

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, October 4, 2010 at the Municipal Building, Van Wyck Street, Croton-on-Hudson, NY 10520.

The following officials were present:

Mayor Wiegman	Trustee Gallelli
Village Manager Zambrano	Trustee Murtaugh
Village Attorney Feldman	Trustee Schmidt
Treasurer Bullock	Trustee Olver

1. CALL TO ORDER:

Mayor Wiegman called the meeting to order at 8:05 p.m. Everyone joined in the Pledge of Allegiance.

2. APPROVAL OF VOUCHERS:

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

General Fund	\$ 46,620.76
Water Fund	3,163.37
Sewer Fund	5,563.00
Capital Account	145,457.13
Trust & Agency	3,337.84
Total	\$204,142.10

Mayor Wiegman stated that although the paper did say the bow hunting would be on tonight's agenda that was incorrect.

Trustee Olver apologized to Fran Allen for carrying the dispute that started at the WAC and was brought to the Board of Trustees meeting; hopefully, he and Ms. Allen, although they have their differences, can continue to talk them through in a more respectful and open way.

3. PUBLIC HEARING:

Public Hearing –the public hearing to consider the special permit application by Susan O'Keefe for a wholesale cookie business at 33 North Riverside Avenue has been postponed at the request of the applicant. Trustee Murtaugh made a motion to adjourn this public hearing until Nov. 1, 2010; second by Trustee Gallelli, approved with a vote of 5-0.

4. CORRESPONDENCE:

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

- a. A letter from Lester Farthing, Regional Director, US Census Bureau, regarding the completion of all Decennial Census 2010 Field Operations and the closing of those offices effective Friday, September 10, 2010.
- b. A letter from Paul Elconin, Open Space Institute, regarding 2010 Conservation Easement Annual Monitoring; no items of concern were observed.
- c. A letter from Rev. Michael Keane, Church of the Holy Name of Mary, requesting a renewal of their Special Permit to operate a pre-school and a request for a waiver of the \$550 special permit application fee. Trustee Gallelli asked that this be referred to the Planning Board.
- d. A letter from Attorney John Gochman, requesting an amendment to the special permit application of John Paladino for 365 South Riverside Avenue.

5. CITIZEN PARTICIPATION (agenda items):

No participants

6. PROPOSED RESOLUTIONS:

a) On motion of TRUSTEE SCHMIDT, seconded by TRUSTEE OLVER, 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 Batten Road easement project resulted in the need for a drainage easement at 50 Batten Road; and

WHEREAS, this property is owned by Thomas and Audrey Dinkler who have agreed to the easement; and

WHEREAS, the Village Attorney has prepared the easement which has been reviewed by the Village Engineer and the property owners,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to sign the drainage easement located at 50 Batten Road,

AND BE IT FURTHER RESOLVED: that the Village Board hereby directs the village staff to file the easement with the Westchester County Clerk's office.

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

WHEREAS, the Village Board of Trustees has received a special permit application from Dino Tsagarakis for a mixed use occupancy at 383 South Riverside Avenue , and

WHEREAS, the applicant has submitted page one of a Short Environmental Assessment for and a Coastal Assessment Form,

NOW, THEREFORE BE IT RESOLVED: the Village Board hereby determines that the proposed action is an unlisted action under SEQRA,

AND BE IT FURTHER RESOLVED: the Village Board declares itself to be the Lead Agency for SEQRA purposes in connection with the proposed action,

AND BE IT FURTHER RESOLVED: the Village Board hereby refers the special permit application to the to the Village Planning Board for a report back to the Village Board from the Planning Board in accordance with Village law.

AND BE IT FURTHER RESOLVED: the Village Board hereby refers the special permit application, the short EAF, and the Coastal Assessment Form to the Village Waterfront Advisory Committee for a recommendation back to the Village Board in accordance with Village Law

AND BE IT FURTHER RESOLVED: The Village Board hereby directs the Village Staff to notify the Westchester County Planning Department of this application in accordance with law.

