

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, August 06, 2012 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 Schmidt
Village Attorney Staudt	Trustee Murtaugh
Treasurer Bullock	Trustee Raskob- arrived 8:10p

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 Gallelli made a motion to approve the 2011-2012 vouchers as follows, subject to review by the Audit Committee. The motion was seconded by Trustee Murtaugh and approved with a vote of 5-0.

General Fund	\$41,226.55
Water Fund	622.00
Sewer Fund	452.20
Capital Account	19,580.00
Trust & Agency	
Total	\$61,880.75

Trustee Gallelli made a motion to approve the 2012-2013 vouchers as follows, subject to review by the Audit Committee. The motion was seconded by Trustee Murtaugh and approved with a vote of 5-0.

General Fund	\$494,841.25
Water Fund	43,726.30
Sewer Fund	1,151.78
Capital Account	98,651.48
Trust & Agency	6,524.50
Total	\$644,895.31

3. CORRESPONDENCE:

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

- a) Chris Grieco, President of Ferry Sloops, Inc. writes to us explaining that Ferry Sloops is an environmental sailing organization and their mission is to inspire people to appreciate and protect the Hudson River. During the sailing season, their boat is docked at the Croton Yacht Club and they provide free sails to the public and participate in many local events along the river. This year they will again participate during the Croton Yacht Club's River Day celebration on Saturday September 15. Any donations raised this year will continue to support their ongoing mission and environments programs as well as the need to replace the sails on the boat.
- b) A letter from Jud Ramacker, Race Director, Harry Chapin Memorial Run Against Hunger writes to inform us that the 32nd annual Harry Chapin Memorial Run Against Hunger will take place on Sunday October 21, and requests, once again, the Villages support with this event.
- c) A letter from Senator Greg Ball of the NYS Senator, 40th District writes informing us that the Veteran's Hall of Fame for the NYS Senate's 40th District will be recognizing one veteran from each Town, Village or City within the Senate District. Senator Ball asks the Village to nominate a Veteran from the Village to be recognized this year
- d) Margart G. Hadad, Program Director NYS Long Term Care Ombudsman Program writes thanking the Village for supporting the program over the past five years and that the next training session will begin on Tuesday September 18, 2012.
- e) The Village received a Public Notice from New York Metropolitan Transportation Council announcing a new interactive website to make it easier for people to share their The website can be accessed through <http://ideat.nymtc.rtp.org>.

5. CITIZEN PARTICIPATION (agenda items):

No speakers

6. PROPOSED RESOLUTIONS:

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

WHEREAS, the village applied to the NYS Department of Environmental Conservation for a water quality improvement grant in the High Street Watershed/drainage area to improve the quality of storm water draining into the Hudson River ; and

WHEREAS, the grant application was approved by the NYS DEC and entered into contract with the Village of Croton on Hudson on May 9, 2005; and

WHEREAS, circumstances necessitated an extension of the original contract in May of 2009 and February of 2012 with and end of December 31, 2013; and

WHEREAS, Dvirka and Bartilucci Consulting Engineers and Architects (D&B) has already completed a storm water drainage report for the High Street Watershed/Drainage Area which report included recommendations for storm water infrastructure improvements; and

WHEREAS, the proposed improvements are to be located on Old Post Road North between Mt. Green Road and Prospect Place and on High Street off the dead end of Hillside Ave; and

WHEREAS, Dvirka and Bartilucci Consulting Engineers and Architects (D&B) has submitted a proposal dated July 18, 2012 in the amount of \$45,500 for the preparation of plans and specifications, permitting, bidding assistance and engineering services during construction;

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to sign the proposal from Dvirka and Bartilucci Consulting Engineers and Architects (D&B) in the amount of \$45,500 for the preparation of plans and specifications, permitting, bidding assistance and engineering services during construction for the High Street Watershed/drainage area to improve the quality of storm water draining into the Hudson River.

- b) On motion of TRUSTEE Raskob, 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 5-0.

WHEREAS, section 2019-a of the Uniform Justice Court Act requires that Village justices annually provide their court records and dockets to be audited; and

WHEREAS, O'Connor Davis, LLP, of Harrison, NY conducted an independent audit of the Justice Court of the Village of Croton on Hudson for the fiscal year ended May 31, 2012; and

WHEREAS, the Board of Trustees received a copy of the audit report,

NOW, THEREFORE BE IT RESOLVED: that in accordance with Section 2019-a of the Uniform Justice Court, the Board of Trustees acknowledges that the required audit was conducted and authorizes the Village Treasurer to forward a copy of the annual report and a copy of this resolution to the NYS Office of Court Administration.

