

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, November 19, 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 Staudt	Trustee Raskob
Village Treasurer Bullock - absent	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 a special presentation to Trustee Schmidt by issuing a Proclamation thanking him for his years of service as Mayor and Trustee of the Village of Croton on Hudson.

2. APPROVAL OF VOUCHERS:

Trustee Schmidt made a motion to approve the following Fiscal Year 2012-2013 vouchers. The motion was seconded by Trustee Gallelli and approved with a vote of 5-0.

General Fund	\$1,535,638.17
Water Fund	\$ 77,389.44
Sewer Fund	\$ 3,635.00
Capital Fund	\$ 87,309.23
Trust Fund	\$ 3,433.32
Total	\$1,707,395.00

3. PRESENTATION:

Mayor Wiegman advised that he, along with representatives from many municipalities in Westchester, attended a meeting this morning with Westchester County Executive Robert Astorino to discuss "Best Practices" for emergency preparation and management throughout the County. Mayor Wiegman advised that he made some specific requests on behalf of the Village of Croton-on-Hudson; that the County update and provide their list of "Special Needs" persons before a storm hits and that the list be shared with local municipalities and that all utility companies provide an up-to-date map of power grids so that communities can pinpoint where lines are down. Mayor Wiegman stated that a "Local Resiliency Plan"; knowing who lives and works in our community are also important parts of our planning practices. Mayor Wiegman said that communities will be facing many changes and we

will have to adapt to these changes and our services with respect to rising energy prices, increase in single adults and changes in the way we communicate to those residents; older Americans who may become less car dependent and young adults who will be driving less and using more public transportation.

Village Manager Zambrano advised that FEMA has been in contact with the Village; they are in our community and he will be attending meetings with them along with our Superintendent of Public Works Marco Genneralli. Village Manager Zambrano introduced representatives from FEMA and the U.S. Small Business Administration who will be assisting the Village; Tamara Jackson and Bradford Caldwell Public Relations Specialists from the U.S. Small Business Administration; Janice Fulton, Paul DeLage, Kevin Hannes, Gary Weidner, Frank Frassetto and Andrew Uberes all representatives from FEMA.

Kevin Hannes, FEMA Branch Director, Hudson Valley Region, said FEMA is here to assist the Village and that all claims should be registered with them and gave an overview of the process needed to submit claims. Mr. Hannes said that small business owners and employees may qualify for small business loans and they should meet with representatives from the U.S. Small Business Administration to file those claims.

4. CORRESPONDENCE:

- a. Letter from Jack Wood, New York State Department of Taxation and Finance regarding the Tentative Railroad Equalization Rate.

5. CITIZEN PARTICIPATION-AGENDA ITEMS

Virginia Calcutti, 19 Hunter Street, Croton-on-Hudson, said that the Village used to have a program where the Superintendent of Public Works would go around and check trees and mark those that were considered dangerous. Ms. Calcutti said that many trees look like they are ready to fall and we should take an inventory of trees. Trustee Murtaugh stated that staff does a tree inventory every spring and there is a current practice to look after our dangerous trees. Trustee Murtaugh also commented that many of the trees that fell during the storm were healthy trees. Mayor Wiegman advised that we do have a staff member who has been trained to identify dangerous trees.

Kevin McClone, 2 Stevenson Place, Croton-on-Hudson, said that he felt that DPW staff should have been out during the storm removing trees. Village Manager Zambrano stated that DPW staff members are not emergency workers or first responders; they are not trained and Westchester County

does not recommend anyone other than emergency workers and first responders to be out during a storm. Village Manager Zambrano said that trees were falling with live wires and we chose on the side of safety first. Village Manager Zambrano said that it is unfair to have expected our DPW workers to be out during the height of the storm; it was not safe and is not recommended. Trustee Murtaugh said that a decision was made to release our DPW staff knowing that they would have to come back well rested the next morning. Trustee Murtaugh added that many staff members did not go home but stayed locally so that they would not have a problem getting back to the Village in the morning.

