

1 A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on
2 Monday, October 17, 2011 at the Municipal Building, Van Wyck Street, Croton-on-Hudson, NY
3 10520.

4
5 The following officials were present:

Mayor Wiegman	Trustee Gallelli
Village Manager Zambrano	Trustee Murtaugh
Village Attorney Staudt	Trustee Schmidt
Treasurer Bullock	Trustee Raskob

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9 1. CALL TO ORDER:

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

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13 2. APPROVAL OF VOUCHERS:

14 Trustee Gallelli made a motion to approve the vouchers as follows, subject to review by the
15 Audit Committee. The motion was seconded by Trustee Raskob and approved with a vote of
16 5-0.

General Fund	\$ 80,098.49
Water Fund	1,690.90
Sewer Fund	107.01
Capital Account	70,440.41
Trust & Agency	1,442.34
Total	\$ 153,779.15

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19 3. CORRESPONDENCE:

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

- 22 a) A letter from Mark Duncan, Recreation Supervisor, regarding the 2011 Annual
23 Goblin Walk. Trustee Murtaugh made a motion to approve the request; second by
24 Trustee Raskob; approved with a vote of 5-0.
- 25 b) A letter from Alicia Baly, Acct. Executive, NY Power Authority, regarding the
26 Westchester County Government Customer rates for 2012 and the Production
27 Minimum Bill Provision. Village Manager Zambrano gave a summary of this
28 correspondence.
- 29 c) A letter from Alexander H. Roberts, Exec. Director, Community Housing
30 Innovations, inc. regarding the CHI Fast Track Loan Modification program.

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33 4. CITIZEN PARTICIPATION (agenda items):

- 34 a) Roseanne Schuyler, Olcott Ave., read a prepared statement regarding the Harmon
35 rezoning resolution that is on the agenda tonight; she is disappointed that this is on the
36 agenda; she asked links be put on the Village web site to previous meetings.

1
2 b) Pat Moran, Penfield Ave., asked to have the summary list of the vouchers included on the
3 Novus agenda. Treasurer Bullock suggested having the summary available at the meeting
4 instead of posting it on the agenda as it is not always finalized earlier. Pat Moran referred to
5 the rules of citizen participation and the 5 minute rule as well as addressing comments to the
6 Board and asked if there are there any written rules about citizen participation. Attorney
7 Staudt replied that he will research it. Village Manager Zambrano added that he believes that
8 the Village does not have any written rules, but he has samples that he can share with the
9 board; he asked what the question is that she has about citizen participation. Pat Moran
10 replied that she assumes she can ask questions of Board members.
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13 5. PROPOSED RESOLUTIONS:

14 a) On motion of TRUSTEE SCHMIDT, seconded by TRUSTEE GALLELLI, the following
15 resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York
16 with a vote of 5-0.
17

18 WHEREAS, actions subject to review under the State Environmental Quality Review Act
19 ("SEQRA") and its implementing regulations fall into one of three categories: Type I, which are
20 more likely to have significant adverse environmental impacts; Type II, which have been
21 determined to not have a significant adverse environmental impact; and Unlisted, which are
22 actions that are not Type I or Type II; and
23

24 WHEREAS, under section 617.5 of the SEQRA regulations, an agency may adopt its own list of
25 Type II actions to supplement actions designated by the State Department of Environmental
26 Conservation as Type II; and
27

28 WHEREAS, pursuant to section 617.5, the Village Board is considering a local law to amend
29 Chapter 116 of the Village Code to designate additional actions as Type II (the "Draft Law");
30 and
31

32 WHEREAS, pursuant to section 617.5, the Zoning Board of Appeals, Planning Board, Village
33 Engineer, and Police Chief, are also considering adopting their own lists of Type II actions; and
34

35 WHEREAS, the proposed adoption of the Draft Law by the Board of Trustees and proposed
36 adoption of Type II lists by the Planning Board, Zoning Board of Appeals, Police Chief, and
37 Village Engineer (the "Proposed Determinations") constitute the Proposed Action; and
38

39 WHEREAS, on April 19, 2011 the Village Board took the following steps with respect to the
40 Proposed Action:
41

- 42 1. Determined that the Proposed Action is an Unlisted action;
- 43 2. Declared its intent to be the Lead Agency for SEQRA purposes;
- 44 3. Issued the EAF;
- 45
- 46

