

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Tuesday, April 19, 2011 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 - absent
Treasurer Bullock	Trustee Raskob

1. CALL TO ORDER:

Mayor Wiegman called the meeting to order at 8:10 p.m. Everyone joined in the Pledge of Allegiance.

2. APPROVAL OF VOUCHERS:

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

General Fund	\$228,057.32
Water Fund	18,622.67
Sewer Fund	2,177.20
Capital Account	20,380.00
Trust & Agency	2,463.75
Total	\$271,700.94

3. CORRESPONDENCE:

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

- a. A letter from Robert Hoch, Director, Government Affairs, Cablevision, regarding changes to their iO Silver and Gold Packages.
- b) A letter from Lisa Moir, owner of The Blue Pig, requesting approval to sell ice cream at Croton Landing using a vendor cart. Trustee Gallelli stated that she was looking at our law and we modified the vendor law to allow vendors sell in our parks; however, up to now we have only allowed vendors on Fridays at Senasqua Park. Village Manager Zambrano replied that the Board would have to issue a special permit and there is a limitation on the number of permits the Board can issue. Trustee Schmidt suggested asking the staff for recommendations on how to handle this. Mayor Wiegman added that this seems to be requesting a longer season and further recommendations are warranted. Trustee Schmidt stated that a local business that was started last year found one of her key supplies went up 100% from last year; a lot of merchants have found the same thing; please shop locally.

4. CITIZEN PARTICIPATION (agenda items):

a) none

5. PROPOSED RESOLUTIONS:

a) 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.

WHEREAS, the New York Department of Environmental Conservation classifies actions by type: Type I which by definition require a full environmental review, and Type II, which by definition do not require an environmental review because these actions will have no significant environmental impact, and Unlisted actions, which by definition are those that fall outside either the Type I or II list; and

WHEREAS, the Village Board is considering taking an action to adopt Local Law Introductory No. 2 of 2011 (the "Draft Law") which would amend Chapter 116 to supplement the list of Type II actions contained in the New York State Environmental Quality Review Act (SEQRA) Regulations; and

WHEREAS, the Village's consideration of an expansion of the Type II SEQR list is consistent with NYS DEC policy; and

WHEREAS, the Zoning Board of Appeals, Planning Board, Village Engineer, and Police Chief, are also considering the adoption of additional Type II actions; and

WHEREAS, the proposed adoption of the Draft Law and proposed determinations of the Planning Board, Zoning Board of Appeals, Police Chief, and Village Engineer (the "Proposed Determinations") constitute the Proposed Action; and

WHEREAS, the Village Board has caused Parts 1 and 2 of a Full Environmental Assessment Form (the "EAF") to be drafted in connection with the Proposed Action; and

WHEREAS, the Village Board has caused a Coastal Assessment Form to be drafted in connection with the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Village Board hereby determines that the Proposed Action is an Unlisted action; and
2. The Village Board hereby declares its intent to be the Lead Agency for SEQRA purposes in connection with the Proposed Action; and
3. The Village Board hereby issues the EAF, which it has before it in connection with the Proposed Action; and

4. The Village Board hereby issues the Coastal Assessment Form, which it has before it in connection with the Proposed Action; and
5. The Village Board authorizes the circulation of the Draft Law, the Proposed Determinations, the EAF, and the Coastal Assessment Form to all involved agencies; and
6. The Village Board hereby refers the Draft Law, the Proposed Determinations, the 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
7. The Village Board hereby refers the Draft Law, the Proposed Determinations, the EAF and the Coastal Assessment Form to the Westchester County Planning Board/Planning Department for review in accordance with law; and
8. The Village Board hereby directs Village staff to make any other circulations and notifications regarding the Proposed Action as may be required by law.

Discussion: Mayor Wiegman stated that this is a procedural step. Trustee Gallelli added that this is in accordance with the NYS DEC's desire to reduce paperwork for businesses to move ahead with their applications; we will be adding to our Village Type II list; it will streamline procedures for the applications that come to the Board. Trustee Schmidt stated that we have spent the last several years updating our laws and he feels comfortable that we have the proper procedures in place to do this. Mayor Wiegman stated that we are now referencing the state standards where we used to reference Village standards. Trustee Schmidt stated that, for instance, a change of use application will not have as many multiple steps.

b) On motion of TRUSTEE SCHMIDT, seconded by TRUSTEE RASKOB, 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:

WHEREAS, the Village Board of Trustees has received a special permit application for a Motor Vehicle Service Station located at 365 South Riverside Avenue; and