Mr. Richard Zumbach, of Half Moon Bay, asked how FEMA would handle damages to Half Moon Bay and parts of their waterfront. Mr. Hannes encouraged Mr. Zumbach to contact their insurance company and FEMA will look at the issues related to their waterfront.

Bradford Caldwell, Public Relations Specialist of the U.S. Small Business Administration explained that there are a number of low interest loan programs available for business and homeowners.

6. RESOLUTIONS:

a. On motion of TRUSTEE SCHMIDT seconded by TRUSTEE MURTAUGH, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a 4-1 vote. Trustee Murtaugh voted Nay.

WHEREAS, representatives for the property owner of 365 South Riverside Avenue, consisting of two parcels and 369 South Riverside Avenue have filed tax certioraris against the Village for the years 2008 through 2012; and

WHEREAS, similar certioraris have been filed against the Town of Cortlandt; and

WHEREAS, the Town of Cortlandt has agreed with the property owner to settle at a market value ranging from approximately \$1,400,000 to \$1,200,000 for the years in question, for all three parcels; and

WHEREAS, the Village Tax Assessor recommends that the Village also agree to a market value ranging from approximately \$1,400,000 to \$1,200,000 for the years in question, for all three parcels; and

WHEREAS, such assessment reduction will cause a tax refund as follows:

365 South Riverside Tax Map Id. No. 79.13 – 1 – 66

YEAR	ASSESSMENT	CORRECTED ASSESSMENT	REDUCTION	REFUND
2008	\$51,100	\$28,400	\$22,700	\$ 5,272.37
2009	\$51,100	\$28,400	\$22,700	\$ 5,175.35
2010	\$51,100	\$28,400	\$22,700	\$ 5,171.31
2011	\$51,100	\$28,400	\$22,700	\$ 5,384.03
2012	\$51,100	\$29,070	\$22,030	\$ 5,303.68
TOTAL				\$26,306.74

365 South Riverside Tax Map Id. No. 79.13 – 1 – 68

YEAR	ASSESSMENT	CORRECTED ASSESSMENT	REDUCTION	REFUND
2008	\$5,650	\$3,120	\$2,530	\$ 587.63
2009	\$5,650	\$3,120	\$2,530	\$ 576.81
2010	\$5,650	\$3,120	\$2,530	\$ 576.36
2011	\$5,650	\$3,120	\$2,530	\$ 600.07
2012	\$5,650	\$3,230	\$2,420	\$ 582.61
TOTAL				\$2,923.48

369 South Riverside Tax Map Id. No. 79.13 – 1 – 69

YEAR	ASSESSMENT	CORRECTED ASSESSMENT	REDUCTION	REFUND
2008	\$17,150	\$13,000	\$4,150	\$ 963.89
2009	\$17,150	\$13,000	\$4,150	\$ 946.15
2010	\$17,150	\$13,000	\$4,150	\$ 945.42
2011	\$17,150	\$13,000	\$4,150	\$ 984.31
2012	\$17,150	\$13,300	\$3,850	\$ 926.88
TOTAL				\$4,766.65

for a total refund of \$33,996.87; and

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby authorizes the proposed settlement and authorizes the Village Attorney to consent to the Final Order and Judgment reflecting this settlement with the Supreme Court of the State of New York.

DISCUSSION:

Trustee Schmidt asked what was their market value prior to this filing. Trustee Gallelli said that she thought the original assessment was in the high \$2 million range. Mayor Wiegman stated that commercial properties go through a five year process and this is the end of that process and that the Town of Cortlandt has already agreed to a settlement with the property owner.

