

A Regular Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, October 25, 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 Staudt	Trustee Schmidt
Treasurer Bullock	Trustee Olver- absent

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 Schmidt made a motion to approve the vouchers as follows, subject to review by the Audit Committee. The motion was seconded by Trustee Murtaugh and approved with a vote of 4-0, with 1 absent.

General Fund	\$ 156,673.05
Water Fund	1,114.39
Sewer Fund	4,185.87
Capital Account	240,100.42
Trust & Agency	30,163.54
Total	\$ 432,237.78

3. CORRESPONDENCE:

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

- a. A letter from Dennis Kooney, Commodore Croton Yacht Club, regarding their Veterans Day Ceremony which will be held on Thursday November 11, 2010.
- b. A letter from Adam E. Falk, Cablevision Vice President Government & Regulatory Affairs, with a Notice of Network Changes for Fox 5 & My 9. Trustee Murtaugh wanted it made clear that the Village has not stood in the way of FIOS coming in. Village Manager Zambrano added that Verizon pulled out of the negotiations but he has received calls from residents that FIOS is saying the Village is holding things up. Mayor Wiegman added that Verizon has never submitted an application.
- c. A letter from Alicia Baly, NY Power Authority Account Executive, regarding Westchester County Governmental Customer Rates for 2011. Mayor Wiegman stated that the rate is going down because there is an oversupply because of the economy. Trustee Gallelli stated that this rate is going down, but the larger portion, the distribution rate, is going up.

- d. A letter from Mae Carpenter, Commissioner Westchester County Dept of Senior Programs & Services, regarding the 28th Senior Hall of Fame ceremony with a list of recipients attached.
- e. A letter from Jo-Ann Dyckman, Town Clerk, Town of Cortlandt, regarding a Public Hearing for proposed changes to the Town Code: Chapter 245 Signs, Amending the Comprehensive Plan and legislation to permit residential use on 2nd floors.
- f. A memo from Mark Duncan, Recreation Supervisor, regarding the 2010 Annual Goblin Walk which will be held on Saturday, October 30, 2010 at 1 P.M. beginning at the Municipal Building and commencing at Vassalo Park
- g. A notice about the first Croton Small Business Expo to promote small business in our community. More information can be found at crotonexpo@gmail.com or by calling 914 552-1633 or on the Croton Expo Facebook page. Trustee Murtaugh stated that this is a grass-root movement and is a way to showcase business in the Village. Village Manager Zambrano stated that the information will be posted on the Village website.

4. CITIZEN PARTICIPATION (agenda items):

none

5. PROPOSED RESOLUTIONS:

- a. 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 4-0 with one absent.

WHEREAS, the Village Board of Trustees has received a special permit application for a retail “backyard birding” store at 326 South Riverside Avenue,

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

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

NOW THEREFORE BE IT RESOLVED: that based upon the Environmental Assessment Form, and documents submitted by the applicant, the Village Board of Trustees hereby adopts a Negative Declaration with respect to this matter,

AND BE IT FURTHER RESOLVED: that the Village Board of Trustees directs the Waterfront Advisory Committee to conduct a final review of consistency of the application.

Discussion: Trustee Murtaugh stated that the Trustees all think this is a good idea and hopefully the shop will be open by December and is a wonderful addition to South Riverside; all indications are that this is right on schedule. Mayor Wiegman added that they are required to obtain a special use permit under the current law, but it would not have been required under the Harmon Revitalization regulations.

b. 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 4-0 with one absent:

WHEREAS, on October 4, 2010 the Holy Name of Mary School applied for a renewal of its special permit to operate a day care center; and

WHEREAS, the application was referred to the Planning Board for its recommendation and review; and

WHEREAS, application, coastal assessment form, and page one of the Short Environmental Assessment form was referred to the Waterfront Advisory Committee for a preliminary consistency review; and

WHEREAS, the Village Board of Trustees has received a favorable recommendation from the Planning Board regarding this application, and

WHEREAS, the Village Board of Trustees has caused to be drafted Part 2 of the Short Environmental Assessment Form which the board has reviewed and hereby adopts,

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees does hereby determine, based on the Environmental Assessment Form submitted to and reviewed by the Board, that this is an unlisted action,

AND BE IT FURTHER RESOLVED: that based upon the Environmental Assessment Form, and documents submitted by the applicant, the Village Board of Trustees hereby adopts a Negative Declaration with respect to this matter,

AND BE IT FURTHER RESOLVED: that the Village Board of Trustees directs the Waterfront Advisory Committee to conduct a final review of consistency of the application.