- c) 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 5-0.

WHEREAS, the Treasurer has analyzed the 2011/12 year to date budget and recommends the following budget transfers as detailed below,

NOW THEREFORE be it resolved that the Village Treasurer is authorized to make the following amendments to the 2011/12 budget to reflect these changes:

GENERAL FUND

INCREASE

Dept	Item	Amount
A1010	2000	6,837
A1210	2000	10,572
A1320	4000	1,376
A1325	1000	726
A1420	4000	52,950
A1640	4800	11,335
A1940	4000	1,700
A4540	4000	22,575
A5010	1000	13,138
A5182	2000	72,490
A5183	1000	21,302
A6410	1100	1,847
A6410	4000	276
A8140	1000	2,034
A8140	1200	784
A8140	4000	6,266
A8710	4200	120
A9050	8000	2,704
A9730	6000	9,992
A9730	7000	1
Total Increases		\$ 239,025

DECREASE

A1110	4000	2,310
A1230	4000	3,106
A1410	4000	1,449
A1440	4000	1,789
A1460	4000	614
A1910	4000	4,804
A1930	4000	2,000
A3120	4000	5,193
A3120	4200	5,591

A3310	4000	1,474
A3310	4200	1,857
A3510	4000	1,269
A5110	4000	10,361
A5110	4200	3,354
A5140	4000	8,173
A5140	4200	1,049
A5142	4000	5,762
A5142	4200	56,194
A5650	4000	2,973
A7020	4000	1,134
A7140	4200	3,384
A7310	4000	2,123
A7310	4200	3,916
A8020	4000	14,263
A8160	4000	1,907
A8160	4150	20,659
A8160	4200	3,678
A8510	4000	1,206
A8510	4200	6,226
A8560	4000	8,499
A8560	4200	6,776
A9030	8000	27,367
A9031	8000	18,565
Total Decreases		\$ 239,025

WATER FUND

INCREASE

Dept	Item	Amount
F1320	4000	765
F1650	4000	1,406
F1650	4400	2,463
F1650	4500	173
F1910	4000	3,152
F1950	4000	4,813
F1980	4000	606
F8310	1000	13,160
F8320	1000	9,885
F8320	1200	8,850
F8320	4200	2,671
F8320	4300	747
F8340	1200	15,311
F8340	4170	783
F8340	4700	4,000
F9030	8000	10,662
F9031	8000	256
F9045	8000	90

F9060	8010	18,749
F9060	8030	596
Total Increases		\$ 99,138

DECREASE

F1650	4410	354
F1650	4420	1,022
F1990	4000	4,489
F8310	4000	870
F8310	4200	772
F8320	4000	16,031
F8320	4700	5,038
F8340	1100	8,000
F8340	4000	34,392
F8340	4120	1,890
F8340	4200	15,138
F8340	4710	1,855
F9040	8000	9,287

Total Decreases		\$ 99,138
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SEWER FUND

INCREASE

Dept	Item	Amount
G1320	4000	171
G1910	4000	1,051
G1980	4000	3
G9030	8000	33
G9031	8000	11

Total Increases		\$ 1,269
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DECREASE

G1990	4000	905
G8120	4000	364

Total Decreases		\$ 1,269
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- d) On motion of TRUSTEE Raskob, 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 5-0.

WHEREAS, Communications Consulting Service, Inc. (CCS) is a firm specializing in the auditing of telephone bills to obtain refunds and monthly savings from overbillings by telephone companies; and

WHEREAS, CCS has provided the Village with a proposal to audit the Village's local and long distance telephone charges for voice, data line and service charges for all phone carriers servicing the Village to ensure billing accuracy, identity and eliminate errors, reduce costs and recover refunds for past overcharges; and

WHEREAS, there is no upfront costs or fees associated with this service; and

WHEREAS, payment to CCS will be based on a percentage of the revenue recovered for overcharges,

NOW THEREFORE BE IT RESOLVED: the Village Manager is authorized to accept the proposal from Communications Consulting Service, Inc. (CCS) to audit the Villages telephone bills to ensure billing accuracy, identity and eliminate errors, reduce costs and recover refunds for past overcharges.

- e) On motion of TRUSTEE Raskob, seconded by TRUSTEE Murtaugh, the following resolution was unanimously adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York as amended with a vote of 5-0.

