

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, October 1, 2012 at the Municipal Building, Van Wyck Street, Croton-on-Hudson, NY 10520.

The following officials were present:

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

1. CALL TO ORDER:

Mayor Wiegman called the meeting to order at 8:00pm. Everyone joined in the Pledge of Allegiance.

Mayor Wiegman made the following statement regarding 1A Croton Point Avenue and the waste transfer station:

I would like to set the record on the matter of 1A Croton Point Avenue (1ACPA), the closed transfer site opposite the entrance to the Croton Harmon Train Station.

I oppose a transfer station use for the site. This use is prohibited in our Village Code for good reason. Let me repeat, I do not support having a waste transfer station in the village.

On the matter of "who-knew-about-which-meetings," the village fields many, many requests from all kinds of potential developers or event producers for "a meeting." Some can be dealt with by phone, some by face to face. These inquiries range from folks exploring how to open child care centers to those wanting filming permits or seasonal vending licenses. In short, we try to answer questions about what is permitted and how to apply.

These informational meetings involve our explaining the village code and steps of the process to someone who may or may not have a viable plan or fundable project. It is simply impractical to involve everyone on the village board at the outset of every request. Most of the meetings lead nowhere. Any meetings that do produce tangible proposals are brought to the attention of the full board. Those that move forward will produce to a full, open public process of permit applications, hearings, board meeting deliberations, planning board review, etc.

I want to clarify what meetings I attended regarding 1A Croton Point Avenue since taking office as Mayor. I was out of state on a family matter over the past 4 days, and not able to scour my calendar until today.

[April 7, 2009] In April 2009, at my very first meeting as Mayor with our Village staff, DPW Superintendent Marco Gennarelli raised invitations he has been asked to present from County DEF to meet on 1ACPA. I firmly and politely declined. Hence, it is important to note that the County was pushing on this issue from the very beginning.

[December 16, 2009] Eight months later after Steven Corrigan, a real estate broker, made numerous requests and invitations for me to do so, I finally met with him and Charles Martabano, of Terrapin Capital Holdings, on December 16, 2009. Martabano represented himself as an attorney for one of the site owners of 1ACPA. That meeting was brief and held in Terrapin's office in Mt Kisco, as I had non-village business nearby that day. There was a representative from City Carting present. From what I understood, City Carting had recently contracted with the County's Solid Waste District for hauling to Wheelabrator in Peeskill and the MURF recycling facility in Yonkers. No County staff was present. I explained all the history of the site from Village's perspective (prohibition on transfer stations, special permit termination, the court case, etc). I also make clear that the village wanted a good, responsible site owner and tenant. Martabano basically said MTA and site owners appeared far apart on a price. Recall that MTA-Metro-North was in discussion about acquiring the site, but had not looped the Village into any of those discussions. End of the first meeting.

[June 11, 2010] A half-year later, after numerous requests from County Department of Environmental Facilities to meet, I attended a meeting with DEF Commissioner Tom Lauro and Deputy Commissioner Louis Vetrone in DEF's offices in New Rochelle about 1ACPA on June 11, 2010. The village was represented by Manager Abe Zambrano, Deputy Mayor/ Trustee Ann Gallelli, and DPW Superintendent Marco Gennarelli. Neither the site owners nor City Carting was represented at this meeting, which lasted about an hour. Again, we explained all the history of the site from Village's perspective (prohibition on transfer stations, special permit termination, the court case, etc). We explained that the MTA-Metro-North discussions with the site owner appear to be stalling and we emphasized again that we were interested in a good, responsible site owner and tenant. The County was noncommittal about whether they wanted to acquire the site themselves. We did learn about the expansion and renovation of the MURF (that recycling operation run by City Carting for the County would soon allow all plastics #1-7 to be accepted). That is good news, but of course, not related to 1ACPA. End of the second meeting.

[December 22, 2010] A half-year later, Corrigan and the County again made repeated requests for a meeting on 1ACPA. It took place in the Village Manager's

conference room on December 22, 2010 (and included Lauro, Vetrone, Martabano, Corrigan, Attorney Kenneht Gunshor, and Zambrano, Gennarelli, Gallelli, and me). The County DEF is present. No one from City Carting is present. We hear from Martabano and Gunshor (representing both site-owners) that the MTA-Metro-North discussions are at an impasse and effectively dead. We repeat all the history of the site from Village's perspective (prohibition on transfer stations, special permit termination, the court case, etc) and that we are—first and foremost—interested in a good, responsible site owner and tenant. The County says virtually nothing. End of the third meeting.

This last meeting (December 2010) particularly irritated me. It was a total waste of time for the Village. We learned nothing. Everyone present already knew the background that the Village presented from their prior involvement or meetings. Everything we told them was already in the Village's public record on this matter.

Since then, we heard nothing for a year and a half until this summer 2012. A potential change in ownership cropped up this summer during a routine police patrol at the site, when we were told the contact phone number for the site owner had changed. Our inquiries since mid-summer, through our Village Attorney Jim Staudt's contacting the site owners' attorneys, have yielded no new information about any new owner. We are closely monitoring the situation. But until now, no one seems authorized by the new owners—if, in fact, there are new owners--to say tell us anything.

Let me say that our position has been very consistent and public all along: the waste transfer use is prohibited in the village for good reason. Someone outside the village initiated each of the three meetings above. No one on our board or staff requested these meetings.

If outside forces have some other agenda, I'd like them to say so publicly.

If one or two local residents see dark conspiracy theories everywhere and are busy provoking a nefarious witch-hunt against me or other public servants, I'd like them to say so publicly as well.

Believe it or not, those of us up here do have the best interests of the village and its residents constantly in mind.

Let me repeat, I do not support having a waste transfer station in the village.

Any outside force who wants to operate a waste transfer station here will have a very substantial and public process to undergo.

2. APPROVAL OF VOUCHERS:

Trustee Gallelli made a motion to approve the following Fiscal Year 2011-2012 vouchers. The motion was seconded by Trustee Murtaugh and approved with a vote of 5-0.