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

WHEREAS, the Village Board of Trustees has received a renewal of a special permit application from the Church of the Holy Name of Mary to operate a day care center; and

WHEREAS, the applicant has submitted page one of a Short Environmental Assessment form and a Coastal Assessment Form,

NOW, THEREFORE BE IT RESOLVED: the Village Board hereby determines that the proposed action is an unlisted action under SEQRA,

AND BE IT FURTHER RESOLVED: the Village Board declares itself to be the Lead Agency for SEQRA purposes in connection with the proposed action,

AND BE IT FURTHER RESOLVED: the Village Board hereby refers the special permit application to the to the Village Planning Board for a report back to the Village Board from the Planning Board in accordance with Village law.

AND BE IT FURTHER RESOLVED: the Village Board hereby refers the special permit application, the short EAF, and the Coastal Assessment Form to the Village Waterfront Advisory Committee for a recommendation back to the Village Board in accordance with Village Law

AND BE IT FURTHER RESOLVED: The Village Board hereby directs the Village Staff to notify the Westchester County Planning Department of this application in accordance with law.

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

WHEREAS, the Village Board of Trustees has received a renewal of a special permit application from the Church of the Holy Name of Mary to operate a day care center; and

WHEREAS, the applicant has submitted page one of a Short Environmental Assessment form and a Coastal Assessment Form,

NOW, THEREFORE BE IT RESOLVED: the Village Board hereby determines that the proposed action is an unlisted action under SEQRA,

AND BE IT FURTHER RESOLVED: the Village Board declares itself to be the Lead Agency for SEQRA purposes in connection with the proposed action,

AND BE IT FURTHER RESOLVED: the Village Board hereby refers the special permit application to the to the Village Planning Board for a report back to the Village Board from the Planning Board in accordance with Village law.

AND BE IT FURTHER RESOLVED: the Village Board hereby refers the special permit application, the short EAF, and the Coastal Assessment Form to the Village Waterfront Advisory Committee for a recommendation back to the Village Board in accordance with Village Law

AND BE IT FURTHER RESOLVED: The Village Board hereby directs the Village Staff to notify the Westchester County Planning Department of this application in accordance with law.

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

WHEREAS, the Village Board of Trustees has received a special permit application for a wholesale cookie business at 33 North Riverside Avenue; and

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

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

WHEREAS, at the request of the applicant the public hearing called for October 4, 2010 has been postponed; and

WHEREAS, the applicant has submitted a short Environmental Assessment Form and a Coastal Assessment Form,

NOW THERE FORE BE IT RESOLVED: that the Village Board declares itself Lead Agency with respect to this action,

AND BE IT FURTHER RESOLVED: the Village Board hereby determines that the proposed action is an unlisted action under SEQRA; and

AND BE IT FURTHER RESOLVED: the Village Board hereby refers the application, the EAF and the CAF to the Village Waterfront Advisory Committee to the Village Waterfront Advisory Committee for a recommendation back to the Village Board in accordance with Village Law.

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

WHEREAS, the Village Board approved funding for a sprinkler system at the Harmon Fire House in the 2010-2011 capital budget; and

WHEREAS, the Village has received a proposal for professional services for the design of a sprinkler system from Fire Systems Services Inc. in the amount of \$7,357.50, and

WHEREAS, the Village Engineer has reviewed the proposal and recommends that the Village approve the proposal,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to approve the proposal from Fire Systems Services Inc. in the amount of \$7,357.50,

AND BE IT FURTHER RESOLVED: that this amount should be charged to capital account # 11223.

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

WHEREAS, the Court Clerk's office would like to apply for a grant under the 2010 Justice Court Assistance Program; and

WHEREAS, the grant request is for five fire proof file cabinets; 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 2010 Justice Court Assistance Program.