4. Issued the Coastal Assessment Form;
5. Authorized the circulation of the Draft Law, the Proposed Determinations, the EAF, and the Coastal Assessment Form (the “Proposed Action Documents”) to all involved agencies;
6. Referred the Proposed Action Documents to the Village Waterfront Advisory Committee (the “WAC”) for a recommendation back to the Village Board in accordance with Village Law;
7. Referred the Proposed Action Documents to the Westchester County Planning Board/Planning Department for review in accordance with law; and

WHEREAS, on May 3, 2011 the WAC issued its preliminary recommendation of consistency with a recommendation to broaden the language related to “radio communication or microwave transmission facilities” to take into consideration future radio, television, telephone, or electronic communication developments; and

WHEREAS, in its memo to the Village Board of Trustees dated May 13, 2011, the Zoning Board recommended adoption of the proposed additions to the Type II list that are within its jurisdiction, and suggested that requests for an extension of an expiration date of a special permit also be designated as Type II and included in the Type II list; and

WHEREAS, the Village Engineer reviewed the proposed additions to the Type II list that are within his jurisdiction and recommended eliminating three of these additions; and

WHEREAS, the EAF, CAF, Draft Law, and Proposed Determinations have been revised to reflect the recommended changes to the proposed Type II lists; and

WHEREAS, on July 11, 2011 the Village Board took the following steps with respect to the Proposed Action:

1. Authorized the recirculation of the Draft Law, the Proposed Determinations, the revised EAF, and the revised Coastal Assessment Form (the “Proposed Action Revised Documents”) to all involved agencies;
2. Referred the Proposed Action Revised Documents to the Village Waterfront Advisory Committee for a recommendation back to the Village Board in accordance with Village Law;
3. Referred the Proposed Action Revised Documents to the Westchester County Planning Board/Planning Department for review in accordance with law;
4. Directed Village staff to make any other circulations and notifications regarding the Proposed Action as may be required by law; and

WHEREAS, on July 18, 2011 the Waterfront Advisory Committee issued its preliminary recommendation of consistency; and

WHEREAS, on July 26, 2011 the Planning Board recommended approval of the Proposed Action; and

WHEREAS, as part of its review of the potential environmental impacts of the Proposed Action, the Board of Trustees asked the Village Engineer to review the Village's records and gather specific information on the historical treatment of the proposed additions to the Type II list, and

WHEREAS, Village Engineer's historical research confirmed that throughout the many years reviewed, the proposed additional were found to have no significant adverse impact on the environment, in part due to the nature of the action and, in part, due to the breadth of existing Village regulation; and

WHEREAS, the Board of Trustees has evaluated the Proposed Action's potential impacts using the criteria for determining significance set forth in the SEQRA implementing regulations; and

WHEREAS, the Board of Trustees has before it a Draft Negative Declaration regarding the Proposed Action,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Village Board hereby determines that the Proposed Action will not have a significant adverse impact on the environment and adopts and issues the Negative Declaration (Notice of Determination of Non-Significance) for the reasons set forth therein;
2. The Village Board refers the Draft Law, the Proposed Determinations, the EAF and the Coastal Assessment Form to the Village Waterfront Advisory Committee for a final review of consistency;
3. The Village Board calls for a Public Hearing at 8 pm on November 7, 2011 to be held in the meeting room of the Stanley H. Kellerhouse Municipal Building to consider the adoption of Local Law Introductory No. 2 of 2011 to amend Chapter 116 to supplement the list of Type II actions designated in the New York State Environmental Quality Review Act regulations; and
4. The Village Board hereby directs that the Negative Declaration be filed, published and circulated in accordance with applicable laws and regulations.

Discussion: Trustee Raskob explained that this resolution is so applicants do not have to go through several procedures for minor changes. Mayor Wiegman added that the Village Engineer agreed that many of these categories have had no environmental impact for many years. Trustee Gallelli stated that they are not removing items, but are adding things to Type II lists; under the guidance of NYS DEC encouraging municipalities to make the SEQRA process more

streamlined. Trustee Murtaugh added that the applicant who is here tonight to renew an application is an example of streamlining the process. Trustee Schmidt added that we also strengthened our environmental laws which provided us with the opportunity to put these things into this category.

b) On motion of TRUSTEE GALLELLI, seconded by TRUSTEE MURTAUGH, the following resolution was unanimously adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 4 “aye” and 1 “opposed”.