AND BE IT FURTHER RESOLVED: that due to the fact that all terms and conditions of the original special permit have been met and no facts have changed since the last renewal of the special permit in 2007, the Village Board of Trustees hereby waives the \$550 special permit application fee.

Discussion: Trustee Gallelli stated that this school has been in existence for 13 years and it is asking for nothing new nor are any changes being made.

- c. 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 4-0 with one absent.

BE IT RESOLVED THAT: that the Village Board of Trustees hereby calls for a Public Hearing at 8pm on November 15, 2010 in the meeting room of the Stanley H. Kellerhouse Municipal Building to consider the renewal of a Special Permit Application to operate a day care center at the Holy Name of Mary Church.

- d. On motion of TRUSTEE MURTAUGH, seconded by TRUSTEE GALLELLI, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 4-0 with one absent.

WHEREAS, Westchester County owns a state-of-the-art Firing Range located in Valhalla, NY with an advanced targeting system and can accommodate duty side arms and most patrol rifles used by law enforcement personnel in the County; and

WHEREAS, the Police Chief of the Village of Croton on Hudson recommends the renewal of the (IMA) Inter Municipal Agreement for the use of the County's Firing Range for training purposes; and

WHEREAS, the cost for the use of the Firing Range will be a flat fee of \$630 for a full eight (8) hour tour, for a maximum number of 36 officers in attendance; and

WHEREAS, the cost of using the County's Firing Range is reflected in the Police Department's 2010-2011 adopted budget; and

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to execute the (IMA) Inter-Municipal Agreement with Westchester County for the use of the Firing Range located in Valhalla, NY.

- e. 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 4-0 with one absent:

WHEREAS, in order to maintain the public safety radio repeater located on the roof of the Skyview Nursing Home in compliance with the requirements established by the NYS Department of Health, the radio repeater antenna needs to be replaced along with antenna cables and electric wires that provide power to the antenna; and

WHEREAS, the EMS Captain has obtained prices, under a NYS Contract from MetroCom, Inc., for all equipment and supplies to perform the necessary upgrades for a total of \$6,390; and

WHEREAS, the upgrades will benefit the radio systems for the Croton EMS, Croton Police Department as well as the Croton Volunteer Fire Department.

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby authorizes the Village Treasurer to transfer \$6,390 from the Contingency Account A1990.4000 to A4540.4000 to perform all necessary upgrades

Discussion: Trustee Murtaugh stated that the EMS and Police Dept. have state of the art radios and this is needed to make the radios work properly.

f. 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 4-0 with one absent:

WHEREAS, as a continuation of the Board's wishes to reduce the costs associated with the creation of meeting agendas, the Village Manager, Assistant Village Manager and Village Clerk have researched and found software that would help in achieving additional savings and efficiency; and

WHEREAS, two Software providers were considered: Virtual Town Hall and General Code; partnering with Novusolutions; and

WHEREAS, after several hands-on demonstrations, NovusAGENDA Software through General Code; partnering with Novusolutions was selected; and

WHEREAS, a proposal has been received from General Code; partnering with Novusolution for the NovusAGENDA Software in the amount of \$14,900.

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees Authorizes the Village Manager to accept the proposal from General Code; partnering with Novusolution to purchase the NovusAGENDA Software in the amount of \$14,900;

AND BE IT FURTHER RESOLVED: that the Village Treasurer is authorized to transfer \$14,900 from the Contingency Account A1990.4000 to Central Communications Account A1650.4000.