General Fund	\$13.69
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Trustee Raskob made a motion to approve the following Fiscal Year 2012-2013 vouchers. The motion was seconded by Trustee Murtaugh and approved with a vote of 5-0.

General Fund	\$ 32,708.85
Water Fund	\$ 4,173.43
Sewer Fund	\$ 16.57
Capital Fund	\$ 10,069.65
Total	\$ 56,968.60

3. CORRESPONDENCE:

a. Letter from Debra LaBelle, Consumer Outreach & Education, New York State Department of Public Services requesting assistance from the Village to help raise awareness of the "Lifeline Discount Telephone Service Program" for income-eligible consumers.

b. Letter from Alexander Roberts, Community Housing Innovation, Inc. advising that they will be holding a "Fast Track Loan Modification Event" on October 5th and 6th in White Plains; the program is to assist homeowners with delinquent mortgages.

c. Letter from Sean O'Brien of Homefront enclosing applications and information regarding their program that assists eligible homeowners with repairs to their homes.

d. Letter from Robert Hock of Cablevision advising of changes to their Sundance Channel.

e. Letter from Seana O'Callaghan, owner of Green Growler, requesting use of the sidewalk in front of the Green Growler on October 26th, 27th and 28th in conjunction with their Oktoberfest celebrations.

Motion made by Trustee Gallelli authorizing the Village Manager to issue a permit to Green Growler for use of the sidewalk at 368 S. Riverside Avenue in conjunction with their Oktoberfest celebrations on October 26th, 27th and 28th. Motion was seconded by Trustee Schmidt with a vote of 5-0.

4. CITIZEN PARTICIPATION-AGENDA ITEMS

Mr. Mamone, 19 Young Avenue, Croton-on-Hudson, said that he did not feel that the Village needed to spend money on a Yacht Club study and that he trusts the Board's decision. Mr. Mamone said that he would like to see a ramp for all Village residents so that they can launch their boats comfortably and instead of spending all this money on a Bulkhead he suggested leaving it the way it is and just pile rocks on top of what is currently there; a steel bulkhead is not going to last forever.

Bob Wintermeier, 43 Radnor Avenue, Croton on Hudson, said that he didn't understand why we are putting the cart before the horse and why the Board is considering the two studies; the "cathodic protection system" will protect what we have now and the other study being proposed is to figure out what we are going to do in the future. Mayor Wiegman said that the "cathodic protection system" is to prevent electrolysis from eating the steel of the bulkhead and we need to go to someone who has expertise in this field. Mayor Wiegman said that the other study will be an evaluation of what other potential development could take place on that property going forward.

Virginia Calcutti, 19 Hunter Street, Croton-on-Hudson, asked what hours the Green Growler will be open and will there be any police presence. Village Manager Zambrano said there will be no police presence and the longest they can go to is 10:00pm

Phyllis Morrow, 61 Nordica Avenue, Croton-on-Hudson, said that if you are going to spend money on a study we should embrace the entire waterfront and not just limit it to the Yacht Club.

Kevin Davis, 17 Wolf Road, Croton-on-Hudson, asked if there are plans to get the public's input. Trustee Gallelli said that the purpose of this study is to advise the Board what is feasible for this property; a lot of ideas have been suggested but we do not know if they are possible. Mayor Wiegman said that once we determine what is physically possible at this site, given the current conditions, we are hopeful that the study will produce different scenarios. Mayor Wiegman said that you cannot have public input until you have a study that lays out what is potentially feasible for this property and once we have this information the Board will hold public meetings. Trustee Murtaugh stated that this is a public document, it is on the web-site and residents should contact the Village with their questions and concerns; all

stakeholders will be considered but this is a very early gathering of concepts. Trustee Schmidt said that this study is only a preliminary part of this; if a restaurant is suggested we would need additional studies to see if it would be possible because we do not know what is in the ground. Trustee Schmidt said that he is only clarifying this because the public was led to believe that this study would give us this information. Trustee Schmidt said that this study will just be conceptual; there are no hard facts and once we get this back there will be another series of studies if there is even a possibility of doing something down there. Trustee Raskob said that the study does not obligate us to do anything. Trustee Schmidt agreed that this does not obligate us.

Kenneth Gabrielsen, resident of 29 Wolf Road, Croton-on-Hudson, and member of the Board of Directors of the Yacht Club said that it is disturbing that because the Yacht Club needs to have some help all of sudden it needs to be removed and considered an element that should not exist in the Village. Mr. Gabrielsen said that the Yacht Club has existed for fifty-seven years on this property and all residents are welcome to join. Mr. Gabrielsen said that we really do not know what the cost of construction for this project will be and we need to work together as a group. Mr. Gabrielsen said that the Yacht Club is only open to members because of insurance liabilities and these costs are borne by club members. Mr. Gabrielsen said that the Senasqua Park launch ramp is available to all residents of Croton.

Ray Clifford, 30 Prospect Place, Croton-on-Hudson said that the seawall bulkhead is failing and needs to be fixed and the questions are: how do we pay for it, how do we generate income to pay for it and how do we provide more access to that property for Village residents whether it be a restaurant or another use. Mr. Clifford suggested that we should not spend money on a study but rather we should brainstorm and come up with ideas for the entire waterfront that would benefit all residents.

Harvey Brill, 208 Hessian Hills Road, Croton-on-Hudson said that in 1997 there was a Comprehensive Greenway Vision Study that addressed traffic flow, flooding, and appropriate uses for that parcel of land and the entire waterfront. Mr. Brill said that, considering the financial situation, it would be prudent to re-visit that study prior to approving this. Mr. Brill said that in the event that the Village goes forward with the study, the study should include environmental impacts, address the flooding conditions that exist on the property and how that impacts marketability. Mr. Brill said that the cathodic protection of the bulkhead is a benefit to all of us and we want to maintain what is there now

Virginia Calcutti, 19 Hunter Street, Croton-on-Hudson asked that we study this before we spend the money.

John O'Connor, 115 Old Post Road North, Croton-on-Hudson asked for a breakdown of the \$17,000 for the study.