WHEREAS, the applicant has submitted a short Environmental Assessment Form (EAF) and a Coastal Assessment Form (CAF); 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, the application, EAF and CAF was referred to the Waterfront Advisory Committee for a review of preliminary consistency; and

WHEREAS, the Waterfront Advisory Committee has issued a preliminary review of consistency and noted certain recommendations that will be addressed at the time of the site plan review; and

WHEREAS, the Village Board has caused to be drafted part 2 of a short EAF

NOW THEREFORE BE IT RESOLVED: that the Village Board declares itself Lead Agency with respect to this 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 the Village Board of Trustees hereby calls for a public hearing on May 2nd, 2011 at 8pm in the meeting room of the Stanley H. Kellerhouse Municipal Building to consider a special permit application for a Motor Vehicle Service Station located at 365 South Riverside Avenue.

- c) On motion of TRUSTEE RASKOB, 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:

WHEREAS, the Village Board of Trustees has received a special permit application for a change of use to operate a retail business in the C2 General Commercial District located at 368 South Riverside Ave.; and

WHEREAS, the applicant has submitted part one of a Short Environmental Assessment Form (short EAF) and a Coastal Assessment Form (CAF), and

WHEREAS, on April 4, 2011 the Village Board referred this application to the Planning Board, Waterfront Advisory Committee, declared its intent to be lead agency for SEQRA purposes, and authorized the EAF and CAF to be circulated to the appropriate agencies in accordance with Village Law; and

WHEREAS, the Village Board has received a report from the Planning Board recommending the issuance of a special permit for a change of use to a retail business at 368 South Riverside Avenue; and

WHEREAS, the Village Board has received a preliminary review of consistency from the Waterfront Advisory Committee; and

WHEREAS, the Village Board has caused to be drafted Part two of a short EAF,

NOW THEREFORE BE IT RESOLVED: that the Village Board declares itself Lead Agency with respect to this 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 the Village Board of Trustees hereby calls for a public hearing on May 2nd, 2011 at 8pm in the meeting room of the Stanley H. Kellerhouse Municipal Building to consider a special permit application for a change of use to a retail business located at 368 South Riverside Avenue.

d) On motion of TRUSTEE GALLELLI, seconded by TRUSTEE RASKOB, 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:

WHEREAS, the Village Volunteer Ambulance Corp. (Emergency Medical Services) Department provides ambulance service to the Mount Airy/Quaker Bridge District on a contract basis each year, and

WHEREAS, the Town has provided the Village with the 2011 Ambulance Agreement between the Town of Cortlandt and the Village of Croton-on-Hudson,

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to sign the 2011 Ambulance Agreement with the Town of Cortlandt which provides that the Town shall pay the Village the sum of \$48,626 for providing Emergency Medical Service within the Mount Airy Quaker Bridge Fire District during the period from January 1, 2011 to December 31, 2011.

Discussion: Trustee Gallelli explained that this is an annual agreement and conforms with the previous agreements we have had with the Town.

e) On motion of TRUSTEE RASKOB, 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:

WHEREAS, the Village and the Town of Cortlandt annually execute an agreement whereby the Village provides fire protection to the Mt. Airy/ Quaker Bridge Fire Protection District in the Town, and

WHEREAS, the Town Board conducted a Public Hearing in regard to this proposed contract covering the period January 1, 2011 to December 31, 2011, and

WHEREAS, the agreement provides that the Fire Department will give fire protection to the Mt. Airy/ Quaker Bridge Fire Protection District at a total contract price to the Town of \$320,964.00 with \$64,193.00 to be paid to the Fire Council and the balance of \$256,771.00 paid to the Village; and

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to sign the Agreement with the Town of Cortlandt whereby the Village will provide fire protection during 2011 to the Mt. Airy/ Quaker Bridge Fire Protection District at a total contract price of \$320,964.00 with \$64,193.00 to be paid to the Fire Council and the balance of \$256,771.00 paid to the Village.

Discussion: Trustee Gallelli asked how this breakdown of funding occurred. Village Manager Zambrano replied that there is a state law that requires giving the Fire Council this percentage of money. Mayor Wiegman added that if our Fire Council expenses go up, that will be reflected in subsequent contracts with the Town.

- f) 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:

WHEREAS, the Village Police Department would like to continue participating in Westchester County's STOP DWI Program; and

WHEREAS, this program is an overtime, added, patrol effort to enforce the New York State Vehicle and Traffic Laws against intoxicated and impaired driving (DWI/DWAI) in Westchester County; and

WHEREAS, the municipality may seek reimbursement from the County for an amount of \$6,000 per year for overtime DWI road patrol enforcement and \$2,400 of additional special patrols upon written request by the municipality;

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to sign the Stop DWI Patrol Project Reimbursement contract with Westchester County commencing January 1, 2011 to December 31, 2015.

