

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, December 3, 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	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 advised that the Board was to hold the Annual Organizational Meeting this evening but due to Westchester County Board of Election’s inability to certify Croton’s and other Villages November election the Annual Organizational Meeting has been postponed and the Board will proceed with the regular agenda items. Mayor Wiegman explained that Trustee Schmidt will remain as a “holdover” until the election is certified and our new Trustee is sworn in.

Mayor Wiegman explained that over ten million dollars a year is spent County-wide disposing of yard waste and that 60% of that money is used for disposing of leafs. Mayor Wiegman introduced a program called “Love EM and Leave EM” and encouraged residents and landscape contractors to mulch leafs rather than leave them curbside for pick-up. Mayor Wiegman stated that not only are there cost savings but there are also many environmental benefits to our community.

2. APPROVAL OF VOUCHERS:

Trustee Raskob 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	\$ 65,042.44
Water Fund	\$ 1,794.16
Sewer Fund	\$ -
Capital Fund	\$ 86,352.84
Trust Fund	\$ 5,000.00
Total	\$158,189.44

### 3. CORRESPONDENCE:

- a. Letter from Daniel O'Connor, Village Engineer advising that his office received a letter from 337 South Riverside Avenue (Antons) requesting an extension of their Building Permit.

On motion of TRUSTEE GALLELLI and seconded by TRUSTEE SCHMIDT the Board approved a request from 337 South Riverside Avenue (Antons) for an extension of their Building Permit. Motion was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York with a 5-0 vote.

- b. Letter from Mary Haley, Communication and Special Event Coordinator, Teatown Lake Reservation, dated November 16, 2012 requesting permission to set-up an eagle viewing site at the boat landing adjacent to the Croton-Harmon Metro North Station.

On motion of TRUSTEE SCHMIDT and seconded by TRUSTEE GALLELLI the Board authorized the Village Manager and staff to coordinate the request from Teatown Lake Reservation for use of the boat landing and parking area at Harmon Train Station as detailed in their letter dated November 16, 2012. Motion was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York with a 5-0 vote.

- c. Flyer from Croton Friends of History advising of an upcoming event on December 6, 2012 at 7:00pm called "Westchester's Lost Railroad" at the Croton Library.

- d. Letter from W. Alan Kresge, Program Manager, Valuation Service Bureau, State of New York Department of Taxation and Finance dated November 15, 2012 advising of the Tentative Special Franchise Assessment.

- e. Letter from Rebecca Bellard, New York State Department of Taxation dated November 15, 2012 advising that the Notice of Tentative Special Franchise Full Values has been forwarded to the Assessor's Office.

- f. Letter from Debra LaBelle, Chief Consumer Outreach & Education Office of Consumer Policy, New York State Department of Health dated

November 2012 advising of their energy efficiency and financial assistance program for elderly and fixed and low income residents.

g. Letter from Adam Falk, Vice President Governmental Affairs, Cablevision advising that they have been working very hard to restore service to the Croton community.

#### 4. CITIZEN PARTICIPATION-AGENDA ITEMS

Virginia Calcutti, 19 Hunter Street, Croton-on-Hudson, encouraged the appointment of Dick Nagle as the Acting Department Head of the Croton EMS. Ms. Calcutti stated that the community will not find anyone more dedicated to the people of Croton and she supports his appointment.

Kevin McClone, 2 Stevenson Place, Croton-on-Hudson, said that he supports mulching leaves and suggested that when the Village implements the program they should give a grace period until everyone is aware of the program.

#### 5. RESOLUTIONS:

a. 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 5-0 vote.

WHEREAS, on July 2, 2012 Mayor Wiegman, at the request of the Director of Emergency Management; Richard Nagle, appointed a Citizens Advisory Committee to explore options and make recommendations to the Board of Trustees regarding the future delivery of services by the Croton Emergency Medical Services office, and

WHEREAS, the EMS Citizens Advisory Committee met weekly over several months and presented their findings and recommendations to the Board of Trustees at a work session on October 22, 2012, and

WHEREAS, the Board of Trustees hereby accepts the recommendations of the Croton EMS Citizens Advisory Committee to provide additional oversight by appointing an acting department head that will report directly to the Village Manager, and

WHEREAS, it is the recommendation of the Village Manager to appoint the Director of Emergency Management, Richard Nagle to the position of Acting Department Head of the Croton EMS department, and

WHEREAS, as Acting Department Head of the Croton EMS, Mr. Nagle will work with the membership to get a slate of officers for the year 2013, and

WHEREAS, as Acting Department Head of the Croton EMS, Mr. Nagle will have the authority to make necessary organizational and operational changes for the proper functioning of the Croton EMS.

NOW THEREFORE BE IT RESOLVED: the Board of Trustees hereby ratifies the appointment of Mr. Richard Nagle to the position of Acting Department Head of the Croton EMS and is hereby authorized to work with the membership to get a slate of officers for the year 2013 and to make the necessary operational changes for the proper functioning of the Croton EMS.

DISCUSSION:

Trustee Raskob stated that we are fortunate that someone is willing to rise to take care of an immediate need and thanked Mr. Nagle for that.

