Feldman responded by saying there is case law that says if a municipality owns property but leases it to a non-exempt entity it would not be tax exempt but this may not be the case in this situation.

Virginia Calcutti, 19 Hunter Place, Croton on Hudson, asked if the Village has decided what they will be doing with the property. Ms. Calcutti said that we need to have a cost analysis to see if the benefits out way the costs.

Neil Haber, 7 Sunset Drive, Croton on Hudson, Croton Harmon School Board Member, stated that the School Board is aware of the potential gift of the Gouveia property and the School Board intends to discuss the effect on their Budget.

Mayor Wiegman asked if the School Board would like to visit the site.

Neil Haber said that this is something that he will bring back to the Board.

Bob Wintermeier, 43 Radnor Avenue, Croton on Hudson, stated that the Town of Cortlandt and the County of Westchester is not aware of this gift and was told that if the Gouveia property does not pay Cortlandt taxes the Croton community will have to pick up their share. Mr. Wintermeier said that the property also contains some restrictive clauses that prohibit commercial and residential usage where we could regain some of the tax dollars we will be losing.

Village Attorney Feldman stated that the document that was provided is not a contract but rather terms that are more specific than what had been discussed in the past; the Village will be reviewing these terms as a basis or starting point for their discussions with Mrs. Gouveia and her attorney.

Kieran Murray, 20 Arlington Drive, Croton on Hudson, said that he would like to see a list of possible uses for the Gouveia property that could not be accomplished in any other Village property. Mr. Murray said that we should do a cost benefit analysis for the Croton Point Avenue project as well. Mr. Murray stated that making access better for bicyclists could free up those spaces for higher priced non-resident parking permits that would pay for the carrying charges on the debt for this project.

Don Daubney, 45 Bungalow Road, Croton on Hudson, questioned the number of accidents on Croton Point Avenue because it seems that we will be spending a lot of money on this project that may not be needed. Mr. Daubney stated that Croton probably has the highest percentage of public land in comparison to our overall land than any other community in Westchester and what we are proposing will only be good for Mrs. Gouveia.

Alicia Boland, 50 Irving Avenue, Croton on Hudson, stated that we do not need more recreational property; we are in fiscal crises as a state and a county and we need more taxes.

Douglas Wehrle, 84 Old Post Road South, Croton on Hudson, stated that our Croton Landing waterfront is very beautiful and well used but the section between Senesqua Park and the Yacht Club is very dangerous and needs to be improved. Mr. Wehrle stated that he is also not in favor of acceptance of the Gouveia property.

Mrs. Chesnard, 64 Farrington Road, Croton on Hudson, stated that taxes are way out of hand and we cannot afford to lose any more tax dollars.

Robert Olsson, 5 Hamilton, Croton on Hudson, stated that the Croton Point Avenue project is not just for bicyclists and pedestrians; it is for the entire community and while it will make it safer for bicyclists and pedestrians to get to the station it will make it safer for those travelling in vehicles as well. Mr. Olsson said that the bicycle and pedestrian component represents less than 5% of the overall project. Mr. Olsson stated that he is on the Bicycle Pedestrian Committee and their mission was to try to provide safer access for all modes of transportation and by making this safer for bicyclists it may open up more parking spaces for commuters who cannot transport themselves by non-motorized means.

Tex Dinkler, 50 Batten Road, Croton on Hudson, stated that he didn't think that people would give up their parking permit because they would need it during the winter months when it is snowing and they can't ride their bicycles to the train. Mr. Dinkler stated that when the 9-11 Memorial was proposed it was not going to cost the taxpayers; the Village was providing the property and everything was going to be done by contributions and doesn't know why it didn't receive the contributions expected. Mr. Dinkler said that he is also concerned that the grant money may not cover all the costs and that we should stop the project now. Mr. Dinkler stated that he felt that the statue will distract from the project and it will be a mistake to put it up.

Mary Cain, 26 Piney-Point Avenue, Croton on Hudson and President of the 9-11 Memorial Foundation stated that this has been a very long journey from 2001 to now; Boards from Cortland, Buchanan and Croton were given three different designs to choose from; it was very important that the memorial be on the river because it was a quiet and peaceful place. Ms. Cain stated that the steel represents that we are not going to be destroyed and it is there so that people can look at it and feel confident and not forget. Ms. Cain stated that the statue represents that we stand even after something has happened to us and the hand reaching up is to represent hope for the future. Ms. Cain stated that the grant was necessary because times are tough and people gave as generously as they could; we had fundraisers and we will continue to have fundraisers and the grant was given so that we can complete the project. Ms. Cain advised that the Village has been paid back from the money that was donated.