Mayor Wiegman stated that with respect to comments regarding just adding a rock shoreline; the State has prohibited the Village from replacing and intruding any further onto the bed of the Hudson River. Trustee Raskob stated that the Village is stuck with New York State DEP Regulations.

5. RESOLUTIONS:

a. On motion of TRUSTEE MURTAUGH, 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 4-1. Trustee Schmidt voted Nay.

WHEREAS, the lease with the Croton Yacht Club will be expiring in 2014; and

WHEREAS, the Village and Yacht Club members are interested in entering into negotiations for a new lease; and

WHEREAS, the Village is considering adding additional uses to this site; and

WHEREAS, Buckhurst Fish & Jacquemart Inc. has provided the Village with a proposal for a site evaluation and potential development study,

NOW THEREFORE BE IT RESOLVED: that the Village Manager is authorized to accept the proposal from Buckhurst Fish & Jacquemart in the amount of \$17,000 for a site evaluation and potential development study of the property currently leased by the Croton Yacht Club.

DISCUSSION:

Trustee Murtaugh said that \$17,000 is a lot of money but on a budget of \$17,000,000 it is not a whole lot of money to gain valuable information. Trustee Murtaugh said that the cost of this study represents one-tenth of one-percent of the Village's overall Budget to make this potentially more productive for both Yacht Club members and Village residents. Trustee Murtaugh said that he sells clothing for a living and does not know the right way to look at this property without the help of experts.

Trustee Raskob said that we have an obligation to our Village residents and we have to do our due diligence to make this work. Trustee Raskob said that he does not know a lot about waterfront property and this is something that we need to do to arrive at a final result that we can all live with. Trustee Raskob

said that this is not a large amount of money given the totality of the project and we will all learn something from making this effort.

Trustee Gallelli stated that Mr. Brill had made some good points that he also raised at a work session and as a result the proposal that we are looking at has been changed a little to include those things about the impact of the flood plain and the marketing of this property. Trustee Gallelli said that the study will also include the financial aspects and identification of what kind of approvals would have to be done for whatever is being considered. Trustee Gallelli said that we will also take another look at the Greenway Vision Plan. Trustee Gallelli said that what we are talking about is a difference of opinion in terms of putting the cart before the horse. Trustee Gallelli said that if we take a restaurant as an example; the study would take a look at available parking, how large it could be and the study would come back with either a yes or no answer. Trustee Gallelli said that based on that answer we would determine whether or not we would eliminate the idea of a restaurant. Trustee Gallelli said that if answers come back positive for other ideas then the Board will have to take the next step and look at more of the environmental factors and how that idea can be accomplished. Trustee Gallelli said that this is the first step and what comes out of this is what will be determined what we do next. Trustee Gallelli said that as far as she knows there is no intention or desire by anyone on this Board to get rid of the Yacht Club and not have it continue to function there.

Trustee Schmidt said that he did not agree and did not see any changes from what was originally proposed to do with this and does not see any further studies.

Trustee Gallelli referred Trustee Schmidt to Section 2.3 of the proposal.

Trustee Schmidt said that he doesn't feel that this changes a lot; basically useless information and if we are going to truly look at the riverfront and this piece of property we should be looking at the entire riverfront because this may not be the right site to do anything. Trustee Schmidt said that what the public is looking for is a way of making the Village whole with this. Trustee Schmidt stated that this is a piece of property that we lease to a Yacht Club; we are at the end of the lease; we are stuck in a situation where the lease may not have been written correctly as to who is responsible for what, but regardless the Village has to replace the bulkhead and if we do not do that and the river erodes the ground we could be hit with fines and restrictions. Trustee Schmidt said he does not know why we are doing this study, why we have not sat down with the Yacht Club to have that initial discussion; their lease is restricted based on how

the original lease was set up with the Village and their hands are tied as to what they can and cannot do on the property. Trustee Schmidt said to take this study and look at it in a very narrow perspective will not accomplish what we need to do and our first step is to sit down with the Yacht Club and have real head to head conversations. Trustee Schmidt said that he is not in favor of using this particular consultant; they do not have any experience with looking at riverfront property and it is inappropriate to use a consultant that does not have real good experience based on the riverfront. Trustee Schmidt said that if we want fresh ideas we should step away from using consultants that we have used over and over again. Trustee Schmidt said that while they did work on our Comprehensive Plan we've had changes, had to review it and we've had to look at things. Trustee Schmidt said that there are plenty of other consultants; find someone new with a fresh perspective. Trustee Schmidt said that we need to see what the Yacht Club can do as a lessee of that property; how this can potentially move forward, how the lease can be restructured, what potential they have for generating additional income that would satisfy the concerns of the public and how not to get stuck in this situation again where the replacement of the bulkhead becomes the responsibility of the Village. There is no need to rush into this tonight and we should postpone this and have the meeting with them.

Mayor Wiegman said that that the firm of Buckhurst Fish Jacquemart has a long history with the Village; they are quite familiar with our Code and Zoning Maps and have quite extensive experience in waterfront work that is documented in this proposal in the samples of waterfronts that they have done. Mayor Wiegman said that to the extent that those waterfronts did not have the kind of working marina that we have is a reason why working very closely with the leadership and members of the Yacht Club is important so that we understand exactly the nature of a working marina. Mayor Wiegman said that this firm will be a facilitator for these conversations; will ask concrete questions and explore what information we have at hand. Mayor Wiegman said that this firm has been very good at doing this in the past and leading us as a community toward outcomes. Mayor Wiegman referred to comments by Ray Clifford and said that he hit the nail on the head that the two primary questions that drive this is the question of the money the Village will have to invest in the bulkhead and reducing those costs as much as possible and simultaneously continuing to expand the access and the multiple uses our waterfront offers to all our residents.

Trustee Schmidt said that this study only looks at this particular piece of property; it doesn't look at the riverfront.

Mayor Wiegman said that we need to start with this piece of property because the lease will eventually be around this piece of property; we may well decide based on what we learn that we want additional studies north and south. Mayor Wiegman said that this is a first step in a process and feels that this process is one that we should start well in advance of any lease.