WHEREAS, the Village Board is considering taking an action to adopt an amended version of Local Law Introductory No. 3 of 2010 (the “Draft Law”) which would repeal Local Law No. 4-2009 and enact zoning code provisions to expand the area of the Harmon/South Riverside Gateway area and to modify the regulations for and related to the Harmon/South Riverside Gateway area to encourage commercial development by facilitating market rate mixed use of properties (the “Proposed Action as amended”); and

WHEREAS, the Village Board previously circulated a prior version of Local Law Introductory No. 3 of 2010, together with Parts 1, 2 and 3 of a Full Environmental Assessment Form (the “EAF”) to the Village Planning Board, the Village Waterfront Advisory Committee (with a Coastal Assessment Form), and the Westchester County Planning Board/Planning Department; and

WHEREAS, the Village Board has directed amendments be prepared to Local Law Introductory No. 3 of 2010 based upon its review of the comments received and issues raised as a result of such circulation; and

WHEREAS, the Village Board has caused an Addendum to the EAF (“EAF Addendum”) to be drafted in connection with the amendments to Local Law Introductory No. 3 and the issues raised; and

WHEREAS, the Village Board has caused the Coastal Assessment Form to be updated in connection with the updated Local Law.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The members of the Village Board hereby introduce Local Law Introductory No. 3 of 2010 (October 2011 version).

2. The Village Board hereby issues the EAF Addendum which it has before it in connection with the Proposed Action as amended.

3. The Village Board hereby issues the Coastal Assessment Form which it has before it in connection with the Proposed Action as amended.

4. The Village Board hereby refers to the Village Planning Board, the amended proposed Local Law for a report back to the Village Board from the Planning Board in

1 accordance with Village Code Section 230-180A.

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3 5. The Village Board hereby refers the amended proposed Local Law, the EAF
4 Addendum and the Coastal Assessment Form to the Village Waterfront Advisory Committee for
5 a recommendation back to the Village Board in accordance with Village Law.

6
7 6. The Village Board hereby refers the amended proposed Local Law, the EAF
8 Addendum and the Coastal Assessment Form to the Westchester County Planning
9 Board/Planning Department for review in accordance with law.

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11 7. The Village Board hereby directs Village staff to make any other circulations and
12 notifications regarding the Proposed Action as amended as may be required by law.

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14 Discussion: Trustee Gallelli stated that six or seven months ago, the Board directed the attorney
15 to make changes in the previously proposed law, Saccardi & Shiff updated the EAF accordingly
16 and we have it back as directed. Trustee Raskob stated that this is something that he thinks we
17 need to move forward. Mayor Wiegman stated that since 2007 a number of changes have been
18 made after response to circulation; one of the changes made doesn't remove the requirement for
19 special permit and is not a change in our current law; we have been able to act on special permits
20 with better speed than before; we don't think retaining the requirement for special permit is a
21 deal breaker for existing property owners; residents in that neighborhood will be more protected
22 than under the current code for expansion of buildings with better setback and other items that
23 are currently the case; this is the third full circulation of these detailed documents. Trustee
24 Schmidt stated that he believes that this is the wrong way to be going; redevelopment is already
25 happening in that area and this proposed action is out of character; the talk about this helping
26 homeowners with taxes needs to be eliminated from this discussion; several developments have
27 done nothing to benefit Village taxes; this will not be a tax benefit; he is happy with Croton's
28 development over the past several years; this will have a serious impact on this area; this area
29 does need infrastructure work. Mayor Wiegman stated that what we are trying to do is give the
30 property owner the right to continue to exactly what he is doing or the opportunity to do more if
31 they choose.