Trustee Murtaugh made the following statement: tonight we have a resolution before us which represents a low point for the Village and the Harmon area; the property known to us as Croton Dodge has applied for a tax reduction; the Town of Cortlandt has already granted a lowering of their assessment which reduces the tax paid by the property owner which impacts our school district and we are here this evening to discuss the Village's assessment on this property. Trustee Murtaugh explained that the owner seeks a \$33,000 reduction on three parcels. Trustee Murtaugh stated that he is terribly disappointed that the owner had made no effort whatsoever in keeping his property in an appealing condition; a coat of paint on the nail parlor was warranted years ago and the sink hole in the parking lot is still apparent despite the fact that he has recently leased the property out to another auto repair facility. Trustee Murtaugh stated that there has been almost no attempt to improve this property which might have lead to more opportunity to the owner; instead it was allowed to decline so that a tax reduction could be applied based on its decrepit condition. Trustee Murtaugh stated that the owner allowed his building to decline over the years and quoted the Town of Cortlandt as follows "being that they (the property) are presently occupied with obsolete improvements demolition would be necessary". Trustee Murtaugh stated that another part of this equation is the fact that the Village was sued two times by a handful of disgruntled residents over the rezoning efforts which would have afforded this owner more opportunities. Trustee Murtaugh stated that even if the parcel owner had tried to maintain his property any potential tenant could have been scared off because of the uncertainty of the lawsuits. Trustee Murtaugh said that the Village spent over \$200,000 defending itself against the lawsuit and now we need to add another \$33,000 in tax refunds to this owner. In closing Trustee Murtaugh said that he is extremely disappointed that the Village has to give any resources to this property owner and is further disappointed that a handful of unhappy residents have hijacked this issue and allowed this area of the Village to continue its slide.

Trustee Schmidt said that he understands where Trustee Murtaugh is coming from; we have to go back to the simple fact that this piece of property has been over assessed for years and is one of the biggest reasons why this property has not been re-developed; the property was over-valued and they were asking too much money for it and the taxes kept people away. Trustee Schmidt said that the property owner should have aggrieved these taxes years ago and there may have been a chance it would have still been a viable business. Trustee Schmidt said that one of the reasons the Harmon area has not been developed is because we have properties that are overinflated and if they would be more realistic and offered their properties at reasonable rates people would have

come and redeveloped the area. Trustee Schmidt said that the Village needs to have a property maintenance law and we need to send a clear message that if you are going to own property in this Village you have to take care of it.

Trustee Gallelli stated that she supports Trustee Murtaugh's statement. Trustee Gallelli said that we need to consider how we can move ahead with establishing some sort of a vacancy tax or vacancy registration that would help the Village avoid all the negative things that are associated with having businesses that are sitting vacant for long periods of time.

CITIZEN PARTICPATION-NON AGENDA ITEMS

Virginia Calcutti, 19 Hunter Street, Croton-on-Hudson, thanked Trustee Schmidt for all his years of service to the community and hopes that the community will see him again.

Kevin McClone, 2 Stevenson Place, Croton-on-Hudson, thanked Trustee Schmidt for his years of service to the community.

Kevin Davis, 17 Wolf Road, Croton-on-Hudson, thanked Trustee Schmidt for serving the Croton community.

APPROVAL OF MINUTES

Trustee Murtaugh made a motion to approve the minutes of the Executive Session held on October 22, 2012 regarding EMS as amended. Trustee Gallelli seconded the motion. The Board approved with a vote of 5-0.

Trustee Gallelli made a motion to approve the minutes of the Executive Session held on October 22, 2012 regarding Harmon. Trustee Murtaugh seconded the motion. The Board approved with a vote of 5-0.

7. REPORTS

Village Manager Zambrano thanked Trustee Schmidt for his support over the years and for giving him the opportunity to serve as Village Manager; it has been a pleasure working with him.

Village Manager Zambrano addressed the issue of Code Enforcement and stated that sometimes it takes a long time for the process but they are out there doing their job. Village Manager Zambrano said that he would like to try to set up a meeting with the Prosecuting Attorney in an attempt to make the process move more quickly and efficiently.