Trustee Schmidt said that as a business person you should sit down with the lease owner first as the beginning step in the discussion; we owe that to the Yacht Club to have that discussion; we've told them that we were going to have those meetings and now we are bringing in someone else to have that meeting; we can figure this out on our own as long as the Yacht Club is willing to come to the table and talk about possibilities; it does not make sense to spend this kind of money when we have not had this first conversation with them.

Trustee Murtaugh said as a compromise he feels that Trustee Schmidt's suggestion is not a bad one to have a specified meeting with members of the Yacht Club; he still thinks that the ideas, whether it is this consultant or another consultant can be very fruitful and productive and is not opposed to delaying this for one month's time to hold a meeting with the Yacht Club to bring some fresh perspective and ideas to the Board.

Mayor Wiegman said that we should certainly sit down with the Yacht Club and we've already had informal conversations with them but there is a certain level of technical expertise none of us have either among the Yacht Club members or Village staff in terms of an analysis of any questions.

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

WHEREAS, on September 20, 2010 the Village hired Ocean & Coastal Consultants (OCC) to provide engineering design services for the repair of the bulkhead at the Croton Yacht Club (the Proposed Action), and

WHEREAS, it has been determined that stray currents are present in the vicinity of the Croton Yacht Club and are contributing to the corrosion of the bulkhead; and

WHEREAS, it is necessary to design and install a cathodic protection system to protect the proposed new bulkhead at the Croton Yacht Club from potential corrosion; and

WHEREAS, the original proposal from Ocean & Coastal Consultants (OCC) did not include design services for this system; and

WHEREAS, Ocean & Coastal Consultants (OCC) has submitted an agreement for design services of a cathodic protection system for the proposed bulkhead replacement project in the amount of \$16,525;

NOW THEREFORE BE IT RESOLVED: that the Village Manager is authorized to accept the agreement from Ocean & Coastal Consultants (OCC) in the amount of \$16,525 for design services of a cathodic protection system for the proposed bulkhead replacement project.

DISCUSSION:

Trustee Raskob said that the stray currents are coming from Metro North; they are not the Village's nor the Boat Club's responsibility and falls into a legal category of a private nuisance that is affecting the Village. Trustee Raskob said that we have a situation here where the waste electricity from Metro North is creating a private nuisance against our property. Trustee Raskob stated that their electricity is polluting our seawall and asked if we have heard anything back from the Village Attorney regarding starting an action against Metro-North.

Village Manager Zambrano said that he will follow up with Village Attorney Staudt.

Trustee Schmidt agreed with Trustee Raskob that we should be going after Metro North; we should certainly make them accountable for what they have caused up to this point.

Trustee Raskob said that the cathodic protection system is probably warranted and when we commission a design it will lead to an ultimate price component and some real hard numbers. Trustee Raskob said that if we discover that Metro North is reluctant to come forward and we do pursue litigation we will have these numbers.

Trustee Schmidt asked if you need to have a bigger cathode system based on how much power is leaking. Trustee Schmidt said that this is being designed on what is currently out there and if that current is reduced we may not need to spend this amount of money. Trustee Schmidt said that he understands the point that it may be necessary but he is not sure of that and maybe something else is necessary given where we are in the river. Trustee Schmidt asked if other yacht clubs near Metro North with electric lines running near them have the same issue with respect to their metal bulkheads.

Trustee Raskob said that we are unique to that extent because we are at the end of a resident line; there is always more current at the end of any kind weighted line of power as opposed to the middle and we would probably have more than Tarrytown.

Mayor Wiegman said that we don't really know this and we will have to design a system that will protect us according to the conditions that currently exist. Mayor Wiegman said that we certainly think that the current is from Metro North but it may not be entirely from them; it is very hard to trace those electrodes back to those sources.

Trustee Gallelli concurred with Trustee Raskob and Trustee Schmidt's comments that we should follow-up and pursue this with Metro North.

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

WHEREAS, the Town of Bedford, as lead municipality, and the Northern Westchester Energy Action Consortium, as inter-municipal partner with Bedford, have been awarded significant funding by both NYSERDA and the US Department of Energy to build an effective residential energy efficiency program that uses the high quality standards of the state's Home Performance program combined with activation of local trusted sources for word-of-mouth outreach; and

WHEREAS, the Board of Trustees of the Village of Croton on Hudson wishes to participate in the Energize New York Program currently being piloted in the Town of Bedford, in order to extend the benefits of this residential energy efficiency program to the residents throughout the Village of Croton on Hudson; and

WHEREAS, the Energize Program requires local community participation in order to maximize the outreach in driving demand for energy upgrades of homes; and

WHEREAS, the Energize Program makes a robust toolkit of resources, including staff and print and online materials, available to Consortium member municipalities that agree to undertake the Energize Program; and

WHEREAS, eligibility for participation is predicated upon the Consortium member municipality's adoption of the Energize Partnership Pact,

NOW, THEREFORE BE IT RESOLVED: that the Board of Trustees of the Village of Croton on Hudson hereby adopts the Energize Partnership Pact, which states as follows: Energize and the Village of Croton on Hudson will work together to identify the key community resources, to wit, a Municipal Energize Liaison, Energize Champions, and Local Trusted Sources, to support the short and long term success of the Energize Croton on Hudson Program, and

BE IT FURTHER RESOLVED: The Board of Trustees of the Village of Croton on Hudson authorizes the Village Manager to appoint a Municipal Energize Liaison or Liaisons from among municipal staff or civic volunteers, with the understanding that the Liaison/s will serve as the chief point of contact between the Energize staff and the Village of Croton on Hudson and its resident and civic associations and groups interested in promoting residential energy efficiency, and

BE IT FURTHER RESOLVED: The Liaison will work with the Energize staff to identify Energize Champions, who typically will be homeowners in the community who have already undergone a Home Performance energy assessment and implemented energy upgrade to achieve savings, and whose role will be to assist the Liaison in identifying local civic groups, both formal and informal, also known as Local Trusted Sources, whose members may be interested in learning about residential energy efficiency; and

BE IT FURTHER RESOLVED: The Liaison and local Champions will collaborate with the Energize staff in opening doors with civic groups for presentations about the Energize Program information, and any other outreach methods that the Municipal Liaison, Champions, and Local Trusted Sources may find effective in tailoring the Energize Program to this municipality.