**RESOLUTION OF LWRP CONSISTENCY FOR CROTON YACHT CLUB BULKHEAD
REPLACEMENT PROJECT**

WHEREAS, in connection with the Proposed Bulkhead Replacement Project the Village Board is required to make a determination of consistency with the LWRP policy standards and conditions; and

WHEREAS, the Village Board has issued an Environmental Assessment Form and a Coastal Assessment Form in connection with the proposed action; and

WHEREAS, the Village Board has duly referred this matter to the Village Waterfront Advisory Committee which has made and provided in writing to the Village Board both a preliminary and final recommendation of consistency with the LWRP policy standards and conditions; and

WHEREAS, after due deliberation, the Village Board has issued a Negative Declaration in connection with the proposed action; and

WHEREAS, the Village Board has reviewed each of the 44 policies and sub-policies thereunder set forth in the LWRP and the explanation of each policy as set forth in the LWRP; and

WHEREAS, at its meeting on July 23, 2012 the Village Board verbally made its findings with respect to each of the policies and sub-policies and based upon its review of the LWRP, the EAF, the Negative Declaration, the Coastal Assessment Form, and the Waterfront Advisory Committee's preliminary and final recommendations, and the review and discussion undertaken by the Board, the proposed action complies with the policy standards and conditions and is consistent with the policies of the LWRP; and

WHEREAS, the Village Board authorized the consultants of Ocean and Coastal Consultants to prepare a resolution to memorialize its discussion and findings with respect to its determination of consistency as set forth at the July 23, 2012 meeting in written form.

NOW, THEREFORE, BE IT RESOLVED as follows:

The Village Board has made the following findings regarding the consistency of the proposed Bulkhead Replacement Project with the policies and conditions of the LWRP.

DEVELOPMENT POLICIES

Policy 1 - Restore, Revitalize, and Redevelop Deteriorated and Underutilized Waterfront Areas for Commercial, Industrial, Cultural, Recreational and other Compatible Uses.

The Village Board found that this policy is applicable to the proposed action in that it involves the repair of a deteriorated bulkhead. The Board found the action is consistent with this policy because the repair of the deteriorated bulkhead will allow for continued safe recreational use of the site.

Policy 1A - Existing planning and zoning documents should be reviewed and amended where necessary to ensure development within the community is consistent with adopted goals and policies.

The Village Board found this policy is not applicable as the proposed action will not result in any change in community plans. The site has historically been used as a boat club, and there will be no change in use.

Policy 1B – Redevelop and revitalize Village owned land at the Metro North Train Station, including Village garage and bay area. Encourage integrated development of Village property to assure fulfillment of requirements relating to parking and accessory uses of Metro North Train Station, while facilitating public access to bay area and recreational use.

The Village Board found this policy is not applicable as it refers to Village owned land at the Metro North Train Station.

Policy 1C - Every effort should be made by the municipality to encourage the mutual cooperation and exchange of information between governmental agencies involved in clean-up of the Croton landfill and Metro-North lagoon in order to develop commercial use of resources found in the coastal area.

The Village Board found this policy is not applicable as it relates to the Croton landfill and Metro North lagoon which are not within the proposed project area.

Policy 1D - Require restoration of deteriorating structures related to railroad use and assure appropriate maintenance and screening to reduce visual impact.

The Village Board found this policy is not applicable as it relates to deteriorating structures related to railroad use.

Policy 1E - Develop the old sewage treatment plant site at the intersection of Route 9A and Municipal Place.

The Village Board found this policy is not applicable as it relates to the old sewage treatment plant site which is not within the proposed project area.

Policy 2 - Facilitate the siting of water dependent uses and facilities on or adjacent to coastal waters.

The Village Board found that this policy is applicable and that the proposed action is consistent and complies with this policy. Repairing the bulkhead will retain the existing waterfront uses at the site.

Policy 3 - The state coastal policy regarding the development of major ports is not applicable to Croton.

As stated, this policy is not applicable to Croton.

Policy 4 - The state coastal policy regarding the strengthening of small harbors is not applicable to Croton.

As stated, this policy is not applicable to Croton.

Policy 5 - Encourage the location of development in areas where public services and facilities essential to such development are adequate, except when such development has special functional requirements or other characteristics which necessitate its location in other coastal areas.

The Village Board found that this policy is not applicable. Existing public services and facilities will be maintained as a result of the proposed work.

Policy 5A - When feasible, development within the Village should be directed within the current service area of existing water and sewer facilities or in close proximity to areas where distribution lines currently exist.

The Village Board found that this policy is not applicable.