Trustee Schmidt stated that when he made the decision not to run again it was not an easy decision because it has been a pleasure representing Croton these past years. Trustee Schmidt thanked those residents who supported him over the years and to those who had not; it is important that a community is represented by both sides and we must be mindful of that. Trustee Schmidt said that many times he had changed his opinion on issues based on how residents presented their case to him and that has been an incredible learning process. Trustee Schmidt thanked the staff for all their support and is very proud that during his tenure he worked hard to bring professionalism to our staff; we have some very dedicated individuals who do a great job for the Village. Trustee Schmidt thanked his fellow Board members both present and in the past; the community has come a long way from when he first moved to Croton and is very proud of the things that we have accomplished and that Croton is becoming a vibrant community again. Trustee Schmidt said that he is very proud to have worked on changing how business is done here in Croton requiring staff to look at ways to reduce spending. Trustee Schmidt said that spending will get harder down the line and hoped that the Board will look at sharing services. Trustee Schmidt said that he is very proud that we transitioned to our new Village Manager; Mr. Zambrano is a great asset and has brought fiscal responsibility to our Village. Trustee Schmidt said that he is proud that we were able to promote a new Police Chief; he is very accessible and works very hard. Trustee Schmidt said that we also transitioned to a new Superintendent of Public Works; Marco Gennarelli has been an incredible asset and has brought a whole other professionalism to the Village and made the Department much more responsive to our residents. Trustee Schmidt highlighted some of the projects that he worked on and is most proud of the renovation of the Croton Harmon Parking Lot; it has saved the Village time and money on having to displace people every time it rained and allowed the Village to increase the revenue and helps to keep our taxes low; he is also very proud that he helped to get Croton Landing moving forward and open to the public; proud that we were fought Metro Enviro and that it is shut down and reminded everyone that they will need to keep their eyes and ears open to make sure that it stays closed. Trustee Schmidt said that there is a lot more to be done but he is very proud of what we have been able to accomplish. Trustee Schmidt said that it was a mistake to move the Village election from March to November; we are going to get lost in the big politics and if you want to keep local government local you need a separate election when people can focus on Croton. Trustee Schmidt said that we will need to be on top of our future projects; they need to be done in a timely fashion; benefit community and not overburden the taxpayers. Trustee Schmidt thanked the Mayor for his Proclamation and stated that it was been a pleasure working with this Board. In closing Trustee Schmidt thanked his family for all their support and tireless dedication to him over the years.

Trustee Raskob thanked Trustee Schmidt for his service; he has learned a lot from him and appreciates what he has done for our community.

Trustee Gallelli thanked Trustee Schmidt for all his service to the community. Trustee Gallelli remembered back to the early 1980's when she and Greg attended many meetings together. Trustee Gallelli said that she knows that Trustee Schmidt will continue his service to the community and continue being active in the Rotary and the Croton Coalition.

Trustee Gallelli reminded everyone that the Recreation Department and the Croton Business Council will be holding their annual tree lighting and holiday boutique on Saturday, December 1st.

Trustee Gallelli thanked the Yacht Club for a very nice luncheon following the Veteran's Day Ceremony.

Trustee Gallelli noted that the Westchester County Budget has been put forward and they will be holding a Public Hearing next Thursday at Cortlandt Town Hall at 7:00pm.

Trustee Gallelli wished everyone a happy Thanksgiving Day holiday.

Trustee Murtaugh thanked Trustee Schmidt for his long service; the Village is a better place because of his service. Trustee Murtaugh said that for the past two years he has enjoyed working with him and wished him good luck in his retirement.

Trustee Murtaugh stated that the Village was very fortunate that during Sandy we did not have any casualties; one Police Officer, Officer Smith, was injured but is pleased that he has recovered and wished him well. Trustee Murtaugh commended Officer Smith for his concern for the Village and coming in hours before his shift just so he would be here in case he was needed.

Village Attorney Staudt wished Trustee Schmidt and his family all the best and said that it has been a pleasure working with him.

Mayor Wiegman stated that all of us who serve here stand on the shoulders of the giants who preceded us and therefore the next Board will stand on your shoulders while you do other things for our community and thanked him again for his service.

Mayor Wiegman said that Croton will continue to hold the utility's "feet to the fire". Mayor Wiegman stated that during the storm we were able to make very specific assessments to our Con-Edison and utility crews that were dispatched as conditioned changed. Mayor Wiegman said that many utility poles throughout the community had splintered during last year's snow storm and while the utility companies were able to restring some of those wires that had

come down during this storm it is evident that many poles will need to be replaced throughout the community.

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 9:02pm

Respectfully submitted
Judy Weintraub, Board Secretary

Village Clerk