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 Court Clerk's office would like to apply for a grant under the 2013 Justice Court Assistance Program; and

WHEREAS, the grant request is for enhancement to the Court room; and

NOW, THEREFORE BE IT RESOLVED: that the Village Board hereby authorizes the Court Clerk's office to apply for this grant application,

AND BE IT FURTHER RESOLVED: that the Village Mayor is authorized to sign the grant application for the 2013 Justice Court Assistance Program.

DISCUSSIONS:

Trustee Raskob stated that the vast majority of the money has to be sent to Albany.

Trustee Gallelli stated that we have applied for this in past years and have been successful in receiving funds.

b. On motion of TRUSTEE GALLELLI, seconded by TRUSTEE DAVIS, 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 applied to the Dormitory Authority of the State of New York for a grant to construct a statue and meditation garden commemorating 09/11 at Croton Landing Park; and

WHEREAS, the Village has been selected to receive a Community Capital Assistance Program grant in the amount of \$50,000 for this project;

NOW THEREFORE BE IT RESOLVED: that the Village Manager is authorized to sign the Grant Disbursement Agreement in the amount of \$50,000 to construct a statue and meditation garden commemorating 09/11 at Croton Landing Park.

DISCUSSIONS:

Mayor Wiegman thanked Mary Cain, the 9-11 Foundation, and Assemblywoman Galef's office for assisting the Foundation with this grant.

c. On motion of TRUSTEE RASKOB, seconded by TRUSTEE GALELLI, 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 New York State Public Service Commission issued a Policy Statement on August 25, 2004 that outlined the Commission's end state vision of electric and gas retail markets and

WHEREAS: That statement said "the provision of safe, adequate, and reliable gas and electric service at just and reasonable prices is the primary goal. Competitive markets, where feasible, are the preferred means of promoting efficient services, and are well suited to deliver just and reasonable prices, while also providing customers with the benefit of greater choice, value, and innovation."; and

WHEREAS: Only 22.7% of New York State residents have taken advantage of the opportunity to choose electricity or gas suppliers, other than franchised utilities; and

WHEREAS: Community Choice Aggregation (CCA), also known as Municipal Electric Aggregation, in other states, such as Illinois, Ohio and Massachusetts, allow municipalities to aggregate the energy purchases of residents and small businesses

and are currently serving more than ten million people and have saved these consumers more than \$500 million to date; and

WHEREAS: In CCA municipalities, as many as 77% of residential consumers are now being served competitively, as of 2011; and

WHEREAS: A modest savings on electricity supply costs could save Westchester County businesses and residents more than \$40 million per year; and

WHEREAS: The Village of Croton-on-Hudson wants its residents and businesses to have the opportunity to save on energy purchases, as have residents and businesses in CCA states; and

WHEREAS: A CCA program in New York will still compensate franchised utilities for their provision of supply and for their maintenance of reliability, allowing utilities to concentrate on a resilient infrastructure; and

WHEREAS: Any individual consumer is free to choose to “opt-out” of CCA offerings and purchase through the franchised utility; and

WHEREAS: In order to create a Community Choice Aggregation program for New York State’s municipalities, enabling legislation is required by New York State; and

WHEREAS: Draft legislation for a Westchester County located pilot program of Community Choice Aggregation (a.k.a Municipal Electric Aggregation) as described in A7896 (Assemblywoman Paulin) and S5500 (Senator Ball) requires that, under the program, customers must save on energy costs versus the existing costs from the franchised utility in order for a municipality to execute a CCA contract; and

WHEREAS: The franchise utility retains its obligation to provide Service of Last Resort offerings, in the event a CCA supplier does not perform; and

WHEREAS: No customer who is currently purchasing energy from a free market supplier will be switched in the absence of that customer’s active request to switch; now therefore

BE IT RESOLVED THAT: The Village of Croton-on-Hudson requests timely authorization from New York State to form an aggregation of electricity consumers as described in A7896 and S5500.

