

A Regular Meeting of the Board of Trustees of the Village of Croton-on-Hudson, New York was held on Monday, June 16, 2008 at the Municipal Building, Van Wyck Street, Croton-on-Hudson, New York.

The following officials were present:

Mayor Schmidt                      Trustee Brennan  
Trustee Konig                        Trustee Gallelli  
Trustee Olver                        Treasurer/ Acting Manager Zambrano  
Attorney Staudt

1.     CALL TO ORDER

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

2.     APPROVAL OF VOUCHERS:

Trustee Brennan made a motion to approve the vouchers as follows; the motion was seconded by Trustee Konig and approved unanimously.

**Fiscal Year 2007-2008**

General Fund	\$36,896.35
Water Fund	839.19
Sewer Fund	-
Capital Account	3,792.10
Trust & Agency	7,027.75
Total	48,555.39

**Fiscal Year 2008-2009**

General Fund	\$24,833.61
Water Fund	82.16
Sewer Fund	-
Capital Account	12,000.00
Trust & Agency	-
Total	36,915.77

3.     PRESENTATION BY THE NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION

Acting Village Manager Zambrano, introduced the following representatives from the New York City Department of Environmental Protection who presented to the Board and

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community a project by the NYC Department of Environmental Protection at the Croton Dam: Paul Costa (Executive Project Manager with DEP); Gary Heath (Director of the DEP Bureau of Environmental Planning and Analysis); Lizette Gomez; Matthew Sorrell; and John Cannon.

Mayor Schmidt said that while the entire construction project is outside of the Village of Croton's boundaries there are still concerns on what impact the change of the Dam and the structure will have on the Croton River.

Mr. Costa advised that the purpose of this presentation is to describe the overall project, discuss environmental issues and concerns and discuss the project's schedule. Mr. Costa advised that the project will:

- Extend the useful life of the Dam for 50-100 years
- Modify the Spillway to expand capacity for extreme storm events
- Increase maximum storage capacity of the Reservoir
- Rehabilitate water conveyance facilities through dam safety and conservation releases
- Preserve recreation use, through preserving historic Dam and associated structures and relocation of boat storage areas
- Improve access roads and slope stabilization at Arcady Road
- Reconstruct roadway and drainage
- Rehabilitate upper and lower chamber
- Perform electrical and supporting site improvements
- Perform masonry cleaning and repair
- Increase capacity to deliver water during drought

Mr. Heath gave an overview of the following environmental issues and concerns:

- Construction traffic and site access from 9A through Route 129
- Noise and park area restrictions
- Coordination with County to minimize disruption to Croton Gorge Park, and relocation of boat ramps around the reservoir
- Rock excavation and blasting
- Wildlife and fisheries
- Wetlands and vegetation

Mr. Heath advised that the Draft Scope of the overall project will be released late July, during the months of July, August and September there will be a comment period and at the end of September the Final Scope of Work should be completed. Mr. Heath said that in the second quarter of 2009 they will hold a Public Comment Hearing on the Draft EIS and in the fourth quarter of 2009 they plan to issue a Final EIS with the project expected to begin in 2011.

Trustee Gallelli asked when will the project end?

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Mr. Costa said that they are projecting four years from spring of 2011 with the major construction taking place during years two and three.

Mr. Heath said that when they prepare the analysis of the project, they will be looking at the peak year of construction where the most intense truck traffic and work activity will be taking place.

Trustee Gallelli stated that truck traffic is a very big concern for the Village and do they have an estimate of the number of trucks, size of the trucks and will they be mostly bringing materials in or taking them out.

Mr. Heath said that materials will be taken in during the rehabilitation part of the project but the majority of the truck traffic will be taking the materials out. Mr. Heath said that the preliminary estimates at peak time of the project (year 2 and 3) would be about 40 trucks a day entering and leaving the site.

Trustee Brennan asked if they could take the majority of the debris out through Route 100 instead of coming through the Village.

Mr. Heath said that they are still looking at this option but using route 129 makes better sense for them because of its connection to Route 9A.

Mayor Schmidt asked what the material will consist of.

Mr. Heath said that the material coming out of the site will be mostly rock and the material coming in will be concrete.

Trustee Gallelli asked to what extent is this project related to the new filtration plant in the Bronx; is it to increase capacity so that they can close down other aqueducts for repair.