7. CITIZEN PARTICIPATION (non-agenda items):

- a) Fran Allen, 7 Finney Farm, Citizens Committee Against the Bow Hunt, said that they represent the views of hundreds of citizens; she thanked the Board for postponing the vote tonight; everyone should have time to review the revised law and have time to respond to the report; they are uncomfortable about the open endedness of the postponement; she hopes the process is open to how it is proceeding and what the deadline is for an action to be taken.
- b) Joel Gingold, 55 Nordica Drive, proposed that there should be a definitive look at other non-lethal solutions to the deer problem the Board should appoint an Ad Hoc Committee to explore any other possible solutions and report back to the Board in a detailed report as well as a financial analysis of cost and funding; the CAC should look at the current proposal to see if anything else could be done; then hold a public forum where these findings can be presented. Trustee Gallelli stated that this is a well thought out suggestion and feels there should be a time frame. Mr. Gingold replied that perhaps early next spring and there should be no program in place this fall.
- c) Ms. Labbone, 31 Radnor Ave. stated that she thinks we are evolved enough to come up with a solution; Indian Point has been far more damaging than any animal; there are alternatives such as birth control silos; why is this so imperative now; she would like dates for a forum posted where everyone can see them, not just on the web site.
- d) Jane Shumsky, 68 Sunset Drive, stated that a lot of people are against bow hunting; it is the Village's obligation to let the residents know what is on or off the agenda; the permit process should not have been conducted prior to the law being enacted; the Library program did not present all sides.
- e) Steven Pecararo, 2100 Quaker Ridge Road, stated that this is a very emotional issue, but the bottom line is the biologists support culling deer in over-populated urban areas; deer

are judged in age by looking at their teeth; if the deer avoid the cars, coyotes and arrows, they will die of starvation because of the wearing down of their teeth; nature might be cruel, but the biologists are in agreement that there are too many deer; he supports the bow hunting.

- f) Walter Plotch, Furnace Dock Road, co chair of the group to stop bow hunting in Croton; he requested a postponement and plenty of time for rebuttal; he is impressed with the change of tone in this meeting, but they want to study the proposal with considerable care; most of the members of the committee are skeptical of the CAC's ability to study this; if there is to be a further study, it should be done by another group, not the CAC; there has been some progress here and his group will study any proposal given to them in writing explaining the goals, parameters and deadlines.
- g) Laura Bernheim, 6 East Mt. Airy Road, stated that she has been here her whole life and has never seen a starving deer; she would like to see a photograph; she is concerned that the Board should really think before pushing something through without including the people they represent; deer do not have natural predators here, people are responsible for the overpopulation of deer.
- h) Don Daubney, 45 Bungalow Road, stated that at the last Board meeting, he noticed there are new ways to run a board meeting, such as the clock and the uniformed police officer which are intimidating factors for a public board meeting; also he was dismayed to hear a board member calling for the resignation of a committee member which should not have been done publicly; the Mayor should have taken control of that meeting; the Board should listen to the people and acknowledge petitions.
- i) Sondra Audin, 221 Cleveland Drive, stated that sometimes when deer get hit by a car, they end up on private property and this can happen with bow hunting; what happens to a baby deer when the mother gets shot with an arrow; we should not purposely be cruel.
- j) Birgit Robertson, 16 Appleby Farm Rd., stated that she moved to this area because of the open spaces and wildlife; mankind has destroyed the environment more than any animal could; she believes Croton is in the minority of anyplace in Westchester to do this.
- k) Matthew Mansfield, 41 Glengary Lane, a bow hunter and resident; stated that he is not here to change anyone's mind, but is here to say that there are so many people in Croton who have misconceptions of bow hunting that are not true; some studies cited were done 60 years ago; the equipment today, with a proficient archer, is highly lethal; there are a lot of people who should not be hunting in Croton, but they are and you do not see deer with arrows sticking out of them; we have a problem with the eco-system of the forest which was created by people since firearms were banned; other animals will be affected by the deer eating the under forest; wild fires regenerate the forest, but we can't allow that to happen here.
- l) Peter Rosenberg, 68 Sunset Drive., stated that we are living in a changing world that has gotten much bigger; when there were less people and more room, it didn't matter so much; we are running out of fuel and polluting the atmosphere and we are rethinking and revisiting this; are we going to know everyone who is hunting and will they have background check; are the hunting areas insured; will people know where the hunters are going to be; there is the potential for lawsuits; are the bow hunters going to take out insurance; there may be other solutions.

- m) Roseanne Schuyler, Olcott Ave., read a statement about Trustee Olver and his calling for Fran Allen's resignation from the Chair of the WAC and offered her opinion of the Boards handling of issues.

