

Village of Croton-on-Hudson  
Water Control Commission Meeting of  
July 20, 2011

**PRESENT:** Stuart Greenbaum, Chairperson  
Mark Goldfarb  
Charles Kane  
Al Mazza  
Vita Rhodes

**ALSO PRESENT:** Daniel O'Connor, Village Engineer

**1. Call to Order.**

The Water Control Commission Meeting of July 20, 2011 was called to order at 7:30 P.M.

**2. Old Business:**

- a) **AT&T Corporation – Croton River Boring Project:** Replacement of coax cable with new fiber optic under Croton River.

Chairman Greenbaum stated that the Board members had received the Water Advisory Committee's preliminary determination of consistency with regard to the project and would review and discuss it after hearing from AT&T's representative, Mr. Todd W. Atkinson, Engineer and Project Manager for J. Robert Folchetti & Associates, L.L.C.

Mr. Atkinson had provided the Board with documentation which addressed the Board's and Mr. O'Connor's concerns at last month's WCC meeting. He went through a list of twelve items listed on his cover letter. This included revised plans showing topography, restoration comments for grading and seeding, detail of the conduit and ducts, the bore recovery pit, and the concrete area to be cut on the abutment, and corrections to the minimum depth of the trench from 8 feet to 5 feet, and all references of Connecticut to New York. He also included the New York State Department of State letter required by the US Army Corps of Engineers nationwide permit. He also confirmed that a professional engineer would be onsite at all times, and that there was minimal or no rock in the boring area which would minimize fracking.

Chairman Greenbaum asked on which side, Croton or Ossining, would boring begin, and to whom did the land on the Croton side belong? Mr. Atkinson replied that boring would commence on the Croton side and the property belonged to Historic Hudson Valley. He then distributed a flood plain drawing and a NYS DEC wetland map, adding that the manhole area was above the flood plane and that the area to be disturbed was not in the wetland but in the wetland buffer.

Chairman Greenbaum then asked if the Board had any questions pertaining to the WAC memorandum. Mr. Kane said that he had concerns about any toxic materials that might

be released, any affect to wildlife, and the disposal of waste from the site. He then said that he and Ms. Rhodes had visited the site of the proposed trench and it was clearly marked as had been requested by the Board. They both questioned Mr. Atkinson about the extent of clearing that would take place and whether any trees would be taken down. Mr. Atkinson replied that they would clear only the area that was being worked in. There is, at the present, no plan to take any trees down, and that they had some maneuverability around the trees while staying within the easement area.

At the Board's request, Mr. O'Connor commented that as the clearing began, a better determination could be made whether any trees needed to come down, and that the condition of any trees in question would be taken into consideration. Mr. O'Connor then asked what would happen to the soil that is removed from the trench, and Mr. Atkinson replied that it would go right back into the area.

Mr. Goldfarb then reaffirmed the Board's concern about toxicity. Mr. Atkinson said the project was considered to be identical to drilling a well, and that he had met with 3 contractors who all said this is considered a small boring project. The boring itself should only take 1 day; everything will be contained.

It was then agreed upon that as the project progressed, Mr. O'Connor, the Village Engineer, would determine if any trees needed removal, and that Mr. Atkinson would provide additional information regarding any toxicity from the bore hole slurry.

A motion was made by Mr. Goldfarb to issue a negative declaration and to refer the application back to the WAC for a final determination of consistency. The motion was seconded by Mr. Greenbaum. The motion was passed unanimously.

### **3. Approval of Minutes:**

Mr. Kane made a motion to approve the minutes of the June 22, 2011 Water Control Commission Meeting as written. The motion was seconded by Ms. Rhodes. The minutes were approved 5 - 0 in favor.

### **4. Adjournment:**

Mr. Kane made a motion to adjourn. The meeting was adjourned at 8:00P.M.

Respectfully submitted,  
Toni Cruz  
Secretary, Water Control Commission