Policy 5B - The extension of water and sewer distribution lines beyond areas currently served should be undertaken cautiously and with prudent regard for Village water resources and the preservation of environmental values in undeveloped areas.

The Village Board found that this policy is not applicable.

Policy 5C - Limit proposed development within those portions of the coastal zone boundary area, where traffic impacts such as site distance and carrying capacity of the roadways are restricted, particularly along Route 9A, Albany Post Road and Route 129.

The Village Board found that this policy is not applicable.

Policy 6 - Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.

The Village Board found that this policy and its sub-policy are not applicable as the Village of Croton-on-Hudson is the applicant and therefore has control over the speed of the local permit application process.

FISH & WILDLIFE POLICIES

Policy 7 - Significant coastal fish and wildlife habitats will be protected, preserved, and, where practical, restored so as to maintain their viability as habitats.

The Village Board found this policy to be applicable, as the project site is designated as a significant fish and wildlife habitat area. The Board found the action is consistent with this policy because the proposed work will be limited to a small area adjacent to the existing bulkhead. Fill will be placed behind the steel sheet pile bulkhead, and therefore water quality will not be substantially degraded. Any impacts to coastal fish and wildlife habitats will be temporary and localized.

Policy 7A - The quality of the Croton River and Bay significant fish and wildlife habitat and Haverstraw Bay significant fish and wildlife habitat shall be protected and improved for conservation, economic, aesthetic, recreational, and other public uses and values. Its resources shall be protected from the threat of pollution, misuse, and mismanagement.

The Village Board found that this policy is not applicable.

Policy 7B - Materials that can degrade water quality and degrade or destroy the ecological system of the Croton River and Bay significant fish and wildlife habitat and

the Haverstraw Bay significant fish and wildlife habitat shall not be disposed of or allowed to drain in, or on land within, the area of influence in the significant fish and wildlife habitats.

The Village Board found that this policy is not applicable.

Policy 7C - Storage of materials that can degrade water quality and degrade or destroy the ecological system of the Croton River and Bay significant fish and wildlife habitat or Haverstraw Bay significant fish and wildlife habitat shall not be permitted within the area of influence of the habitat unless best available technology is used to prevent adverse impacts to the habitat.

The Village Board found that this policy is not applicable.

Policy 7D - Restoration of degraded ecological elements of the Croton River and Bay and Haverstraw Bay significant fish and wildlife habitats and shore lands shall be included in any programs for cleanup of any adjacent toxic and hazardous waste sites.

The Village Board found that this policy is not applicable.

Policy 7E - Runoff from public and private parking lots and from storm sewer overflows shall be effectively channeled so as to prevent oil, grease, and other contaminants from polluting surface and ground water and impact the significant fish and wildlife habitats.

The Village Board found that this policy is not applicable as the proposed project will not change existing runoff or storm sewer overflows.

Policy 7F - Construction activity of any kind must not cause a measurable increase in erosion or flooding at the site of such activity, or impact other locations. Construction activity shall be timed so that spawning of anadromous fish species and shellfish will not be adversely affected.

The Village Board found that this policy is not applicable as the proposed bulkhead will limit or stop erosion. The proposed work will comply with any limits on construction timing imposed by NYSDEC so as not to adversely affect spawning of anadromous fish species and shellfish.

Policy 7G - Such activities must not cause degradation of water quality or impact identified significant fish and wildlife habitats.

The Village Board found that this policy is not applicable.

Policy 8 - Protect fish and wildlife resources in the coastal area from the introduction of hazardous wastes and other pollutants which bio-accumulate in the food chain or which cause significant sub lethal or lethal effect on those resources.

The Village Board found that this policy is not applicable as the proposed action will not result in the introduction of hazardous wastes or other pollutants into fish or wildlife resources in the coastal area.

Policy 9 - Expand recreational use of fish and wildlife resources in coastal areas by increasing access to existing resources, supplementing existing stocks, and developing new resources. Such efforts shall be made in a manner which ensures the protection of renewable fish and wildlife resources and considers other activities dependent on them.

The Village Board found that this policy is not applicable as the proposed action will maintain existing recreational access and use of fish and wildlife resources in coastal areas, but will not expand this access.

Policy 9A - Ensure continued recreational use and public access to rivers through Village-owned land adjacent to the Metro-North parking lot, at Croton Point Park and Senasqua Park, along the Croton River, and the Croton Yacht Club. Efforts should be made to encourage recreational use of the fish and wildlife resources found in these areas by increasing the opportunities for public access and enjoyment.