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

37
38 WHEREAS, on September 20, 2010 the Village hired Ocean & Coastal Consultants (OCC)
39 to provide engineering design services for the repair of the bulkhead at the Croton Yacht
40 Club (the Proposed Action), and

41
42 WHEREAS, OCC has prepared a Design Protocol Report with a recommended alternative
43 for the repair, and

44
45 WHEREAS, the next step in the process is the regulatory permitting phase, and
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1 WHEREAS, permits are required from the NYS DEC and the Army Corps of Engineers; and

2
3 WHEREAS, OCC has prepared the Joint Application Form which includes a Short
4 Environmental Assessment Form, Federal Consistency Assessment Form, and Village
5 Coastal Assessment Form (the Application Package) on behalf of the Village,

6
7 NOW, THEREFORE BE IT RESOLVED: that the Village Board hereby determines that the
8 Proposed Action is an unlisted action under SEQRA,

9 AND BE IT FURTHER RESOLVED: that the Village Board of Trustees declares its intent
10 to be lead agency for the purpose of conducting a coordinated review,

11 AND BE IT FURTHER RESOLVED: that the Village Board of Trustees authorizes the
12 circulation of the Application Package to all involved and interested agencies,

13 AND BE IT FURTHER RESOLVED: that the Village Board of Trustees hereby refers the
14 Application Package to the Village Waterfront Advisory Committee for a preliminary review
15 of consistency,

16 AND BE IT FURTHER RESOLVED: that the Village Board of Trustees authorizes the
17 Village Manager to submit the Application Package to the New York State DEC and the US
18 Army Corp of Engineers.

19 Discussion: Trustee Gallelli stated that all agreed that this is work that has to done and asked if
20 this was included in the original contract. Village Manager Zambrano replied that it was.
21 Trustee Schmidt stated that this is something that needs to be done because the bulkhead has
22 basically disintegrated; kudos to the Yacht Club and staff for trying to keep this thing afloat as
23 long as possible; the original report was that this will cost the Village \$2 million to repair and
24 they are looking at ways to bring this cost down. Trustee Schmidt added that we will have to
25 figure out different ways of making money off this property; the Yacht Club is a valuable asset,
26 but it behooves the Board to look at alternative means of income. Trustee Raskob stated that the
27 leaky electricity is coming from MetroNorth and accelerated the rust of the bulkhead; see if there
28 is anything to be done with the railroad because it is the definition of a public nuisance. Mayor
29 Wiegman stated that Dennis Cooney is speaking with other yacht clubs to see if they are having
30 the same condition; but we don't know if MetroNorth will respond. Village Manager Zambrano
31 stated that he did leave a message for Mark Mannix of MetroNorth, MetroNorth Government
32 Liaison, and he waiting for a response. Trustee Raskob asked the Village Attorney to see if there
33 is any right of action Trustee Schmidt stated that the other aspect is that the ideal solution is
34 putting stone rock on the outside of the bulkhead instead of metal, but because of regulations,
35 you cannot encroach into the river any further; we need to look at practical things.

36
37 d) On motion of TRUSTEE RASKOB, seconded by TRUSTEE SCHMIDT, the following
38 resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York
39 with a vote of 5-0:

40
41 WHEREAS, as an additional service to our taxpayers and residents the Village will add

1 the option for our residents to pay Village taxes and water and sewer rents using credit card,
2 debit cards or via ACH transactions, and
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4 WHEREAS, over the past few months, the Village has been working with Unibank in
5 order to be able to provide such convenience to our taxpayers, and
6

7 WHEREAS, Unibank as a third party vendor will provide the convenience for our
8 taxpayers to be able to pay Village taxes and water and sewer rents using credit card, debit
9 cards or making direct transfers using ACH Transactions, and
10

11 WHEREAS, the fee for using debit and credit cards is based on a sliding scale as outlined
12 in appendix A of the attached contract, and
13

14 WHEREAS, there will be no fee for using ACH transactions; and
15

16 WHEREAS, the Village attorney has reviewed the proposed contract from Unibank and
17 the staff recommends that the Village contract with Unibank to provide residents the option
18 to pay taxes and water and sewer rents using Unibank's *UniPayDirect*™ system.
19

20 NOW THEREFORE BE IT RESOLVED THAT, the Board of Trustees of the Village of
21 Croton on Hudson authorizes the Village Manager to sign the agreement with Unibank, to
22 provide our taxpayers with the option to pay village taxes and water and sewer rents using
23 credit cards, debit cards or via ACH transactions.