DISCUSSIONS:

Trustee Raskob stated that this is a great idea and is similar to the Cortlandt Heating Program where you buy in bulk and get a cheaper price; if a large portion of the Village is able to negotiate the price would come down.

Trustee Gallelli stated that the resolution that we are considering tonight is one of support for an Assembly and Senate Bill in the New York State Legislature that if passed and signed by the Governor would allow this to happen. Trustee Gallelli added that if this happens then our community along with other communities in Westchester would have a choice to participate in the program.

Mayor Wiegman said that this came at the request of the Assembly Energy Committee Chair person Assemblywoman Amy Paulin. Mayor Wiegman advised that Assemblywoman Paulin asked that those municipalities that want to see this happen pass this resolution to help make this move forward.

d. On motion of TRUSTEE GALLELLI, seconded by TRUSTEE DAVIS, 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, Over the past few months, the Croton Conservation Advisory Council's Garden Club has been working in the Village creating and revitalizing planting areas throughout the Village, and

WHEREAS, the Garden at Croton Landing, the flag pole at Dobbs Park, planter at the dummy light, sign at the train station parking lot, the triangle at Oneida, Benedict Boulevard and Riverside east median, Cleveland Drive median, and Veterans Corner sign have been worked on, and

WHEREAS, the Garden Club would like to do additional work at the Train Station Parking lot, Croton Landing flagpole, Sunset Park sign, World War I Monument, Cleveland Drive median, among others, and

WHEREAS, the Croton Conservation Advisory Council will be expanding their annual daffodil planting and require additional funding for the purchase of daffodil bulbs, and

WHEREAS, no funding was included in the 2013/2014 budget to purchase the necessary materials and supplies to complete those projects, and

WHEREAS, the estimated costs for the Garden Club to complete these project is \$5,000 and the additional cost for the expanded daffodil planning by the Croton Conservation Advisory Council is \$500.

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby authorizes the Village Treasurer to transfer \$5,500 from the General Fund's Contingency Account A.1990.4000 to Account A.8710.4200 for the purchase of materials and supplies for the Garden Club projects throughout the Village and for the purchase of daffodil bulbs for the Conservation Advisory Council's expanded daffodil planting.

DISCUSSIONS:

Trustee Raskob stated that we could not have paid someone to do this level of gardening and work.

Mayor Wiegman stated that the only investment that the Village makes is plant material and supplies.

CITIZEN PARTICPATION-NON AGENDA ITEMS

Dan Chesnard, 64 Farrington Road, Croton on Hudson, stated that the Garden Club does a great job but is concerned that things are getting ruined at Croton Landing because cars are parking in the circle where the flag pole is and destroying what the Garden Club has done; parking is not allowed and they are still parking under the no-parking signs. Mr. Chesnard said that they should consider changing the schedule of the games so that there is a break to give people enough time to leave the parking lot before the next game begins.

Trustee Murtaugh stated that there has been some discussion about putting in some elevated curbs and extending the parking towards the comfort station.

Mayor Wiegman stated that there is a shortage of field space of suitable size and the Village is working on creating more parking in that area.

Russ Dinkler, 50 Batten Road, Croton on Hudson, New York and Chairman of the Volunteer Fireman's Fire Prevention Publication Committee extended an invitation to the Village Board to their Annual Fire Prevention Fair

Steve Samuels, 202 Cleveland Drive, Croton on Hudson, read a note that he sent to the Board advising of his strong opposition to the proposed cell tower installation along the Croton River Gorge.

Gary Eisinger, 210 Cleveland Drive, Croton on Hudson, stated that he is also against the proposed cell tower installation and cannot see that it has a place at this location; it is hard to fathom that the Village would consider placing this next to the elementary school. Mr. Eisinger said that he understands that there is a need for emergency communications but schools in New York City use hand held radios for emergency communications even in places where there is outstanding cell service.

Mayla Hsu, 50 Morningside Drive, Croton on Hudson, advised that she is a trained scientist and has been reading some of the scientific and medical literature to look for possible health effects from radio-frequency electromagnetic fields which is what is emitted from cell phone towers. Ms. Hsu referred to studies from Taiwan and Australia showing health risks to young children and asked the Board to consider this before they proceed.

Andrew Karp, 20 Quakerbridge Road, Croton on Hudson, stated that he is opposed to putting a cell tower at the Croton River Gorge even though it would benefit him; this will be a real intrusion and out of place in that location as well as the potential environmental impacts and negative impact on home values. Mr. Karp suggested that the Board look at an alternate site that would not be in a residential area.