The Village Board found this policy to be applicable, as the project site is Croton Yacht Club. The Board found the action is consistent with this policy because the public access pathway will be restored, thereby encouraging recreational use of the fish and wildlife resources found in these areas.

Policy 9B - Encourage passive recreational enjoyment of the wildlife in the designated significant fish and wildlife habitats, on the Audubon Society Sanctuaries, on other public or private lands within the Village, where wildlife habitats are located. Encourage the recreational use of areas where such resources are found, as well as protection of such resources.

The Village Board found this policy to be applicable, as the project site is adjacent to a designated significant fish and wildlife habitat. The Board found the action is consistent with this policy because repairing the bulkhead will encourage the recreational use of this area.

Policy 10 - Further develop commercial finfish, shellfish and crustacean resources in the coastal area by encouraging the construction of new or improvement of existing on-shore commercial fishing facilities, increasing marketing of the state's seafood products, maintaining adequate stocks, and expanding aquaculture facilities. Such efforts shall be made in a manner which ensures the protection of renewable fish and wildlife resources and considers other activities dependent on them.

The Village Board found that this policy is not applicable as the proposed action is not located in an area containing commercial finfish, shellfish and crustacean resources in the coastal area.

FLOODING & EROSION POLICIES

Policy 11 - Buildings and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.

The Village Board found that this policy is applicable and that the proposed action is consistent and complies with this policy. There will be no new upland structures. The proposed bulkhead repair will provide increased structural stability to the existing structure.

Policy 11A - Erosion and Sediment control measures shall be undertaken in order to safeguard persons, protect property, prevent damage to the environment, and promote the public welfare by guiding, regulating and controlling the design, construction, use and maintenance of any development or other activity which disturbs or breaks the topsoil or results in earth movement.

The Village Board found that this policy is applicable and that the proposed action is consistent and complies with this policy. The project plans call for erosion and sediment control measures.

Policy 12 - Activities or Development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs. Primary dunes will be protected from all encroachments that could impair their natural protective capacity.

The Village Board found that this policy is applicable and that the proposed action is consistent and complies with this policy. Although no natural protective features such as beaches, dunes, barrier islands or bluffs exist onsite, the proposed increase in elevation of the bulkhead will provide additional protection from flooding.

Policy 12 A - Every effort should be made to protect Croton Point, a natural protective barrier to Croton Bay from activities or development that would increase erosion or flooding of the Point.

The Village Board found that this policy is not applicable.

Policy 13 - The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs.

The Village Board found that this policy and its sub-policy are applicable as the proposed action includes repair of an existing bulkhead which is an erosion protection structure. The Village Board found the proposed action to be consistent with this policy and its sub-policy because with proper maintenance, the bulkhead is anticipated to last 50 years.

Policy 14 - Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development, or at other locations.

The Village Board found that this policy is applicable as it involves the reconstruction of an erosion protection structure. The Village Board found the proposed action to be consistent with this policy because the new structure will provide erosion and flood protection equal to or better than the existing structure. There will be no increase in erosion or flooding as a result of the proposed action.

Policy 15 - Mining, excavation or dredging in coastal waters shall not significantly interfere with the natural coastal processes which supply beach materials to land adjacent to such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.

The Village Board found that this policy is not applicable as the proposed action does not involve mining, excavation or dredging.

Policy 16 - Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features.

The Village Board found that this policy is applicable as it involves the reconstruction of the existing bulkhead. The Village Board found that the proposed action is consistent with this policy because the bulkhead reconstruction will prevent further erosion which would interfere with present or future water dependent uses on site.

Policy 16A - Public funds shall be appropriated for the yearly maintenance of Senasqua Park until such time that it is determined that expenditure of funds outweighs the cost of acquiring, constructing and maintaining a similar public park on Croton's waterfront.

The Village Board found that this policy is not applicable as the proposed is not located at Senasqua Park.

Policy 17 - Whenever possible, use non-structural measures to minimize damage to natural resources and property from flooding and erosion. Such measures shall include: (i) the setback of buildings and structures; (ii) the planting of vegetation and the installation of sand fencing and draining; (iii) the reshaping of bluffs; and (iv) the flood-proofing of buildings or their elevation above the base flood level.

The Village Board found that this policy and its sub-policy are applicable and that the proposed action is consistent with this policy and its sub-policy. It is not possible to use any non-structural measures to minimize damage from flooding and erosion, nor to relocate any of the existing buildings. However, the increased elevation of the restored bulkhead will help to improve protection from flooding and erosion.