Trustee Murtaugh said that Ms. Calcutti along with three other Village residents comprised the EMS Citizens Advisory Committee and it is their recommendations that we are following. Trustee Murtaugh stated that Mr. Nagle is the natural choice and thanked Gary Diggs for his past service.

Trustee Gallelli said that since Dick Nagle was appointed as Emergency Management Director for the Village we have had ample time to see his capabilities and professionalism and is confident that we have the right person for the job. Trustee Gallelli thanked Gary Diggs for his years of service as Chief of the Croton EMS.

Trustee Schmidt said that the Croton EMS has worked very hard to get us off the ground to become a stand-alone institution and it just needs a little help and guidance at this time; it is not a criticism of anyone; it is just a step to help it get to the next level and thanked Gary Diggs for his hard work in getting the Croton EMS to this level.

Village Manager Zambrano echoed all the comments made and thanked Dick Nagle for volunteering to do this; he is very grateful and it brings a level of

comfort to the Village knowing that we are going to be able to move forward. Mr. Zambrano also thanked the Committee for all their hard work in getting us to this point.

Mayor Wiegman echoed everyone's comments and thanked Mr. Nagle for agreeing to step in.

Comments by Dick Nagle: "When I appeared before this Board on June 11<sup>th</sup> this year, I described the Croton Emergency Medical Service as a fragile organization. There were, at that time, only a handful of volunteers responding on a regular basis to cover over 600 ambulance calls each year. Now, six months later, the condition has not improved. If anything, it has gotten worse with several more members leaving for various reasons. Despite the allocation of \$16,500 by this Board specifically for recruitment and retention of volunteers there has been no program put forth by Croton EMS to this point. As I said in June, Croton EMS needs volunteer drivers to share the workload with those few very dedicated members of the organization who continue to respond on a day to day basis. We already have paid EMT's and share a paid paramedic with Ossining and Briarcliff; we need volunteer drivers. Over the next several weeks we will be reaching out to the people of Croton asking them to step up and be trained to drive our ambulances. Depending on their individual background and experience they could be driving in less than a week. Members of our volunteer fire department, many of whom are already qualified to drive the ambulance, will be asked to, once more, become "emergency drivers". The goal is to reduce response time of the ambulance in order to get qualified medical personnel to the side of a patient as quickly as possible. I am confident that Croton Emergency Medical Service will be able to get an ambulance to a patient living within a one mile radius of the Harmon Firehouse in less than five minutes ninety percent of the time. This past month of November Croton EMS responded to twenty-six calls within the one mile radius. Only seven of those calls, or twenty-seven percent, met the five minute criteria. With additional volunteer drivers responding directly to the scene of an emergency, the paid EMT can respond with the ambulance immediately upon receipt of the call. The response times will be reduced and not just within the one mile radius but throughout the entire Village. I mentioned earlier the stalwart members of Croton EMS who have been bearing the brunt of the workload. Gary Diggs, the founder of Croton EMS five years ago, continues to be one of the highest percentage responders. He is joined by John Ghegan, Phil Dinkler, Anita Dominello and Jake Dinkler. The people of Croton owe these five individuals a debt of gratitude. As we progress with the reorganization of Croton EMS I have asked the members of the Citizens Advisory Committee that the Mayor

appointed in June to stay on as members of the Board of Directors of Croton EMS. Rose Raffa, Ginny Calcutti and Joe Streany have agreed to continue to serve. I sincerely thank them. The road ahead is not going to be easy but with the support of the people of Croton we will be able to continue the long tradition of volunteerism in our Village. In closing Mr. Nagle thanked the Mayor and Board for the confidence they have placed in him in helping Croton EMS to stay alive and well."

#### CITIZEN PARTICIPATION-NON AGENDA ITEMS

Virginia Calcutti, 19 Hunter Street, Croton-on-Hudson asked the status of the feasibility study on the Yacht Club. Village Manager Zambrano advised that they have met with the consultants; they are in the process of preparing a draft report and once it is completed sometime in January he will bring it before the Board for their review.

Virginia Calcutti, 19 Hunter Street, Croton-on-Hudson, asked why computers and files were not moved from the DPW facility prior to the storm; what is the trailer being used for; what are they doing with the offices and does the Village have flood insurance. Village Manager Zambrano advised that computers and files were moved out of the facility prior to the storm; one computer was inadvertently left behind but most of the files did not sustain any damage. Village Manager Zambrano said that the trailer is being used for locker rooms and bathrooms; they are in process of repairing the damage to the offices and those costs will be paid by FEMA. Village Manager Zambrano advised that the Village does not have flood insurance for this facility.

Bill Tuttle, 32 Harrison Street, Croton-on-Hudson, invited the Mayor and Board to the Pearl Harbor Ceremony to be held on Friday, December 7<sup>th</sup> at 5:00pm at Senior Hall. Mr. Tuttle thanked the Board for all their support over the years.

Kevin McClone, 2 Stevenson Place, Croton-on-Hudson, asked if any of the questions that were raised at the "Citizen Participation Meetings" have been addressed. Village Manager Zambrano advised that he is preparing a report for the Board that will be discussed at an upcoming work session. Mr. Zambrano stated that some of the questions will require Board approval.