DISCUSSION:

Mayor Wiegman advised that several municipalities in Westchester have already signed on; each municipality identifies a local group that would be the liaison for

their community. Mayor Wiegman advised that the Croton Sustainability Committee has agreed to be the liaison for Croton and will assist in coordinating these meetings. Mayor Wiegman said that twenty-five households in Croton have already gone through this program and they are being asked to speak to their neighbors about the program. Mayor Wiegman said that a number of local groups will also sponsor presentations.

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

WHEREAS, the Village has one last outstanding small claim assessment review case resulting from the grievance proceedings of last year; and

WHEREAS, the attached memo provided by the Village Assessor, Joseph Sperber, states that the property has been granted an assessment reduction and should receive a tax refund providing their taxes are paid in full; and

WHEREAS, the property has been assessed for \$37,250 and as a result of the SCAR, the assessment has reduced by \$4,800 down to \$32,450, and

WHEREAS, the property is located at 12 Prickly Pear Hill Road, Section 67.15, Block 1, Lot 15 on the Village Tax Maps; and

WHEREAS, the tax refund was calculated using the current tax rate of \$240.748 per \$1,000 of assessed value; and

WHEREAS, the total amount to be refunded for the property is \$1,155.59;

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees authorizes the Village Treasurer to issue a tax refund in the amount of \$1,155.59 to the property owner as outlined in the attached memo from the Village Assessor.

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

WHEREAS; the Village is in the fourth year of a grant from the U.S. Department of Health Human Service and Substance Abuse and Mental Health Services Administration under the Drug Free Community Support Program; and

WHEREAS, Student Assistance Services Corporation will be providing services as part of the grant program; and

WHEREAS, the local grant program is known as the Coalition Against Alcohol and Drug Abuse and consists of representatives from 12 sectors of the community; and

WHEREAS, Student Assistance Services Corporation has provided a contract for the services this agency will provide to the Village under the grant program; and

WHEREAS, the contract costs will not exceed \$17,108 of which the entire amount will be reimbursed under the grant program,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to execute the contract with Student Assistance Services Corporation for an amount not to exceed \$17,108.00.

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

WHEREAS, on November 18, 2002, the Village Board adopted a resolution authorizing the establishment of a Designated Reserve Fund in the Water Fund for future capital projects, and

WHEREAS, such funds have already been spent in the drilling of well #5 and other Water Fund capital projects, and

WHEREAS, in order to properly close fiscal year ended May 31, 2012, it is necessary that the Board of Trustees release the unused balance of the reserve, and

WHEREAS, the balance in the Water Fund's designated Reserve Fund account is \$121,511 as of May 31, 2012.

NOW THEREFORE BE IT RESOLVED: That the Board of Trustees hereby authorizes the Village Treasurer to release the balance of the Designated Reserve Water Fund for Future Capital Projects in the amount of \$121,511 and to transfer such balance to the Water Fund's Fund Balance Account.

DISCUSSION:

Village Manager Zambrano explained that this money will stay in the Water Fund and can only be used for other Water related projects.

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

WHEREAS, during the recently annual audit performed by O'Connor Davis Munns & Dobbins, LLP, the Village's Auditors, an additional year end transaction for fiscal year 2011/12 was necessary in order to properly reflect expenditures for the last two months of the fiscal year as it relates to the retirement contributions though May 31, 2012, so the Treasurer now recommends the following budget transfers 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	Description
A9010	8000	21,463	NYS ERS
A9015	8000	19,346	NYS PRS
Total Increases		\$ 40,809	

DECREASE

A9031	8000	25,000	MEDICARE
A9040	8000	10,000	WKRS COMP
A9060	8010	5,809	INSUR – HOSP
Total Decreases		\$ 40,809	

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

WHEREAS, the Village of Croton on Hudson as an interest in promoting the social and economic well-being of its employees and citizens; and

WHEREAS, that well-being depends upon the existence of healthy and productive employees working in safe and abuse-free environments; and

WHEREAS, surveys and studies have documented the stress-related health consequences for individuals caused by exposure to abusive work environments; and

WHEREAS, abusive work environments can create costly consequences for employers, including reduced productivity, absenteeism, turnover, employee health-related expenses and if left unchecked, costly litigation; and

WHEREAS, protection from abusive work environments should apply to every worker, and not limited to legally protected class status based only on race, color, gender, national origin, age, or disability;

NOW, THEREFORE BE IT RESOLVED, the Board of Trustees of the Village of Croton on Hudson hereby proclaim October 14 to October 20, 2012 "Freedom from Bullies Week".

DISCUSSION:

Trustee Schmidt said that he felt that the wording is too vague and is concerned with the wording "abusive work environments" and that anyone can go real far with that term.

CITIZEN PARTICPATION-NON AGENDA ITEMS

Virginia Calcutti, 19 Hunter Street, Croton-on-Hudson, asked Trustee Schmidt to elaborate on his comments regarding the "Freedom from Bullies" resolution. Trustee Schmidt said that what we are focusing on is the well being of our employees and that they work in a safe and abusive free environment. Trustee Schmidt said that he was only commenting that he thought that the term "abuse in the work environment" might be too vague. Virginia Calcutti asked what defines abuse in the work environment. Trustee Schmidt said this is the problem; if you are being told to do your job, is that abuse; someone could make a claim that it is. Virginia Calcutti said she would like to see that spelled out. Trustee Schmidt said he didn't think that we needed to spell that out; this is just in support of the idea of "Freedom from Bullies Week" and is basically what we are doing here. Trustee Gallelli

said that the purpose of this is to draw attention to the issue of bullying; there will be things on television and in schools that will also be raising this issue.