Policy 18 - To safeguard the vital economic, social and environmental interests of the state and of its citizens, proposed major actions in the coastal area must give full consideration to those interests, and to the safeguards which the state has established to protect valuable coastal resource areas.

The Village Board found that this policy is applicable and that the proposed action is consistent with this policy. Although the proposed work is not a major action, repairing the bulkhead is in the interest of both the state and the Village of Croton-on-Hudson.

PUBLIC ACCESS POLICIES

Policy 19 - Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities so that these resources and facilities may be fully utilized in accordance with reasonably anticipated public recreation needs and the protection of historic and natural resources. In providing such access, priority will be given to public beaches, boating facilities, fishing areas and waterfront parks.

The Village Board found that this policy is applicable and that the proposed action is consistent with this policy. The proposed action maintains existing public-owned property and water-related uses.

Policy 19A - Encourage the linkage of open space along the Hudson and Croton Rivers in the form of a trail or walkway system. Such systems should be provided along undeveloped and underutilized land as well as along previously developed land.

The Village Board found that this policy is applicable and that the proposed action is consistent with this policy. The proposed action involves restoration of the public access walkway, which will reopen once the bulkhead has been restored.

Policy 19B - Increase physical access to areas that have specific value for their physical and visual access to the Hudson River or Croton River and Bay.

The Village Board found that this policy is applicable and that the proposed action is consistent with this policy. The public access walkway is currently closed, but will reopen once the bulkhead and walkway have been restored.

Policy 19C - Encourage the expansion of public transportation, when feasible, to areas within the coastal zone area where water dependent and water enhanced recreation activities are located.

The Village Board found that this policy is not applicable.

Policy 19D - Increase access to Croton River and Bay at the Village-owned land south of the Village parking lots at the Croton-Harmon Station.

The Village Board found that this policy is not applicable.

Policy 19E - Maintain the trail, which provides access to the Croton River waterfront, in its current undeveloped condition as a pedestrian walkway.

The Village Board found that this policy is not applicable.

Policy 20 - Access to the publicly-owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly-owned shall be provided and it should be provided in a manner compatible with adjoining uses. Such lands shall be retained in public ownership.

The Village Board found that this policy is applicable and that the proposed action is consistent with this policy. The proposed action involves increasing the width of the public-access walkway to 10 feet.

Policy 21 - Water dependent and water enhanced recreation will be encouraged and facilitated, and will be given priority over non-water related uses along the coast, provided it is consistent with the preservation and enhancement of other coastal resources and takes into account demand for such facilities. In facilitating such activities, priority shall be given to areas where access to the recreation opportunities of the coast can be provided by new or existing public transportation services and to those areas where the use of the shore is severely restricted by existing development.

The Village Board found that this policy and is applicable and that the proposed action is consistent with this policy. The proposed action encourages and facilitates recreation and water-related uses.

Policy 21A - Boating activities should be encouraged provided that they do not restrict other recreational opportunities and are undertaken in a manner compatible with existing water-dependent uses.

The Village Board found that this policy is not applicable. The proposed action will not impact current boating activities but will ensure that these activities can continue at the project site.

Policy 22 - Development when located adjacent to the shore will provide for water-related recreation, as a multiple use, whenever such recreational use is appropriate in light reasonably anticipated demand for such activities and the primary purpose of the development.

The Village Board found that this policy is applicable and that the proposed action is consistent with this policy. The proposed action allows the current water-related uses to continue.

Policy 23 - Protect, enhance and restore structures, districts, areas of sites that are of significance in the history, architecture, archaeology or culture of the state, its communities or the nation.

The Village Board found that this policy is not applicable as the project site does not contain any sites that are of significance in the history, architecture, archaeology or culture.

Policy 24 - Prevent impairment of scenic resources of statewide significance as identified on the coastal area map. Impairment shall include: (i) the irreversible modification of geologic forms, the destruction or removal of vegetation, the destruction, or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resource; and (ii) the addition of structures which because of siting or scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource.

The Village Board found that this policy is not applicable as there are no scenic resources of statewide significance at the project site.

Policy 25 - Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the coastal area.

The Village found that this policy is applicable and that the proposed action is consistent with this policy. Oversheeting of the existing deteriorated steel sheet pile bulkhead will not affect the scenic quality of the area and may improve it.

Policy 25A - Protect local scenic resources by preventing: (i) the irreversible modification of geologic forms, the destruction or removal of vegetation or wetlands, the destruction, or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resources; and (ii) the addition of structures which because of siting scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource.

The Village Board found that this policy is not applicable as the project site is not an identified local scenic resource.