Roseann Schuyler, 41 Olcott Avenue, Croton-on-Hudson, asked if all three of the "Informational Meetings" were video-taped and how can we find out when the meetings will be aired. Village Manager Zambrano advised that the meetings were video-taped and will advise the community when they will be broadcast.

Roseann Schuyler thanked Trustee Schmidt for all his years of service and his many accomplishments and for always doing what is in the best interest of the community.

#### APPROVAL OF MINUTES

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

Trustee Murtaugh made a motion to approve the minutes of the Regular Meeting held on November 19, 2012 as amended. Trustee Raskob seconded the motion. The Board approved with a vote of 5-0.

#### 6. REPORTS

*Village Manager Zambrano* congratulated Laura Seitz and Carol Shanesy for being inducted into the Westchester County 2012 Senior Citizen Hall of Fame.

*Village Manager Zambrano* advised that he will be bringing the list of items that were brought up at the three "Citizen Participation Meetings" to the Board of Trustees for their review. Mr. Zambrano stated that there were many good suggestions with respect to parking, noise, sidewalks, and Con-Edison's lack of response during Hurricane Sandy.

*Village Treasurer Bullock* thanked Trustee Schmidt for giving her the opportunity to serve Croton as their Village Treasurer and stated that it was a pleasure working with him.

*Trustee Schmidt* advised that the Croton Coalition sponsored a vigil last week to recognize those who struggle with drug addiction. Trustee Schmidt said that two residents spoke about their personal losses and thanked them for coming and sharing their stories. Trustee Schmidt said that the Croton Coalition has been working over the past three years addressing this issue.

*Trustee Schmidt* said that if we are going to continue to pick up leaves he suggested that it would make the job work more efficiently if we came up with a system that would alert residents when the trucks will be in their area and advise them not to park on the street. Trustee Schmidt also suggested that if the Village is going to continue picking up leaves we need to rethink how it works in the Business District. Trustee Schmidt said that he would also like to see the Village create small composting areas throughout the community.

*Trustee Schmidt* stated that Westchester County Board of Election's inability to certify Croton's election is an example of how they cannot run it as well as

the Village did. Trustee Schmidt urged the Board to reverse the referendum and get it back to the Village running it again.

*Trustee Gallelli congratulated* Laura Seitz and Carol Shanesy for being inducted into the Westchester County 2012 Senior Citizen Hall of Fame; both of these women have performed many beneficial services to our community.

*Trustee Gallelli* updated and gave background information on the status of the "Gateway Zoning Amendment" as it applies to Harmon. Trustee Gallelli stated that back in November of 2009 after extensive study and public input the Village Board passed an amendment to the "Gateway Law". Trustee Gallelli said that in March 2010, at the end of the one-hundred and twenty day time limit for filing a lawsuit two residents and a small group of people supporting them filed an Article 78 seeking to overturn the law. Trustee Gallelli stated that since then; two years and seven months and three elections later on June 4, 2012, the Village as a defendant of the lawsuit, passed a slightly revised version of the previous zoning law and at the end of the one-hundred and twenty day limit for filing the same group, in mid October, filed another Article 78. Trustee Gallelli stated that this has begun a new round of expenditures as we prepare to defend ourselves against a second Article 78. Trustee Gallelli stated that in the process of defending itself and reaching this point the Village of Croton-on-Hudson has incurred \$257,525.71 in costs as of September 30th of this year; that is not the final number and there are still some outstanding bills to be included. Trustee Gallelli stated that it is the responsibility of a Village Board to set zoning policies and the majority of the Village Board has consistently supported the passage of this zoning since 2009. Trustee Gallelli stated that the proponents of the Article 78's have and continue to hold properties and business owners in the Harmon area hostage due to the uncertainty it has created; they have also held all tax payers' hostage as well by forcing them to pay for the costs. Trustee Gallelli stated that the financial consequences for residents have been huge and now with the filing of a new Article 78 this small group is yet again showing a willingness to cost all other residents additional thousands of dollars as we begin again a process to defend against it.

*Trustee Murtaugh* stated that he supports Trustee Schmidt's suggestion to alert residents when crews are coming to remove leaves; it will certainly speed up the process and it was a great suggestion.

*Mayor Wiegman* thanked Laura Seitz and Carol Shanesy for their long service to our community and congratulated them on being inducted into the Westchester County 2012 Senior Citizen Hall of Fame.

*Mayor Wiegman* said that the cost to the Village to defend itself against this lawsuit over the past two years and seven months is \$257,525.71, but it will be well over that number as the Village proceeds to defend itself once again. Mayor Wiegman said that the community should also take note that it has been

one hundred and seventy-nine days since we adopted the new Zoning Law on June 4, 2012 and that it still has not been able to take affect due to these litigations.

There being no further business to come before the Board, Trustee Murtaugh made a motion to adjourn the meeting. Trustee Gallelli seconded the motion; approved 5-0. The meeting was adjourned at 10:10pm.

Respectfully submitted  
Judy Weintraub, Board Secretary

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Village Clerk