8. APPROVAL OF MINUTES:

Trustee Schmidt made a motion to approve the minutes of the Regular Board Meeting held on September 20, 2010 as corrected. Trustee Gallelli seconded the motion. The Board voted approval with a vote of 5-0.

9. REPORTS:

Village Manager Zambrano stated that Silver Lake is closed and is a construction site which is off limits; please stay away from the area. Mr. Zambrano reminded residents that any power outages, in addition to calling the Village, please call Con Edison also; the more people they know are out of power, the quicker they will respond; also check on elderly neighbors. He stated that the Recreation numbers for summer camp were very good and there were no major emergency incidents.

Treasurer Bullock requested all invoices due be brought to the next work session because the next regular Board meeting date has been pushed back a week.

Trustee Schmidt reported on the 26th Annual Rotary Car Show held the past Saturday; the money raised helps support local charities; they also had the 1st annual chili cook-off and 3 prizes were awarded; they will try to keep this as an annual event. Trustee Schmidt reported that the Croton Coalition is preparing to release the data from the recent survey about drug and alcohol use among the youth. He recommended that the Board put off the deer management program and have the CAC review it once more; to form another committee at this time just muddles the process that they have to go through; the county and state need to be pressured to take the lead on this; give the CAC a chance to give the pros and cons.

Trustee Olver reported that at the Harry Chapin Run this year, people have the option of forming a team; it can be checked out on line. He reported that daffodil planting is this Saturday from 9 am to 1 pm at the medians on Benedict. He added that he was pleased that we engaged tonight rather than just making statements at each other and have begun a process of talking and listening to each other; all agree there is a problem with deer overpopulation; he believes the Ad Hoc committee is a good idea; a group of those interested with strong views of either kind should be brought together separate from the CAC who have their own tasks. Trustee Olver stated that he is saddened to see partisanship creeping in where it had been a non-partisan issue; a great deal more discussion is needed of all the options before coming to a conclusion; please do not tie one issue in with another.

Trustee Gallelli reported that she was pleased in general with tonight's meeting and some new ideas came forward; she also feels the Ad Hoc committee is a good idea; the CAC has carried the burden of this and they should be included in such a group; she gave a thank you to the members of the CAC who worked very hard on this and with what they thought was the best interest of the

Village. Trustee Gallelli reported that she was at the Fire Fair at Harmon which was a great fun event and they had a strong turn out; new this year was a game similar to Jeopardy for the kids among other things and, of course, food; she thanked the ShopRite Supermarket for providing all the food for the Fire Fair as well as books and packets; they have been a particularly good neighbor and should be recognized as a good business neighbor.

Trustee Murtaugh reported that the CAC has a fine report on the Village web site which should be read; they did consider other methods which they thought would not be as effective; he was pleasantly surprised about the Ad Hoc committee suggestion and this might be a step in the right direction toward a solution; a speaker tonight claimed the Board members must represent the people and he and everyone else on the Board takes the responsibility of running the Village very seriously; another speaker said she thought Croton was in the minority of Westchester communities that are investigating allowing bow hunting and that is a true statement because it is legal in most communities already; we are merely relaxing our statues to come more in line with Cortlandt, Yorktown and other communities as well as NY State as a whole.

Mayor Wiegman thanked the special permit application folks for filling out the required Environmental Assessment and Coastal Assessment forms. Mayor Wiegman also thanked the following people for volunteering for the Westchester County Citizen Volunteer Monitoring Program and who conducted water quality tests below Silver Lake from May through October for the past three years: Carolyn Lavalley, Vita Rhodes, Joel Gingold, Ed Robin, Donna Barkman, Barbara Gelman, Phebe Macrae, and Rick Turner.

10. Mayor Wiegman reported that there will be a short attorney-client privilege session after this meeting for consideration of appeal by Patricia Moran Esq. of FOIL determination.

Trustee Olver made a motion to adjourn. Trustee Gallelli seconded the motion; approved with a vote of 5-0. The meeting was adjourned at 10:10 PM

Respectfully submitted,

Phyllis A. Bradbury

Phyllis A. Bradbury, Secretary

Village Clerk