Policy 25B - Secure the designation of the panoramic views from Croton Point as a scenic area of statewide significance.

The Village Board found that this policy is not applicable.

Policy 25C - Secure the designation of Routes 9 and 129 within the Croton boundaries as a scenic road. Ensure developments on or adjacent to Route 9 do not impair scenic resources or views of or from the Hudson and Croton Rivers.

The Village Board found that this policy is not applicable.

Policy 25D - Establish and protect identified viewsheds which provide visual access to the Hudson River, including but not limited to the views of the Hudson River from the

western shoreline of the Village, and from Prickly Pear Hill, Lounsbury Hill, and River Landing. In addition, protect viewsheds to and of the Croton River and Gorge.

The Village Board found that this policy is not applicable as the proposed action will not impact the views or be within any of the viewsheds specifically referenced or any identified viewshed.

Policy 26 - The state coastal policy regarding the protection of agricultural lands is not applicable to Croton.

As stated, this policy is not applicable to Croton.

ENERGY AND ICE MANAGEMENT POLICIES

Policy 27 - Decisions on the siting and construction of major energy facilities in the coastal area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need for a shorefront location.

The Village Board found this policy is not applicable as the proposed action does not include the siting and construction of major energy facilities.

Policy 28 - Ice management practices shall not damage significant fish and wildlife and their habitats, increase shoreline erosion or flooding, or interfere with the production of hydroelectric power.

The Village Board found this policy and its sub-policy are not applicable as the proposed action does not involve ice management practices.

Policy 29 - The state coastal policy regarding the development of energy resources is not applicable to Croton.

As stated, this policy is not applicable to Croton.

WATER AND AIR RESOURCES POLICIES

Policy 30 - Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, into coastal waters will conform to state and national water quality standards.

The Village Board found that this policy is applicable and that the proposed action is consistent with this policy. The proposed action does not involve any discharge of pollutants into coastal waters.

Policy 30A - Existing rail services and transportation-related facilities shall not dispose any materials in coastal waters until such materials have been tested by the state for conformance with water quality standards.

The Village Board found that this policy is not applicable.

Policy 30B - Storage and disposal of all materials shall be monitored by the state to assure there will be no discharge or leaching of materials into coastal waters.

The Village Board found that this policy is not applicable. No discharges into coastal waters are anticipated because the proposed action involves placing fill behind the proposed steel sheet pile bulkhead.

Policy 31 - State coastal area policies and purposes of approved local waterfront revitalization programs will be considered while reviewing coastal water classifications and while modifying water quality standards; however, those waters already over-burdened with contaminants will be recognized as being a development constraint.

The Village Board found this policy and its sub-policy are not applicable as the proposed action does not involve reviewing or modifying coastal water classifications or water quality standards.

Policy 32 - Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high, given the size of the existing tax base of these communities.

The Village Board found this policy is not applicable as the proposed action will not require any new sanitary waste systems.

Policy 33 - Best Management Practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.

The Village Board found this policy is applicable and found that the proposed action is consistent and complies with the policy. The proposed action will not alter existing runoff or sewer outfalls.

Policy 33A - Encourage new developments to retain stormwater runoff on site so as to not increase flows within the existing system or to improve existing stormwater runoff systems to that runoff from such developments does not adversely impact coastal waters.

The Village Board found this policy is applicable and found that the proposed action is consistent and complies with the policy. The proposed action will not affect runoff into coastal waters.

Policy 33B - Improve existing Village stormwater discharge to control flow of pollutants from street and parking areas, etc. directly in the rivers.

The Village Board found this policy is not applicable as the proposed action does not include any changes to existing Village stormwater discharges.

Policy 34 - Discharge of waste into coastal waters from vessels will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas.

The Village Board found this policy and its sub-policy are not applicable as the proposed action does not include the discharge of waste from any vessels.

Policy 35 - Dredging and dredge spoil disposal in coastal waters will be undertaken in a manner that meets existing state dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.

The Village Board found this policy is not applicable as the proposed action does not involve dredging or any placement of fill directly into coastal waters. All proposed fill will be placed behind the steel sheet pile bulkhead.

Policy 36 - Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.

The Village Board found this policy is not applicable as the proposed action does not involve the shipment or storage of any such materials.

Policy 37 - Best Management Practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.

The Village Board found this policy is applicable as the proposed action is not anticipated to result in non-point discharges into coastal waters. The Village's existing laws and regulations regarding stormwater and erosion control will apply to any construction which may take place and will ensure that no pollution reaches coastal waters.