Discussion: Village Manager Zambrano explained that they set the number of hours the Police Dept. does this so they can control the expenses.

- g) On motion of TRUSTEE RASKOB, 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:

WHEREAS, the Police Department is currently using a vehicle over 20 years old for their Emergency Services Vehicle and Mobile Command Post; and

WHEREAS; the Police Department has inherited the ambulance previously used by the EMS Department; and

WHEREAS; the ambulance needs minor servicing and equipment in the amount of \$7,600 to make it functional for the Police Department; and

WHEREAS: funding to accomplish the necessary servicing and equipment is not available in the Police Department's budget.

NOW THEREFORE BE IT RESOLVED: that the Village Board approves the transfer of funds to account A3120.2010 to make the necessary upgrades as follows:

From account A1990.4000 Contingency Account \$3,700

From account A1910.4000 Insurance Account \$3,900

AND BE IT FURTHER RESOLVED: that the Village Treasurer is authorized to make such transfers.

Discussion: Mayor Wiegman stated that this will be used as a mobile command post. Trustee Raskob added that this has been discussed at budget meetings and determined it makes sense.

h) On motion of TRUSTEE SCHMIDT, second by TRUSTEE RASKOB, 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:

WHEREAS, the Village intends to apply for Community Development Block Grant funding from Westchester County for the 2012-2014 funding cycle; and

WHEREAS, the Village received \$200,000 in the previous funding cycle for infrastructure improvements at Farrington Road, including replacement of existing sanitary sewer main, installation of 10 manholes, replacement of existing sidewalk and curb including 100 feet on Hunter Place, and installation of water valves on Farrington; and

WHEREAS, in this funding cycle the Village will be applying for funding to contribute to the cost of the replacement of water mains at Farrington Road and Hunter Place,

WHEREAS, as part of the application process, the Village must hold a Public Hearing to discuss the merits of this project,

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby calls for a Public Hearing to consider the merits of the proposed CDBG project for the 2012-2014 funding cycle at 8 pm on May 2, 2011 in the meeting room of the Stanley H. Kellerhouse Municipal Building.

Discussion: Trustee Gallelli stated that we already have some money for sanitary sewers and sidewalks; we put this project back a year, but this is to just call for a public hearing on the grant application.

6. CITIZEN PARTICIPATION (non-agenda items):

a) Ginny Calcutti, Hunter Place, asked what was just discussed about Hunter Place and sidewalks. Village Manager Zambrano replied that this is for the water mains, sidewalks & sewer improvements; the actual project will probably be done in 2012 and then 2013 if we get the additional funding. Trustee Schmidt added that it is part of the project to look at replacing the water mains and resolving the brown water in that area; that is also a good time to look at the service from the house to the service box. Ms. Calcutti questioned the longevity payments made within non union and union employees and whether 5 years constitutes longevity and suggested looking at changing it to 10 years and have equality for all employees so they are treated the same. She added that under the fringe benefit policy, some employees get \$50,000 life insurance, but the police have \$20,000 of life insurance and it does not seem right; the DPW employees are also doing hazardous work and this needs to be looked at. Ms. Calcutti questioned if the ambulance agreement with the town includes the fly car and does the Town pay for that. Village Manager Zambrano replied that a portion of the agreement is for the fly car.

b) Bob Wintermeier, 43 Radnor, stated that he is curious if there was a resolution about delinquent tax rolls and increasing the penalty. Village Manager Zambrano replied that he did check into it, but did not get a final answer yet; he should have it by the end of the week. Mr. Wintermeier stated that he is also at a loss why we subsidize windpower, but do not get any reduction to what we pay to ConEd and why do we not just drop that in difficult economic times. Mayor Wiegman replied that we buy from NY Power Authority and they encourage municipalities to do this; the general benefit to the Village is that it helps put people to work upstate and helps us be less vulnerable to price shocks. Mr. Wintermeier responded that if we don't get benefit here in Croton, it should not be included; windpower may be questionable as far as green energy. Mr. Wintermeier, regarding the benefit plan and the longevity item, stated that the Board should look at each of the increments people are paid which is 5, 10,15, 20, and 25 years; he agrees with the recommended 25 or 10 years, but not give away \$7,600 at 5 years. He added that the comp time is a lot and ranges from \$40,000 to \$45,000 for one individual; it is a sizable chunk in the budget although there are only 3 major incidences. Mr. Wintermeier's suggestion on fringe benefits is to combine accrued vacation with sick pay; employees can be paid up to three weeks in lieu of vacation; a clause in the benefit packages says that accrued sick leave is 1 ¼ days per month with a clause that says unused sick leave and unused personal leave can be accrued up to an additional 6 days; sick leave and personal leave can be accrued up to 250 days; 50% of the sick leave is convertible to a maximum of 100 vacation days; this all adds to the budget. Mr. Wintermeier added that the perfect attendance bonus defeats the purpose of deferral; these are not incentives to take vacations or sick leaves; he suggested take a look at the plan for non union people.