Mr. Costa said that they are doing this project because there is a deficiency from the standpoint of Dam Safety Regulations and also dependability and storage. Mr. Costa said that while doing the safety part of the project, they are taking this opportunity to raise the spillway and this will provide a direct benefit to the City and to its downstate consumers.

Trustee Konig asked if this is a year-round project.

Mr. Costa said yes but during extreme winter conditions there may be some shut down of work.

Trustee Konig asked how long the blasting schedule will last.

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Mr. Costa stated that the blasting period is over a year but would be intermittent. Mr. Costa said that they have adopted new protocols in terms of their blasting program and notification of residents and local communities will take place.

Mayor Schmidt said that since 9-11 the Village has not had access to the roadway across the Dam and requested that the Village regain security access for Police, Fire and EMS Services. Mayor Schmidt stated that Croton's emergency personnel service a district on the other side of the Dam and not having access has made it very difficult to service.

Mr. Costa said that the roadway may be improved but security concerns still exist. Mr. Costa said that they will be discussing this issue again.

Trustee Olver said that he is very concerned with the truck traffic and is looking for assurances from the DEP that the Village will have an ongoing detailed dialogue at the operational level regarding time of passage, loading, and noise levels of these trucks.

Mr. Heath said that they understand that this is one of the greatest impacts for the Village; they take this all very seriously and measures will be taken that will require low sulfur diesel fuel, filters, and trucks with no Jake-Brakes. Mr. Heath emphasized that this is construction, it tends to be noisy, disruptive but they will work with the community to make sure that the quality of life is maintained and reduce those impacts through the construction stage of this project to the extent possible.

Mayor Schmidt asked that truck traffic be minimized during the school periods of drop-off and pick-up. Mayor Schmidt said that Route 129 is a heavily traveled road.

Trustee Olver asked what mitigation steps the DEP has in mind with respect to taking wetlands, endangered species, lost trees and the issue of raising the water level which will significantly reduce the space available for boat storage.

Mr. Heath said that they believe that they will be able to relocate the boat ramps as necessary. Mr. Heath said that they also intend to make improvements to the ramps. Over the years the vegetation has been eroded because of boats being dragged along the shoreline causing runoff and turbidity. Mr. Heath said that it is the DEP's intent to work with all the local jurisdictions that have boat ramps to make sure that we are accommodating them to the extent possible and making them safe. As to the issue of wetlands, Mr. Heath stated they will be looking at restoring what is on site and what can be recaptured and this will be ongoing with the Army Corps of Engineers, Department of Environmental Conservation and the local jurisdictions. Mr. Heath said that with respect to endangered species, they are looking to see if they can do some transplanting of the Virginia Snake Root and identify new habitats in the area. Mr. Heath said that with respect to the Bald Eagle nest, if they are nesting they will consider restricting construction in that area during that nesting period in order to protect the nest.

Trustee Olver asked about the loss of 2,500 to 3,500 trees and what are the plans for replanting.

Mr. Heath stated that they do not have any plans for replanting. Mr. Heath said that the trees that are there are ones that have grown since 1955 when the water level went back down and they are relatively young trees. Mr. Heath said that they are currently debating whether or not to remove them, leave them in place, or cut them down to stump level. Mr. Heath said they are also reviewing what the water quality impacts will be by having these additional trees. Mr. Heath said that these issues are very preliminary and will be addressed as they move forward with the review.

Trustee Gallelli said that she and the Board are looking forward to receiving the Draft Scope of Work.

4. CORRESPONDENCE

- a. Letter from Sandy Galef dated May 29, 2008 advising that she has introduced legislation to replace the Middle Class STAR rebate program with a Circuit Breaker Program.
- b. Letter from Norma Drummond dated May 30, 2008 of Westchester County Planning Department regarding Affordable Housing Allocation Plan.
- c. Letter from Governor Paterson dated June 2, 2008 enclosing the final Report of the New York State Commission on Local Government Efficiency and Competitiveness.

5. CITIZEN PARTICIPATION - AGENDA ITEMS

Nancy Shatzkin, 132 Old Post Road North, President of the Croton Housing Network said that she will suggest to the Westchester County Department of Planning that they include the total number of affordable housing units developed within each community because it would be a more accurate number of the affordable housing units each municipality has created. Ms. Shatzkin advised the Board that the Fire Department used the Symphony Knoll site for a fire training exercise today.