Discussion: Trustee Murtaugh stated that the goal here is to make our human resources more productive. Mayor Wiegman stated that the current method of compiling agendas is labor intensive and this will speed up how quickly the documents can be published on the web; he commended the staff for pursuing and getting a very advantageous tool at a very good price. Trustee Schmidt stated that this will allow the Village to archive meetings more easily and make it easier for the public to access. Trustee Gallelli stated this will allow for easier public searching of agendas; currently much time is required by the staff to put together an agenda. Village Manager Zambrano stated that putting together the agenda takes a lot of work pulling from several sources; a lot of information must flow in; this software should become one step rather than the six or seven it takes now. Mayor Wiegman added that last April, changing to digital

meetings saved about 200 lbs of paper per year, but did not reduce the compiling time. Trustee Murtaugh asked if there are further maintenance costs. Mr. Zambrano replied that it will have a \$3900 maintenance and support fee after the first year.

g. 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 4-0 with one absent:

WHEREAS, the State Legislature has made available to Veterans who have served during the Cold War periods, an exemption in their assessments for a period of up to 10 years to reduce their taxes because of their service; and

WHEREAS, Local Law Introductory no. 7 of 2010 has been drafted raising the assessment ceiling for Village Resident that are Cold War Veterans and suffered a disability while in service.

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby calls for a Public Hearing on November 15, 2010 at 8pm in the meeting room of the Stanley H Kellerhouse Municipal Building to consider Local Law Introductory No. 7 of 2010 amending Chapter 204 Taxation of the Village Code.

Local Law Introductory 7 of 2010, Cold War Veterans Tax Exemption

Section 1. Chapter 204, Article VII, of the Code of the Village of Croton on Hudson is hereby amended as follows:

ARTICLE VII, Cold War Veterans Tax Exemption

§ 204-27. Purpose.

The purpose of this article is to make available to Veterans who have served during cold war periods, an exemption in their assessments for a period of up to 10 years to reduce their taxes because of their service pursuant to § 458-b of the Real Property Tax Law of the State of New York.

§ 204-28. Exemption granted; limitations.

Qualifying residential real property shall be exempt from taxation up to a maximum of \$54,000 of assessed value for the Basic Exemption and \$180,000 of assessed value for the Disability Exemption. The applicable maximum assessment shall be multiplied by the current Equalization Rate each year to determine the assessment exemption amount.

Section 2. This local law shall take effect immediately upon filing with the Secretary of State.

6. CITIZEN PARTICIPATION (non-agenda items):

None

7. APPROVAL OF MINUTES:

Trustee Gallelli made a motion to approve the minutes of the Regular Board Meeting held on October 4, 2010 as corrected. Trustee Schmidt seconded the motion. The Board voted approval with a vote of 4-0 with one absent.

8. REPORTS:

Village Manager Zambrano reported that he received a call from Half Moon Bay that the promenade has been fixed; he will look at it in the next few days. He stated that the Recreation Dept. is working on the winter programs; the ski program is near completion and they will be accepting applications in the next several days. *Village Manager Zambrano* reported that he attended a meeting of the Executive Committee of the 9/11 Memorial and Croton Landing was selected as the site for the memorial; more information will be coming; there is a list of 12 volunteers who have come forward and the committee is still looking for more individuals. Trustee Murtaugh added that they have been assured by the Port Authority that there are pieces of metal from the World Trade Center available and when notified, it will be transported and properly stored; there is a link on the Town of Cortlandt website for this endeavor: 911memorial@townofcortlandt.com *Village Manager Zambrano* added that Ms. Mainiero has spearheaded this project and serves on several committees. *Village Manager Zambrano* reported that Con Edison is going to conduct energy audits for small businesses in the Village; a breakfast is planned and small business owners will be invited to attend.

Trustee Schmidt commented that the leaf cleanup is beginning; do not put leaves out in the street; check the Village web site for pick up schedule and please bag if possible. Trustee Schmidt stated that winter is coming and it is time to winterize your house to reduce energy costs. He added that at the work session, they had a review of the capital projects; it is nice to see we are moving along on a lot of those; the staff has recommended a slowdown of capital projects in the next few years; we've caught up on a lot of things, but need to take time to get others that are funded started. Trustee Schmidt reported that the Croton Chamber of Commerce merged with the Hudson Valley Gateway Chamber of Commerce several years ago to take advantage of the fact that they had a staff to get things done; the Hudson Valley Gateway Chamber is forming separate coalitions within the larger chamber and a Croton Business Council is being formed which should be a good networking opportunity for businesses in the Village; it will give our businesses a lot more clout and they will have a larger voice within the larger group; more information will be coming.