Douglas Wehrle, 84 Old Post Road South, Croton on Hudson and Chair of the Visual Environmental Board advised that this would need a Special Permit and the Village would be required to provide the Planning Board with comments. Mr. Wehrle stated that new technology is evolving and cell towers may not be here in twenty years and is concerned with what happens after the lease is up; who will be responsible for removing the concrete pad and gravel and restore the property to the way it was. Mr. Wehrle said that the Village has the choice of whether to consider this or not and not to air on the side of caution is very negligent.

Batya Halpern, 204 Cleveland Drive, Croton on Hudson, stated that she is not in favor of the cell tower and read the results of a survey that was sent to residents several years ago regarding the Village's Comprehensive Master Plan. Ms. Halpern said that this is a beautiful trail and is concerned that they would have to cut a section of our beautiful woods. Ms. Halpern stated that it is incumbent upon us as a community to not put anything that could harm us health wise and cause damage to our community.

Joseph Biber, 204 Cleveland Drive, Croton on Hudson, stated that this is an inappropriate site and asked that the Village not give this any consideration and

is grateful to Mayor Wiegman and Trustee Davis for their position to not give the proposal any more consideration. Mr. Biber stated that former Mayor Bob Elliott assembled this private land and created the Croton Gorge Trail and worked to rezone this area as a Parks, Recreation and Education District. Mr. Biber said that there is other technologies that are being used other than cell towers and asked the Board to disengage these discussions with the provider.

Michele Toretta, 117 Oneida Avenue, Croton on Hudson, stated that he is not in favor of the cell tower and as a realtor she is concerned about property values because people may not want to send their children to a school that is in close proximity to a cell tower.

Joel Gingold, 55 Nordica Drive, Croton on Hudson, stated that this is a mistake; we do not need anyone coming in and taking down more trees.

Robert Olsson, 5 Hamilton Avenue, Croton on Hudson, stated that he thought that the cell tower that was installed at the Train Station was going to improve these pockets of bad reception and suggested an extension on that tower or on the tower by Mount Airy Road.

Neil Haber, 7 Sunset Drive, Croton on Drive, advised that the School Board has not had any discussions about this proposal; our Administration has been aware of this and they have had discussions with the Village Administration. Mr. Habor said that the issue for the schools is that because of the demise of Nextel the School District has suffered degradation in their ability to communicate between staff members and administrators in emergency situations. Mr. Habor stated that the cell tower proposal is in the PRE (Parks Recreation Education) Zone which is the area that was discussed as being saved for recreation and educational purposes.

Lori Siegal, 72 Truesdale Drive, Croton on Hudson, stated that she is shocked that this thought could even enter into our community; this is dangerous for everyone and we should not be considering this.

Bob Wintermeier, 43 Radnor Avenue, Croton on Hudson, stated that he is in favor of the 9-11 Memorial but against the Village contributing to it and should look to getting a grant. Mr. Wintermeier said that the costs for the Croton Point Avenue project seems to be growing and does not know where we are getting the money for this increase; bike usage appears to drop during the winter months and the project could have a negative impact on the businesses along Croton Point Avenue. Mr. Wintermeier stated that he does not have a position on the cell tower but during Hurricane Sandy he was without a land line and had

to go to the Railroad Station to get any reception from his cell phone so that he could make calls to Con-Edison and alert them that power was out in his area.

Don Daubney, 45 Bungalow Road, Croton on Hudson, stated that twice previously cell tower proposals have been turned down by the Village. Mr. Daubney stated that the driveway going down to the Shoprite Shopping Center is very dangerous; we need to provide safer access for pedestrians going down that driveway.

Ariela Wehrle, 84 Old Post Road South, Croton on Hudson said that she would hate to see a cell tower on this trail; this is a beautiful place and we should leave it alone.

APPROVAL OF MINUTES

Trustee Raskob made a motion to approve the minutes as amended of the Regular Meeting held on September 9, 2013. Trustee Davis seconded the motion. The Board approved with a vote of 5-0.

Trustee Raskob made a motion to approve the minutes of the Quasi-Judicial Meeting held on September 9, 2013. Trustee Gallelli seconded the motion. The Board approved with a vote of 5-0.