24 Discussion: Trustee Raskob stated that this will be a convenience for residents and will allow
25 them to pay taxes on line. He asked if this will apply to our justice court. Village Manager
26 Zambrano replied that it will not at this time. Trustee Schmidt added that there is a fee for debit
27 or credit cards; using ACH, there is no cost to the Village or the customer; using the Unibank
28 portal, there is no charge. Trustee Gallelli added that after this proves itself, it can be expanded
29 for other Village fees in the future.
30

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32 e) On motion of TRUSTEE SCHMIDT, seconded by TRUSTEE MURTAUGH, the
33 following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson,
34 New York with a vote of 5-0:
35

36 WHEREAS, the Central Garage's Contractual line has been depleted due to an unexpected
37 replacement purchase of a diesel engine emissions machine in the amount of \$6,837.50, and
38

39 WHEREAS, the funds in this account have been encumbered by blanket purchase orders and
40 needs to be replenished;
41

42 NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby
43 authorizes the Village Treasurer to transfer \$6,837.50 from the Contingency Account#
44 A1990.4000 to the Central Garage's Account # A1640.4000 to replenish funds already
45 encumbered by blanket purchase orders.

Discussion: Village Manager Zambrano stated that this is to assure that the diesel engines are running correctly; they have to be checked consistently. Trustee Gallelli added that this is replenishing the funds in this account; we had to get the machine on an emergency basis.

f) On motion of TRUSTEE MURTAUGH, 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 Police Department has been awarded a grant in the amount of \$4,375 from the United States Department of Justice for the purchase of 11 bullet proof vests for the Croton Police Department, and

WHEREAS, the total cost of the vests is \$8,751 and the funds secured pays for 50% of the cost of the vests, and

WHEREAS, the police department has been able to allocate \$2,649 from its 2011-2012 budget, and

WHEREAS, additional funding in the amount of \$1,727 are required in order to fund the purchase of the 11 bullet proof vests.

NOW THEREFORE BE IT RESOLVED THAT: the Board of Trustees of the Village of Croton on Hudson hereby authorizes the Village Treasure to transfer \$1,727 from the Contingency Account number A1990.4000 to Account number A3120.4260 for the purchase of 11 bullet proof vests for the police department, and

BE IT FURTHER RESOLVED THAT: the Board of Trustees of the Village of Croton on Hudson authorizes the Village Treasurer to amend the 2011-2012 General Fund budget in the amount of \$4,375 to reflect receipt of the grant awarded to the Village by the United States Department of Justice for the purchase of 11 bullet proof vests as follows:

Increase A3120.4321 (Federal Aid) \$4,375

Increase A3120.4260 (Uniforms) \$4,375

Discussion: Trustee Gallelli stated that our police do wear bullet proof vests as required by OSHA but the vests have a life span and need to be replaced; fortunate we have a grant to help pay for this. Trustee Raskob added that this is such an assurance for the officers that he doesn't see how we could not do this.

g) 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 State Legislature and the Governor recently enacted legislation that establishes a "property tax 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 cap" law enacted by State Legislature if necessary;

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby schedules a Public Hearing on November 7, 2011 at 8pm in the meeting room of the Stanley H Kellerhouse Municipal Building to consider Local Law Introductory No.5 of 2011 to override the "property tax cap" law enacted by State Legislature.

Discussion: Trustee Gallelli stated that this will be a good opportunity to give a broader understanding of the tax cap law and it does not our intention to exceed the cap, but it will be a protective measure for the Village for unforeseen circumstances at budget time. Mayor Wiegman added that the state has given new mandates very late in the budget time. Village Manager Zambrano added that because the Village has been very proactive the past few years, it will be more difficult to maintain that tax cap; he has already asked department heads to determine the bare bones services that can be maintained.

Introductory Local Law No. 5 of the year 2011

Village of Croton- on- Hudson, County of Westchester

A local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c

Section 1. Legislative Intent

It is the intent of this local law to allow the Village of Croton- on- Hudson to adopt a budget for the fiscal year commencing June 1, 2012 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c,

1 which expressly authorizes a local government's governing body to override the
2 property tax cap for the coming fiscal year by the adoption of a local law approved by a
3 vote of sixty percent (60%) of said governing body.