Policy 37A - Standards and specifications for the control of non-point source discharge as set forth in Westchester County's Best Management Practice Manual or other recognized reference shall be utilized during development of any site.

The Village Board found this policy is applicable and that the proposed action complies with this policy. The Village's existing laws and regulations regarding stormwater and erosion control will apply to any construction which may take place and will ensure that no pollution reaches coastal waters.

Policy 37B - Control of the development of hilltops, and steep slopes should be exerted in order to prevent erosion and minimize runoff and flooding from new construction.

The Village Board found this policy is not applicable as the proposed action is not located on a hilltop.

Policy 38 - The quality and quantity of surface water and ground water supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.

The Village Board found this policy is not applicable as the proposed action will not affect the surface water and ground water supplies.

Policy 39 - The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within coastal areas will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources.

The Village Board found this policy and its sub-policies are not applicable as the proposed action does not involve the transport, storage, treatment and disposal of solid wastes or hazardous materials.

Policy 40 - Effluent discharged from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to state water quality standards.

The Village Board found this policy is not applicable as the proposed action does not involve major steam electric generating or industrial facilities.

Policy 41 - Land use or development in the coastal area will not cause national or state air quality standards to be violated.

The Village Board found this policy and its sub-policy are not applicable as the proposed action will not have any significant impact on air quality.

Policy 42 - Coastal management policies will be considered if the state reclassifies land areas pursuant to the prevention of significant deterioration regulations of the Federal Clean Air Act.

The Village Board found this policy is not applicable as the proposed action does not involve reclassification of land areas by the state.

Policy 43 - Land use or development in the coastal area must not cause the generation of significant amounts of the acid rain precursors: nitrates and sulfates.

The Village Board found this policy and its sub-policies are not applicable as the proposed action will not cause the generation of significant amounts of acid rain precursors.

Policy 44 - Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.

The Village Board found this policy and its sub-policy are applicable. By definition, all lands surrounding the coastal waters of New York are considered tidal wetlands. Therefore, by

definition, the proposed activity will be located in an area of tidal wetlands. The Village Board found that the proposed action is consistent with this policy and its sub-policy as tidal wetlands will be preserved by replacing the damaged erosion control structure.

7. CITIZEN PARTICIPATION (non-agenda items):

a) Kevin Davis, 17 Wolf Road, stated that he was in support of the Community Garden.

8. APPROVAL OF MINUTES:

Trustee Raskob made a motion to approve the minutes of the Regular Board Meeting held on June 18, 2012 as corrected. Trustee Schmidt seconded the motion. The Board approved with a vote of 4-0. Trustee Gallelli abstained.

Trustee Gallelli made a motion to approve the minutes of the Regular Board Meeting held on July 2, 2012 as corrected. Trustee Murtaugh seconded the motion. The Board approved with a vote of 5-0.

Trustee Raskob made a motion to approve the minutes of the Executive Session Meeting held on July 23, 2012 as corrected. Trustee Murtaugh seconded the motion. The Board approved with a vote of 4-0. Mayor Weigman abstained.

10. REPORTS:

Village Manager Zambrano reported that the mandatory water restriction had been lifted as of today. He also informed the residents that the Sand Castle Event had been rescheduled to August 13 with a rain date of August 14. Manager Zambrano gave a summary of the meetings that had taken place in regard to the Croton River.

Treasurer Bullock reported that the Village's Moody rating was Aa2.

Trustee Schmidt had questions relating to the 1A Croton Point Avenue property. He asked if indeed it had been sold to City Carting. He also inquired on the status of the 911 Memorial Inter-Municipal Agreement. He also urged residents to conserve on water usage even though the water restriction had been lifted and encouraged them to use a water gauge on their sprinkler system. He stated he was pleased to see the renovations taking place in the Upper Village.

Trustee Raskob stated that he had been observing the Croton River over the last few weekends from different areas and his weekend he did see fewer parked cars in the areas that were a problem. He thanked the Croton Police for doing a good job on patrolling the river and that all the effort that has been made to rectify the situation seems to be working, but must continue.

Trustee Gallelli stated that

Trustee Murtaugh had nothing to report.

Mayor Wiegman

Village Manager requested an executive session.

Trustee Murtaugh made a motion to enter into executive session. Trustee Raskob seconded the motion; approved with a vote of 5-0.

The public meeting adjourned at 9:10pm. Executive Session began at 9:15pm

Executive session meeting adjourned at 9:35pm

Respectfully submitted,

Pauline DiSanto, Village Clerk