6. REPORTS

Village Manager Zambrano advised that the Croton Advisory Council will hold their next Green Living Series at the Croton Library on September 24th; "What You Can Do to Your Trees Before the Next Super Storm Hits" is their first topic.

Trustee Davis advised that he had some time over the past week to review the cell tower proposal which included a field visit with a representative from Homeland Towers as well as former CAC member Joe Biber and has concluded that this is not the right site to put up a cell tower.

Trustee Raskob stated that the genesis of the cell tower proposal was brought on by requests from a lot of people in our community and Homeland Towers saw a business opportunity. Trustee Raskob said that he thought that the site was reasonably well removed from homes and that the visual impact would be minimal. Trustee Raskob stated that cell service isn't going anywhere; there are other things that we can do but the basic technology will be here for another twenty

to thirty years. Trustee Raskob said that the notion that radio frequently is dangerous is wrong; every wi-fi router that we have in our homes puts more radio frequency energy into your home than a cell tower would. Trustee Raskob stated that the School also has a legitimate problem as well and they need communications. Trustee Raskob said that democracy has done what it is supposed to do; the residents have come out and expressed their opinion and even though he may disagree with some of these comments it is not his position to put a cell tower in their backyard.

Trustee Gallelli stated that when this issue came up at their work session she said at that time "that it was a conversation worth having"; there was quite a bit of conversation this evening as well as multiple e-mails and phone calls we have been receiving and the community has succeeded with sharing their concerns.

Trustee Gallelli advised that our Police Department will be hosting a Police Officer from China who will be accompanying Detective Gabrielsen for a period of time this fall studying Community Policing as it affects children and schools in Croton.

Trustee Gallelli commended Van Cortlandt Manor for finally replacing their broken fence and hopes that this is the start of a program to improve their entrance.

Trustee Gallelli advised that the Croton Council on the Arts will be holding their Annual Local Exhibit at the Symphony Knoll Community Room beginning with an opening reception on October 5th; local artists will be displaying their work.

Trustee Murtaugh reminded everyone that the Annual Rotary Car Show will be held this weekend at the train station.

Trustee Murtaugh said that the Village has not investigated all the possible impacts of the cell tower proposal and rejects the motion that we should not have this conversation and that we can't talk to people as to whether or not we should pursue this. Trustee Murtaugh stated that like the Gouveia property we are walking down a path asking people in our community and no decision have been made at this time on this issue as well. Trustee Murtaugh stated that we have heard the comments loud and clear about both the cell tower proposal and the Gouveia gift and asked the community to let the Board do its due diligence so that we can make a well informed decision.

Mayor Wiegman stated that the cell tower proposal came before us because Homeland Towers, which has successfully developed a tower at the train station,

was seeking additional opportunities where they know there is a lack of cell coverage. Mayor Wiegman said that this was accelerated by the demise of the Nextel system that the School District was relying on and we cannot pre-judge things until we have the facts before us. Mayor Wiegman said that his mind is not made up and he had commented that he was not sold on the proposal because he felt that it was out of scale and not compatible with the PRE (Parks Recreation and Educational) Zone. Mayor Wiegman said that the next logical step is that Homeland would put a draft Lease before us to consider and then the Board will have an opportunity to review and discuss it.

Mayor Wiegman advised made he would like to make the following appointments to the Conservation in Advisory Council (CAC) and Croton Conservation Advisory Council (CCAC): Jen Pifer and Lauren Eberhardt.

Mayor Wiegman advised that the Energize Program is a local non-profit that works with municipalities to help residents save money on their heating and cooling bills by doing energy upgrades. Mayor Wiegman advised that an Energy Coach will be at the Croton Library on October 8th at 7:00pm to answer any questions.

Mayor Wiegman advised that in 1963 one hundred and sixty-seven acres were set aside and gifted by the Swope family to what is now called "Teatown Nature Preserve. Mayor Wiegman advised that this acreage has grown over the past fifty years to one-thousand acres and is an example that open space conservation can work; it takes time and donations from land owners who have the vision and have chosen to make their parcels open space; Teatown has been remarkably successful.

There being no further business to come before the Board, Trustee Davis made a motion to adjourn the meeting. Trustee Raskob seconded the motion; approved 5-0. The meeting was adjourned at 11:20pm

Respectfully submitted

Judy Weintraub, Board Secretary

Paula DiSanto, Village Clerk