7. APPROVAL OF MINUTES:

Trustee Gallelli made a motion to approve the minutes of the Organizational Meeting held on April 4, 2011. Trustee Raskob seconded the motion. The Board approved the motion with a vote of 4-0.

Trustee Schmidt made a motion to approve the minutes of the Regular Board Meeting held on April 4, 2011 as corrected. Trustee Raskob seconded the motion. The Board approved the motion with a vote of 4-0.

Trustee Gallelli made a motion to approve the minutes of the Executive Session held on April 9, 2011. Trustee Raskob seconded the motion. The Board approved the motion with a vote of 4-0.

8. REPORTS:

Village Manager Zambrano reported that ConEd has a program called ConEdison Yankee Kids and has asked the Village to nominate a student from the community who has proven to be a leader, has a grade point average of B or better and is also an outstanding athlete; Kyle Ricciardi was nominated and he will be receiving awards from ConEd including going to a Yankee game; there were a number of students eligible. Mr. Zambrano stated that there will be a cable disruption; the High School science lab being worked on Tuesday and they will have to disconnect the cable feed for about 3 hours; it is just for municipal, government and educational channels

Trustee Schmidt reported that this past Wednesday night, the Business Council met at TK Casquarelli and they formed two committees; one for the Tough Man ½ Triathlon to integrate business more into that program and the other is a committee to do the same thing with the Blaze which brings in 80,000 people into the Village; any suggestions, please pass them on; they will start at incremental steps and see what works. Trustee Schmidt reminded everyone that Summerfest is Sunday, June 5th and applications are available at his office or at the Recreation Dept.; people have started responding and things are moving along. Trustee Schmidt reported that this coming Monday night there will be a meeting to adopt the budget and the public is welcome.

Trustee Raskob – no report

Trustee Gallelli reported that there are several events coming up: the semi-annual blood drive will be held on May 1st; call 271-7645 or 271-8449 for more information; Earth Day is Saturday, April 30th; the ceremony at Senasqua Park begins 9 am with the CAC as the primary organizer, but many organizations are involved; the cleanup crew will have free tee shirts for the first 100 people and there will be refreshments available. Trustee Gallelli reported that on April 10th, a ceremony was held at Kaplan Pond where a bench and plaque were dedicated to Seymour Waldman; she urged residents to stop by and take a look; it has a lovely view of Kaplan Pond from that spot. Trustee Gallelli reported that last Friday, she, Village Manager Zambrano and Mayor Wiegman attended the luncheon installation of the Seniors' officers.

Mayor Wiegman reported that on April 10th there were lots of events in the Village: the dedication of the bench for Seymour Waldman; at the Library, the commemoration of 25 years of service for Mary Donnery and the senior cub scout Webelos received the Arrow of Light badge. Mayor Wiegman nominated the following: To the Planning Board he thanked outgoing chair Chris Kehoe for 6 yrs of work and nominated Robert Luntz for chair, for deputy chair, Bruce Kauderer and Steven Krisky a new member. For the Recreation Advisory Committee, he nominated John Giglio, a reappointment as chair, Missy Corvinus, reappointment and new deputy chair; Trustees Murtaugh and Mayor Wiegman as liaisons. For the Conservation Advisory Council, he nominated Jan Johnsen as new chair and Carrie Andrews, as a new member. For the Economic Development Committee, Steve Krisky was added as liaison from the Planning Board. For the Waterfront Advisory Committee, the following were nominated: Ann Gallelli, Ian Murtaugh, Bruce Kauderer, Stuart Greenbaum, Charlie Kane. It was noted that the WAC elects its own chair per Village code.

Trustee Gallelli made a motion to concur with the nominations; Trustee Raskob seconded the motion; approved with a vote of 3-0.

Attorney Staudt asked for an Executive session after this meeting. Motion to go to Executive Session was made by Trustee Raskob, 2nd by Trustee Schmidt, approved with vote of 4-0.

Trustee Raskob made a motion to adjourn. Trustee Schmidt seconded the motion; approved unanimously. The meeting was adjourned at 9:20 pm.

Respectfully submitted,

Phyllis A. Bradbury

Phyllis A. Bradbury, Secretary

Village Clerk