Virginia Calcutti, 19 Hunter Street, Croton-on-Hudson asked what happens to the old laptops that the Village provides to their employees. Trustee Schmidt said that a lot of our computers are recycled throughout office staff going from high-end users to employees who do not need the newest and latest. Village Manager Zambrano said that Village computers are kept until they are no longer useful and then they are disposed off.

Bob Wintermeier, 43 Radnor Avenue, Croton on Hudson said that when he asked last week about "Agenda 21" the Mayor gave an explanation about something called ICLEI (International Council for Local Environmental Initiatives). Mr. Wintermeier asked who signed us up for this and what are the costs to be involved. Mayor Wiegman said that this happened before he became Mayor. Trustee Gallelli said that this happened in 2008. Mayor Wiegman explained that the dues were \$600 a couple of years ago; the Village receives quite a large amount of tools from them as well very specific detailed guides; "The Local Government for Sustainability" which began its life as the ICLEI and began in Toronto and in the United States is a group of local governments who pool their knowledge to try to figure out how to do things better with respect to "all things green" and "all things sustainable". Mayor Wiegman said that the Village receives many newsletters and read a list of items that the organization tracks for its members to help municipalities all around the United States save money and be more affective. Mayor Wiegman said that the organization is driven by its members; when Croton was doing an inventory of their energy costs we used their templates, and when we improved the templates and revised the methodology we shared this information with the other members. Mayor Wiegman said that thousands of dollars are saved when municipalities pool their resources together and that is what "Local Governments for Sustainability" is all about; it is controlled by the local municipalities offering suggestions and building tool kits together. Mayor Wiegman said that this is a 501(c) 3 Non-for-Profit Charter and the Village belongs to the United States Chapter; hundreds of municipalities have signed onto this. Mr. Wintermeier asked if anything has changed after reading all these documents. Mayor Wiegman said that the Village discovered precisely how much money we were spending on heating and cooling our buildings and we now have a methodology of understanding where our energy bills go. Mayor Wiegman said that the Village was also able to secure Federal and State Funding to do an energy assessment. Mayor Wiegman said that through this process we have learned that the single most expensive item for the Village is our utility bill (\$150,000) to lift water from our well field to our tanks and we are thinking about how we can lower those operating costs going forward; the City of Peekskill learned through this process that they are spending

\$600,000 a year lighting their streets and they have learned about significant costs savings by making some changes that would be paid for out of those cost savings. Mayor Wiegman said these are the kinds of things that we are leaning because we are working together; it is local governments collaborating together around building knowledge, building tools and building responses to those questions.

Mr. Wintermeier thanked Mayor Wiegman for his comments earlier this evening regarding the waste transfer station.

Michael Mamone, 19 Young Avenue, Croton-on-Hudson, said he is upset about having to spend three million dollars for four-hundred feet of bulkhead replacement when placing some rocks would cost \$50,000 and be just as good. Mr. Mamone said that all residents should have a nice state of the art boat launch. Mr. Mamone said that with respect to the Croton Point Avenue project the stop-lights and pedestrian crosswalks are going to be a nightmare because cars will be backed up. Mr. Mamone said that parking is essential on the north side and we should dedicate the north lane to parking. Mr. Mamone said that he does not see more than two or three bikes in the morning; walkers have a perfect sidewalk and cars have plenty of room and there is no need for more lights. Mr. Mamone suggested that we reduce the speed limit to fifteen miles per hour from the corner of Benedict Blvd and S. Riverside Avenue and let the bikes use the traffic lanes; it is only for two or three blocks. Mr. Mamone said that we need new water pipes not this project. Mr. Mamone said that he finds that the street sweeper isn't picking up anything and everything is going down the storm system. Mr. Mamone asked if Cleveland Drive was done. Village Manager Zambrano said that it is not finished. Mr. Mamone said that he would like a public hearing on the question of relining or replacing the water pipes.

Phyllis Morrow, 61 Nordica Avenue, Croton-on-Hudson, asked if any staff or Board members have spoken to other waterfront communities to see what they have done with respect to waterfront restaurants. Ms. Morrow said that she would like to talk about a "Marketing Communications Initiative" that she developed that would help with the issue of people feeling that there is a lack of communication or not being included. Ms. Morrow said that there are a lot of people who have gardens and would benefit from composting and rather than creating a second garden for thirty people we should designate an area in the Village where everyone in the Village could come and get much needed compost. Ms. Morrow said that we need another public hearing on the water pipes.

6. APPROVAL OF MINUTES

Trustee Raskob made a motion to approve the minutes of the Regular Meeting held on September 4, 2012 as amended. Trustee Schmidt seconded the motion. The Board approved with a vote of 5-0.

Trustee Murtaugh made a motion to approve an additional amendment to the September 4, 2012 minutes. Trustee Raskob seconded the motion. The Board approved with a vote of 5-0.

Trustee Murtaugh made a motion to approve the minutes of the Executive Session held on September 4, 2012 as amended. Trustee Raskob seconded the motion. The Board approved with a vote of 5-0.

7. REPORTS

Village Manager Zambrano reported that the final paving of Cleveland Drive was suspended due to the weather and has been rescheduled for this Saturday. Mr. Zambrano stated that if they cannot finish this Saturday work will be done during the week and he will coordinate with the School District.

Village Manager Zambrano reported that we are still waiting for approvals from the Department of Health regarding the Farrington Project; it has been on their desk for the past two months but they have been backed up with their approvals. Mr. Zambrano said that we have been working with our engineering firm to make sure that everything else is moving along; we are projecting to be able to go out to bid in January and be ready to break ground in the spring.

Village Manager Zambrano reported that the Police Department conducted the "Annual Drug Day" this past Saturday collecting one-hundred and thirty-nine pounds of prescription drugs. Mr. Zambrano said that this is a wonderful program; instead of drugs polluting the water system they are being disposed of properly.