4 **Section 3. Tax Levy Limit Override**

5 The Board of Trustees of the Village of Croton-on-Hudson, County of Westchester, is
6 hereby authorized to adopt a budget for the fiscal year commencing June 1, 2012 that
7 requires a real property tax levy in excess of the amount otherwise prescribed in
8 General Municipal Law §3-c.

9 **Section 4. Severability**

10 If a court determines that any clause, sentence, paragraph, subdivision, or part of this
11 local law or the application thereof to any person, firm or corporation, or circumstance is
12 invalid or unconstitutional, the court's order or judgment shall not affect, impair, or
13 invalidate the remainder of this local law, but shall be confined in its operation to the
14 clause, sentence, paragraph, subdivision, or part of this local law or in its application to
15 the person, individual, firm or corporation or circumstance, directly involved in the
16 controversy in which such judgment or order shall be rendered.

17 **Section 5. Effective date**

18 This local law shall take effect immediately upon filing with the Secretary of State.

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

22
23 WHEREAS, the Village Board of Trustees has received a special permit application for non-
24 conforming use in a residential area at 1 Niles Road; and

25
26 WHEREAS, the applicant has submitted a short Environmental Assessment Form (EAF) and a
27 Coastal Assessment Form (CAF); and

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

30
31 WHEREAS, the application, EAF and CAF were referred to the Waterfront Advisory
32 Committee for a review of preliminary consistency; and

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

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

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

4 WHEREAS, in its memo dated October 06, 2011, the Waterfront Advisory Committee issued a
5 final review of consistency;
6

7 NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby schedules
8 a Public Hearing on November 7, 2011 to consider a special permit application for non-
9 conforming use in a residential area at 1 Niles Road at 8pm in the meeting room of the Stanley
10 H. Kellerhouse Municipal Building.

11 i) On motion of TRUSTEE MURTAUGH, seconded by TRUSTEE RASKOB, the following
12 resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York
13 with a vote of 5-0:
14

15 WHEREAS, the Village Board of Trustees has received a special permit application for a
16 renewal of a Personal Wireless Services Facility at 1 Van Wyck Street
17

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

20 WHEREAS, this application was referred to the Planning Board in accordance with Village
21 Law; and,
22

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

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

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

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

32 WHEREAS, in its memo dated October 06, 2011, the Waterfront Advisory Committee issued a
33 final review of consistency;
34

35 NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby schedules
36 a Public Hearing on November 7, 2011 to consider a special permit application for a renewal of
37 a Personal Wireless Service Facility at 1 Van Wyck Street at 8pm in the meeting room of the
38 Stanley H. Kellerhouse Municipal Building.

39 Discussion: Mayor Wiegman stated that the wireless services are not on our generator; if we
40 allow them to switch to our system for backup power, could they do it and could we charge

1 them. Village Engineer O'Connor replied that Nextel and T-mobile have special permits they
2 installed two new electrical meters which run the power; they installed a new lighting system in
3 the attic and T-mobile installed a new door; both meters are not on the Village's emergency
4 backup system and they were out of service for about six days; if they were hooked up to our
5 system, they would have been operational. Trustee Raskob asked if they use a land line from the
6 cell or repeaters, having our node live might not help. Village Engineer O'Connor replied that
7 Verizon provides fiber optic into the building, but he doesn't know if they have other options.

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10 6. CITIZEN PARTICIPATION (non-agenda items):

11 a) Mike Mamone, 19 Young Ave., stated that he hopes no chemicals are added to our water; he
12 has spoken with a local operator and has seven sets of different readings of water quality reports
13 going back to 1997; our water is perfect; the additive may be more effective in other
14 communities because they have different conditions than we have; it will lower level of brown
15 water just slightly; the program will not work; rather, work to protect what we now have such as
16 replacement of the pipes.

17
18 7. APPROVAL OF MINUTES:

19 Trustee Murtaugh made a motion to approve the minutes of the Regular Board Meeting held on
20 October 3, 2011 as corrected. Trustee Raskob seconded the motion. The Board approved with a
21 vote of 5-0.