Trustee Gallelli reported that the Run Against Hunger was a terrific day with about 1000 participants; it was a wonderful community event. She stated that this weekend is Halloween and reminded everyone there will be lots of kids running around in the dark; please be cautious. The refurbishing of the World War I Memorial at the Municipal Building is just about done; it looks much nicer and has a new plaque; this year's Veterans' ceremony will be held there. Trustee Gallelli reported that a lot of people are confused and don't know why they are not getting Verizon FIOS in the Village; the current situation between Fox News Corporation & Cablevision has brought this forward again; we never got an application from Verizon although we solicited one and hired a telecommunications lawyer and had meetings with Verizon representatives who then had a change in personnel; we heard that they were discontinuing any

new franchise negotiations with communities in this area; we are not the only ones in the area, but we were never officially notified; last March, Verizon put out a press release that they were pulling back from creating more FIOS franchises; the Journal News on Saturday stated that earlier this year Verizon stopped expanding their FIOS service to new communities; this week, there was a Verizon advertising to sign up for FIOS, but it is not available in Croton.

Trustee Murtaugh asked Village Engineer Dan O'Connor to give an update on the Silver Lake Dam rehabilitation and also on Well 5. Village Engineer O'Connor reported that Silver Lake work was started a few weeks ago by ConTech; there was heavy rain and work had to pause until the flow dropped; the coffer dam was completed; the dam was reinforced on the far side and rebolted; work will start on the near side of the dam perhaps by Friday; he will have more information on Friday. Mr. O'Connor reported that Well 5 is drilled; the preliminary results from the pump air lift testing showed it is a high yield well; the pump test will be done in a few weeks; then water quality sampling will be sent to a lab; he is hoping for very good quality water similar to the other wells; the report will be sent to the Health Dept. for their approval for the well; then it must be connected to the system.

Mayor Wiegman reported that a number of residents have informed the Village about campaign signs everywhere; many signs are on state property; some intersections are inundated and are becoming very large. Mayor Wiegman offered condolences to the Riedy family and friends for the passing of Kathleen Riedy who was very active in the Village. Mayor Wiegman read the following letter from Dino Tsagarakis, which was a cover letter with his application for a mixed use permit.

This is for a request to reinstate the now expired mixed-use permit (Section 230-42.1) for 383 South Riverside Avenue. This permit will allow for a mixed-use occupancy that had been grandfathered in the 383 location when I had originally acquired the property in 2008. My intentions had been to start construction on this project that will provide a space for both commercial use as well as three one-bedroom apartments on the existing footprint by early 2009. After acquiring this property I was educated about possible zoning changes that would be taking place in the Harmon area. I was encouraged to wait in creating any specific plans for construction until the details of the zoning would be decided and in place. I had thought this would be a good idea not only so I could be aware of any new zoning guidelines but also have it be conducive on an aesthetic level with surrounding properties.

Now with much regret in waiting and wasting precious time and resources over the past two years I find myself back at square one. This is a positive project for the Harmon area and our village. Bringing in needed business into this area but also offering three small quality apartments for our local young professionals and commuters in close proximity of the Croton Harmon station.

I hope that we can continue to encourage positive change for our town in the now and long into our bright and budding future.

*Thank You for Your Time.
Dino Tsagarakis*

Mayor Wiegman added that the Blaze is going on at Van Cortlandt Manor and some businesses in the Shop Rite center are experiencing more modest traffic going to the shopping center Thursday and Friday evenings and they were wondering if the traffic pattern was changed or perhaps the Blaze has more participants at that time. Village Manager Zambrano stated that he will look into this.

Trustee Schmidt made a motion to adjourn. Trustee Gallelli seconded the motion; approved unanimously. The meeting was adjourned at 9:15 P.M.

Respectfully submitted,

Phyllis A. Bradbury

Phyllis A. Bradbury, Secretary

Village Clerk