Don Daubney, 45 Bungalow Road, stated that he noticed that the Duck Pond is going to be studied for renovation and asked that the study include a very careful study of the trees on both sides of the road. Mr. Daubney said that the banks are very steep and steep banks cannot support very large trees. Mr. Daubney said that he suggested five years ago when the Symphony Knoll project was being proposed that the Village furnish that project with solar heating and suggested that the Village use some of the money that the Village has set aside for green projects for that purpose in order to make that project more affordable.

Doris Daubney, 45 Bungalow Road, said that she is pleased to see that there is going to be renovations at the Duck Pond. Ms. Daubney said that she is concerned about the purple loosestrife and phragmites that are developing in and around the pond. Ms. Daubney also requested that the daffodils be replanted.

6. RESOLUTIONS

a. On motion of TRUSTEE GALLELLI seconded by TRUSTEE BRENNAN, the following resolution was unanimously approved by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, on May 15, 2006 the Village Board of Trustees approved a resolution authorizing a grant application to the New York State Department of State on behalf of the Historic River Towns of Westchester Scenic Byway; and

WHEREAS, the state approved funding for this application; which is for a Scenic Byway Corridor Management Plan; and

WHEREAS, the amount of the funding is \$85,000 with a matching share of \$85,000; and

WHEREAS, Westchester County will be supplying the share in in-house services; and

WHEREAS, New York State Department of State has prepared a contract,

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to execute the contract with the New York State Department of State for the Historic Rivertowns of Westchester Corridor Management Plan.

b. On motion of TRUSTEE BRENNAN seconded by TRUSTEE OLVER, the following resolution was unanimously approved by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, Duck Pond Playground and Park is in need of remediation and rehabilitation; and

WHEREAS, the approved Capital Budget for fiscal year 2008-09 included \$20,000 for design services for this work; and

WHEREAS, Munz Associates has submitted a proposal; and

WHEREAS, the Village has utilized Munz Associates for many previous projects,

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to approve the proposal from Munz Associates in the amount of \$20,000 for the design services with regard to various improvements for the Duck Park Playground and park.

c. On motion of TRUSTEE KONIG seconded by TRUSTEE GALLELLI, the following resolution was unanimously approved by the Board of Trustees of the Village of Croton-on-Hudson, New York:

RESOLVED: That the Village Manager of the Village of Croton on Hudson, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 or the Federal Land and Water Conservation Fund Act of 1965, in an amount not to exceed \$200,000, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Village of Croton on Hudson for the Duck Pond Playground and Park Rehabilitation project, and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

d. On motion of TRUSTEE GALLELLI seconded by TRUSTEE KONIG, the following resolution was unanimously approved by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the Village is applying for a grant from the New York State Office of Parks, Recreation & Historic Preservation for the purpose of renovating and rehabilitating the Duck Pond Park and Playground; and

WHEREAS, this project is considered an unlisted action under SEQRA and a short Environmental Assessment Form has been prepared; and

WHEREAS, there are no other involved agencies, and coordinated review is not required,

NOW THEREFORE BE IT RESOLVED: that based upon the short environmental assessment form the Village Board of Trustees determines that there will be no significant adverse environmental impacts and therefore issues a Negative Declaration

7. CITIZEN PARTICIPATION - NON-AGENDA ITEMS

Doris Daubney, 45 Bungalow Road, said that it is a great idea that the Village is considering sharing services with the Town of Cortlandt with respect to the Youth/Senior Center.

Trustee Brennan advised that the Town of Cortlandt has awarded the bid for the construction of the Recreation Center and the project will be going forward. Trustee Brennan stated that under the direction of the Mayor, Sue Snyder will be working with the Town of Cortlandt to get the Village involved as much as possible so that we can use the center for our youth and seniors.

Mr. Daubney said that her daughter recently closed her business in Croton because the cost of her operation was too expensive to keep her business going and a lot of this is because of the high rents. Ms. Daubney passed out a list of what businesses had been in Croton and what businesses are now gone.

Mayor Schmidt said that he moved to Croton twenty-three years ago and over the years different areas in Croton have been more successful than others. Mayor Schmidt pointed out that the Shop Rite area where there were many vacancies years ago is now enjoying a full compliment of stores. Mayor Schmidt said that the rents do play an important role and the Village has no control of what landlords charge.

Don Daubney, 45 Bungalow Road, said that revitalizing businesses in the Village is an ongoing problem that many former politicians have had to deal with.