Trustee Schmidt advised that the Police Department is very close to having a permanent drop-off facility where at any time you can walk in and dispose of your prescription medication. Trustee Schmidt thanked Officers Nikitopoulos and Gabrielsen for being out there all day during the "Annual Drug Day" event and assisting in the collection. Trustee Schmidt encouraged everyone not to flush medications down the sink or toilet; it is an inappropriate way to dispose of prescription drugs; if you are in a pinch and have to get rid of something you can put it into coffee grounds and put it into the garbage. Trustee Schmidt explained that all of our garbage is incinerated as are the medications that get picked up by the DEA and taken to the County Incinerator.

Village Manager Zambrano advised that Croton-on-Hudson was featured in the Wall Street Journal this past Saturday; they did a very favorable article on

the Village stating that Croton is a nice place to live. Mr. Zambrano said that we should be very proud for being featured.

Trustee Schmidt said that it is that time of year; leaves are falling and encouraged everyone to please try to use a mulching mower and/or leave them around your garden beds. Trustee Schmidt said that we do not need a big composting facility; we can do small mini-composting throughout the Village in select areas like our parks or down by the DPW facility. Trustee Schmidt said that we would not have to buy any equipment but rather use our front-end loaders to pick up the piles and sprinkle it around.

Trustee Schmidt thanked the Village for their assistance and use of the Village parking lot this past weekend for the Croton Rotary Club's Annual Car Show. Trustee Schmidt said it was a very successful day with over one-hundred and thirty cars registering for the show. Trustee Schmidt said it is a great way to bring people into our Village.

Trustee Schmidt said that he was happy to hear the Mayor talk about his commitment to not bring in a refuse or transfer station into the Village. Trustee Schmidt said that he thinks there is a lot of confusion out there because if you read some of the e-mails or some of the things that were foiled from the County it paints a little bit of a different picture. Trustee Schmidt said he would like to see clarification as to what they are talking about and what is being reported; there are some things in here that are a little suspect and need to be clarified.

Trustee Raskob said that the Boat Club is losing the public relations war and they need to come up with a report. Trustee Raskob said that we've heard the Yacht Club claim that they can replace things much less and is sure that they can; he has seen the work done by members of the Yacht Club and it is good work. Trustee Raskob said that the Yacht Club needs to come up with a report that has everything in it as to how much it will cost the Boat Club to do the work; include their labor rates, cost rates and the report must be specific and should share this information with the local newspapers as well. Trustee Raskob said that they have to come back to the Board with a firm numerical, broken-down proposal so we have something that we can discuss. Trustee Raskob said that right now people throw the three million dollars in your face and the Boat Club says that they can do it for less but the Boat Club has not shown us this. Trustee Raskob said that unfortunately this is a do your homework kind of thing, we know what needs to be fixed; we all agree with what needs to be fixed and the scope of work is fairly consistent and there is not a great dichotomy in terms of that; we can argue about the use of the site until we are blue in the face but putting up a seawall is putting up a seawall. Trustee Raskob said it would be most helpful to the Yacht Club and would make them look more reasonable if they came back to the Board with something firm and in writing that we can have as part of the discussion. Trustee Raskob said that the Club needs to polish

up their PR because there are a lot of people out there who are not the Yacht Club's friends and those are the people who need to be persuaded.

Trustee Raskob stated that his tenure here post-dates Metro Enviro and wanted to address the e-mails mentioned by Trustee Schmidt. Trustee Raskob said that the e-mails do appear troubling at first glance; in the time that he has been active in politics no one was lobbying to open 1 Croton Point Avenue; it was never mentioned; it was never discussed and he cannot think of anyone saying that it would be a great idea. Trustee Raskob said that there are a lot of rumors going around and rumors are a lack of proof and the origin of these rumors are these e-mails. Trustee Raskob said that we do not really know where these e-mails came from; they were posted on the North Country News Website which some might argue is a partisan source and came from a person named Maria Cudequest who might also be considered a partisan source based on past history. Trustee Raskob said that these allegations were picked up by the Journal News who pretty much repeated what was on the North Country News and they did not interview anyone other than the Mayor. Trustee Raskob said that there are a lot of people on these e-mails and he was curious as to whom they were because most of the names were unfamiliar to him. Trustee Raskob named the following people on the e-mails; George Oros, Chief of Staff for County Executive Astorino and we can assume that Astorino is in the loop since his Chief of Staff is on the list; Thomas Lauro, Westchester County Commissioner of Environmental Facilities; he oversees the environmental operations in the County otherwise known as trash; Louis Vetrone Westchester County Deputy Commissioner of Environmental Facilities and Mario Parise, Director of Operations for the Solid Waste Division. Trustee Raskob said that these are the people who are concerned with recycling and waste transfer. Trustee Raskob said that there were also other people on these e-mails; Charles Montalbano, attorney for one of the companies that operated Metro Enviro; Kenneth Gunshaw, attorney representing one of the co-owners and Steve Corrigan who is a commercial real-estate broker who is apparently trying to broker the sale of this site to the County or someone else. Trustee Raskob asked the following questions; what is their interest; what is their game and why are we getting this at all especially since these e-mails are two years old which seems kind of strange. Trustee Raskob said that this all comes down to money, ash and garbage; all of these people have an interest in getting cheaper ash and garbage transported because right now it is burned up in Peekskill; it is trucked out and if they can somehow get it out less expensive it would be to the County's benefit. Trustee Raskob said that there is a lot of money involved because you are talking about County trash; County tax dollars and whoever gets this contract will do extremely well because there is a lot of money in trash removal and they are all thinking; wouldn't it be great if we could just put all this ash down at 1 Croton Point Avenue and put it on a train. Trustee Raskob said that the only problem is that the Village of Croton, after a long and extensive court battle previously got the trash stopped. Trustee Raskob said that he has to thank Ms. Cudequest because she has done us a big