22
23 8. REPORTS:

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25 *Village Manager Zambrano* reported that Westchester County is having a Senior Law in
26 Westchester day at the County Center on Thursday, October 27th; it is a free advice day and will
27 be held from 9 am to 1 pm; it is for seniors, families and significant others. Mr. Zambrano
28 reminded everyone that the Water Forum will be held on Wednesday, November 3rd, 7:30 pm
29 here in this room and will be televised. Mr. Zambrano reported that he attended a meeting last
30 Wednesday held by Westchester County, regarding shared services; we do quite a few services
31 with the County already; he will share this information with the Board.

32
33 *Village Treasurer Bullock* reported that the delinquent notices went out for utility billing.

34
35 *Trustee Schmidt* reported that the Chamber of Commerce is having the annual daffodil planting
36 day from 9am to 12 noon on Saturday at Hughes and Cleveland by CET School; they will be
37 planting the bulbs on the bump out. On Saturday, October 29th, the Croton Coalition, along with
38 the Police Dept. is sponsoring a drug take back day; prescription drugs can be disposed of at
39 Croton Commons from 10am to 2 pm; the prescription drugs will be handled by police officers
40 and disposed of properly. Trustee Schmidt stated that people who will be paying by credit card
41 are not getting a reduction of taxes. Trustee Schmidt mentioned that at Albany Post Road, from
42 the Village line until it forks with Old Post Road, there is a dead phone line and the covers keep
43 falling down; we should issue Verizon a litter ticket when we have to pick it up; they have been
44 asked repeatedly to correct this; he also believes that the numerous double poles in the Village
45 are an eyesore.

1 *Trustee Raskob* suggested that someone should fix the pothole in front of CVS; it must be
2 someone's responsibility to repair this. Village Manager Zambrano replied that he will be
3 setting up a meeting with the engineer. Trustee Raskob stated that many people have a strong
4 opinion against the Riverside Gateway District and suggested that residents read the report on
5 our web site prepared by Saccardi and Schiff and make up your own mind.

6
7 *Trustee Gallelli* reported that last Friday, the Seniors had their annual Oktoberfest and were
8 introduced to the new Senior Coordinator, Valarie Knowland, who will be working 3 days a
9 week; she started working this week, is a local resident and co-chairs Destination Imagination in
10 the schools. Trustee Gallelli reported that this Saturday, October 22nd, from 10 am to 2 pm, is
11 the Recreation Department's Halloween window painting contest; the rain date is Sunday.

12
13 *Trustee Murtaugh* asked Village Manager Zambrano to see if we can cut into the invasive vines
14 at Silver Lake before they encroach and potentially damage the trees growing there. Village
15 Manager Zambrano replied that Marco Gennerelli has this on his schedule already. Trustee
16 Murtaugh reminded everyone that the leaves will no longer be picked up in bags; if you chose to
17 not mulch them on the lawn, please rake them to the curb and they will be taken away.
18 Regarding the Harmon public hearing which has been called, once critics had said that too many
19 children will be introduced into the school system as a result of this law; now tonight we heard
20 we are potentially discriminating against people who have children and he finds that ironic.

21
22 *Mayor Wiegman* confirmed that the Daffodil planting is this Saturday, from 9am to 12 noon. He
23 reported that the Conservation Advisory Council has been actively recruiting members and he
24 appointed Judith Stein Coleman, Sunset Drive, to the committee; she is a 25 year resident of the
25 Village and has worked with the Groundwork Hudson Valley Safe a Tree Invasive Vine Control
26 Committee. Mayor Wiegman reported that Jerry Faiella, former Town Administrator in New
27 Castle, for his new role with Historic Hudson River Towns; they will be going to workshops
28 about finding out how we go about filling out the new funding forms; the State will be issuing
29 one common application everyone will fill out and will be run through the local council of
30 Economic Development and it will affect how we apply for funds. Mayor Wiegman reported
31 that the Harry Chapin Run Against Hunger was a lot of fun and close to \$30,000 was raised.

32
33 Trustee Raskob made a motion to adjourn. Trustee Schmidt seconded the motion; approved with
34 a vote of 5-0. The meeting was adjourned at 9:55 pm.

35
36
37 Respectfully submitted,

38
39 *Phyllis A. Bradbury*

40
41 _____
42 Phyllis A. Bradbury, Secretary

43
44 _____
45 Village Clerk