Richard Pellicci, 65 Radnor Avenue, said that he is concerned that some politicians may be pushing for affordable housing in the Harmon area and would like the Board to work together to solve the revitalization of our businesses districts.

#### 8. APPROVAL OF MINUTES:

Trustee Brennan made a motion to approve the minutes as amended of the Regular Meeting held on Monday, June 2, 2008. Trustee Konig seconded the motion. The Board voted unanimously to approve the minutes.

Trustee Brennan made a motion to approve the minutes of the Executive Session held on Monday, June 2, 2008 at 10:20 pm. Trustee Konig seconded the motion. The Board voted unanimously to approve the minutes.

#### 9. REPORTS

Acting Village Manager Zambrano reminded everyone that the Clearwater Festival will be taking place this weekend at Croton Point Park. Mr. Zambrano said that the barricades have been removed at Mayo's Landing and is pleased to report that the area has been kept clean and the new trees that were planted have been well protected. Mr. Zambrano said that the Police Chief told him that a bear was seen in the Village in the vicinity of Cleveland Drive and to please call the police if they see one.

Trustee Konig said that she also walked the trail and was happy to see that the plantings were doing quite well. Trustee Konig said that she can see why businesses may not be able to stay if they are paying rents between \$4,000 and \$10,000 a month. Trustee Konig stated that she thought that to be more efficient some of our committees do not need to last forever and that some committees should form, give their recommendations and then be disbanded so that when the next issue comes up other citizens can come in and give their expertise and their ideas. Trustee Konig said that a resident reported that someone intruded into their home and even though we feel very safe in our community it is important that everyone lock their home and car doors.

Trustee Olver said that while DEP's presentation was good, he is feeling a little uneasy about the Dam Project. Trustee Olver said that he does not take at face value a large bureaucracy like the DEP managing a project as big as this that will have a large impact on our Village over a period of years. The Board must work very hard and steadily to find ways to reduce the impacts to an absolute minimum. Trustee Olver stated that the Arboretum has been having a water problem because the Golf Course has not been giving anything near the flow into those sensitive wetlands as they should.

Trustee Gallelli advised that the RBA Group, Consultants hired by the Village to look at traffic considerations with regard to Croton Point Avenue and South Riverside Avenue, provided their draft recommendations. Trustee Gallelli said that a group met with them and walked through Croton Point Avenue and South Riverside Avenue and RBA will take those comments and incorporate them into a final report. Trustee Gallelli said that the Board received a request from a resident to look at the Noise Ordinance with respect to use of noisy equipment. Trustee Gallelli advised that the Croton Senior Club donated a new bench which has been placed on the sidewalk in the vicinity of Village Hall.

Trustee Brennan reported that he attended the NYCOM conference and sat in on many interesting classes. Trustee Brennan advised that he also attended a meeting with Tom Suozzi, Nassau County Executive regarding the Property Tax Cap and said that this should be supported by this Village. Trustee Brennan said that other surrounding communities are also seeing businesses close and referred to several businesses in Briarcliff Manor that have closed.

Mayor Schmidt said that we must be the eyes and ears for the Police and if we hear or see something that doesn't seem right, please call the Police Department. Mayor Schmidt said that the NYCOM Conference was very enjoyable and that he always learns something new. Mayor Schmidt advised that the site visit at the proposed dog park is scheduled for tomorrow evening. Mayor Schmidt advised that the noise issue will be discussed at the June 23rd work session. Mayor Schmidt reported that he had the opportunity to attend the Hudson Valley Gateway Chamber Dinner and advised that Cynthia and Joe Lippolis, owners of River Towns Realty, received the Maureen Erickson Volunteers of the Year Award and the Quality of Life Award was given to the Rotary Clubs of Croton on Hudson, Peekskill, and Putnam Valley. Mayor Schmidt said that he attended the Eagle Scout Award Ceremony and is pleased to announce that Matthew Pucci and Daniel Warner received the Eagle Scout Award, the highest award that can be achieved in scouting.

Motion to go into Executive Session to discuss 1A Croton Point Avenue was made by Trustee Olver, seconded by Trustee Konig. Motion was unanimously approved.

Motion to close the meeting was made by Trustee Brennan and seconded by Trustee Gallelli. Motion was unanimously approved.

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There being no further comments to come before the Board, a motion to close the meeting at 10:10pm was made by Trustee Gallelli and seconded by Trustee Brennan. Motion was unanimously approved.

Respectfully submitted,

Board Secretary,

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Village Clerk