favor bringing this to our attention. Trustee Raskob said that you have to listen to everyone to see what they give you and to think that someone is an adversary or an enemy despite whatever may have gone on in the past is incorrect. Trustee Raskob said that if we read these e-mails assuming they are legitimate; we have to believe that the County at the highest level is trying to re-open 1 Croton Point Avenue, not this Board but the County. Trustee Raskob said that there is a problem here because we've checked, no one knows what is going on, there are no deeds filed, no filings in the court, we only have rumor from one source. Trustee Raskob said that Ms. Cudequest came before the Board saying that there is a deal afoot; maybe there is something that we do know about yet. Trustee Raskob said that if you read all these e-mails all these parties are working on each other to get a deal and the alleged statements that are attributed to the Mayor are from one party to another, they are all stinging each other to try to make this deal work because if it works the County saves money, the contractor makes money and the broker makes money. Trustee Raskob said that he thinks we are being used as a pawn here; the County would really love to get this station re-opened, but there are a couple of problems, the Astorino Administration came out against waste transfer; they campaigned with keeping it closed and you can't really go back on that very easily unless you create a controversy. Trustee Raskob said if a battle does come they will have the best attorney's trash can buy to go against the Village and then we are back to this all over again. Trustee Raskob said that there is more going on here than just whether or not someone was having a meeting; what is going on here is whether the County is trying to make us re-open the transfer station or get someone to figure out a way to do it. Trustee Raskob said that make no mistake here, we don't want to do it and we are not soliciting to do it. Trustee Raskob said that the real issue is if it does come; it will be reviewed according to the law; it will be made on the merits of the application; it will go through all of the committees under the law and we will discharge those obligations according to law and to the wishes of our constituents. Trustee Raskob said that partisan bickering and people making wise comments is not part of this and people are being used. Trustee Raskob thanked Ms. Cudequest for tipping the County's hand to us and showing us what is really going on here; what the internal discussions are; showing us what the County really wants to do and we would not have known this if it wasn't for these e-mails. *Trustee Raskob* said that it is a huge failure on the part of the Journal News for not contacting anyone from the Village before they wrote this story. Trustee Raskob said "as Sherlock Holmes said the games are afoot".

Trustee Gallelli said that no one on the Board or this Administration including herself is promoting or encouraging or wants a waste transfer or ash transfer operation to return to Croton. Trustee Gallelli said that it is very disparaging and discouraging as a Trustee to think that fellow residents are so ready to believe that this might be true. Trustee Gallelli said that every person on this Board, whether we agree with each at one time or not, works to benefit Croton and to make it a better place which, in her opinion, does not include a return of

a waste transfer facility. Trustee Gallelli said that based on a response from the site owners during a recent police incident at the site, it seems likely that the ownership might be changing. Trustee Gallelli said that we do not have any specific information on this transfer of ownership or plans for the site by any new owner; no title change; no application for any development and no request for information about the site; we have nothing. Trustee Gallelli said that if a new owner comes forward with an application for use on this site it will be required to undergo extensive review by all appropriate boards and some with requirements for public hearings as well. Trustee Gallelli said that nothing is known about any plans or changes to the current ownership of the site.

Trustee Gallelli reported that the Recreation Department had very successful programs this summer; one of the outstanding numbers is the total number of patrons attending Silver Lake this summer at 9,655; the attendance at the concerts were typically two hundred to six hundred per concert and movie attendance ran up to one-hundred and fifty per movie. Trustee Gallelli stated that the numbers show the quality of our Recreation programs and thanked the Parks and Recreation Staff for making this happen.

Trustee Gallelli announced that the CAC is going to hold their daffodil planting on October 13th, 9:00am at the Duck Pond area.

Trustee Gallelli announced that applications for the upcoming window painting contest are available at the various stores where windows will be painted; applications must be returned to the Recreation Department by October 17th.

Trustee Gallelli advised that this past week former Trustee Richard Barbuto passed away; he was a Trustee during the 1980's and involved in the closing of the Croton Point Landfill; he was a great member of our community; a good friend and he will be missed.

Trustee Schmidt stated that there has been a history of trustees supporting or not having the gumption to go up against the waste industry; there were many times where the balance of the board changed and there are trustees who came on who were quick to go back to negotiations to settle that issue through a negotiation with the owners and operators of that property rather than standing the ground. Trustee Schmidt said that it was a political and a legal mistake that was made from day one when the interpretation of that property was that it was a legal non-conforming use and it was only Marianne Stecich who stepped in and said that argument was flawed and that is where we made our argument. Trustee Schmidt said that the Mayor and Trustee Gallelli were eager many times to go back into discussions because they felt we could not win that fight; that is why there is suspicion about that whole situation going on down there and always questions and concern about that facility.

Trustee Raskob said that the fact that Croton residents cannot receive FIOS Television has nothing to do with the Village and referred residents with any questions regarding this to the website DSLReports.com. Trustee Raskob said that this website reports that Verizon again confirms no future FIOS expansion and will only build out where they have a current contract; they have made this decision at the highest level and there is nothing that we can do to change it. Trustee Raskob said that we are fortunate that we have two companies that can provide this service in our Village.

Trustee Murtaugh said that while he voted to proceed with the development study and potential uses for the Yacht Club it does not preclude the Yacht Club from providing their own plan with their own ideas and concepts which can be utilized and rolled into this development study. Trustee Murtaugh said that he takes issue with what Mr. Gabrielsen said that he believes that the Yacht Club is viewed as a sore thumb and is an evil organization and that is not the case from where he sits. Trustee Murtaugh said that he feels the Yacht Club is an asset to the Village; the property is an asset to the Village whether the Yacht Club is there or not and we should do what we can within our responsibility to our tenants and to the population as a whole here in the Village. Trustee Murtaugh said that he is not an expert on this and looks forward to input from our consultants and hopefully input from the Yacht Club members.

Mayor Wiegman said that the statement he made at the outset of the meeting will be made available to the public. Mayor Wiegman said that the Energy Home Efficiency Program mentioned earlier this evening makes free or low cost home assessments available to the public and households earning under \$218,000 will get a free assessment. Mayor Wiegman said that this assessment will tell you how to make your home more comfortable and that contractor will give you a series of prices for that work which can be financed at 2.99% through the State Program.

There being no further business to come before the Board, Trustee Raskob made a motion to adjourn the meeting. Trustee Schmidt seconded the motion; approved 5-0. The meeting was adjourned at 11:02pm

Respectfully submitted
Judy Weintraub, Board Secretary

Village Clerk