

The Croton-on-Hudson **Village Newsletter**

June 2004

Number 62

June Calendar

- 1 & 14 Village Board Mtg.
- 1 & 22 Planning Bd. Mtg.
- 2 Cons. Advisory Council
- 16 Water Control Comm.
- 9 Zoning Board
- 16 Visual Environ. Bd.

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Ground Water Study Undertaken

Pursuant to both US EPA regulations and the NYS Sanitary Code, Westchester County is required to review all public water supply ground water sources throughout the county. The purpose of this review is to determine if any ground water supply is under the direct influence of surface water. This situation is referred to as GWUDI (Ground Water Under the Direct Influence of surface water). Under the criteria used in the county's Source Screening Phase to identify those ground water sources which might fall under GWUDI, Croton was among several communities required to provide the Westchester Dept. of Health with information that would show that the village's ground water supply does not have surface water influence.

To satisfy the second phase requirement, the Detailed Evaluation Phase, and provide the necessary information, one of three options/methodologies were specified: Water Quality Assessment, Hydrogeologic Assessment or Accepting a GWUDI designation. The latter applies mainly to public wells that already have treatment facilities in place. GWUDI is defined as any water beneath the surface of the ground which exhibits significant and rapid shifts in water characteristics such as turbidity, temperature, conductivity or pH which closely correlates to climatological or surface water conditions or contains indicators of surface

water origin.

Croton chose to do the Hydrogeological Assessment. This requires the Village to hire a hydrogeologist to perform the assessment by addressing well construction details, aquifer characteristics, ground water flow characteristics, degree of hydraulic connection between surface water source and aquifer, and seasonal variations in hydrogeological characteristics. A Request for Proposal (RFP) was formulated by the Village Engineer and Water Foreman to perform this work. Four proposals were received and the project was ultimately awarded to Chazen Environmental Services of Poughkeepsie.

The study will examine the village's three wells and their surrounding area to provide the necessary information to the county. Chazen will also do select groundwater quality sampling to complement the hydrogeologic report.

Daniel Michaud, the project hydrogeologist, for Chazen anticipates that the investigation will take 2-4 months and they will provide a comprehensive hydrogeologic report to the Westchester County Dept. of Health no later than the end of August 2004.

Any communities whose wells are found to have GWUDI involvement would be required to be treated.

Keesler Appointed Clerk

At its meeting of May 3, the Board of Trustees appointed Margaret "Peggy" Keesler as Village Clerk. Ms. Keesler has been serving as Deputy Clerk since 1988. Trustees were unanimous in their praise for Peggy's past services and in agreeing the new position is well deserved and in excellent hands. Manager Herbek previously served as Manager-Clerk. A Public Hearing will be scheduled to amend the Village Code to recognize the title of Village Clerk.

Public Hearings—Why and When

A public hearing is an event that is called for by law in conjunction with certain applications to various boards in the village—Board of Trustees, Planning Board, Zoning Board of Appeals and the Water Control Commission. A public hearing differs from other opportunities for residents to express opinions in that it is directly related to a specific action by a board, is required by either state or village law and requires public notice in advance.

Actions of the various boards that require a public hearing include:

- Village Board—Issuing Special Permits; amending the Village code; amending the Village zoning map; adopting the budget; Type I SEQRA actions.
- Planning Board—Subdivisions; site plans; change of use; Type I SEQRA actions.
- Zoning Board of Appeals—Use and Area variances; special permits; Type I SEQRA actions.
- Water Control Commission—Wetland Activity Permits; Type I SEQRA actions.

The purpose of the public hearing is to give residents an opportunity to ask questions and comment on specific proposed actions. To ensure that the opportunity is known to residents a public notice must be published in the Legal Notices section of at least one of the Village's

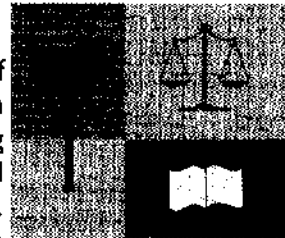
official newspapers—the Gazette and the Journal News. For some actions, written notices are also sent to property owners within a proscribed distance from the proposed action. The time frames in which the notice must be made and the distances for written notification vary with the action. Many of the time and distance requirements are set by NYS Village Law or the NYS Municipal Home Rule Law. The following are some examples that apply to frequently occurring actions:

- Village code amendment— 5 day publication minimum, no written notices required.
- Zoning Map amendment— 30 days notice and written notice to owners within 500 feet.
- Site Plans—10 days published notice, 10 days written notice to owners within 200 feet.
- Wetlands Activity Permit, 10 days published notice, 10 days written notice within 200 feet.
- Variances—10 days published notice, 10 days written notice to owners within 200 feet.
- Type I SEQRA actions—14 days published notice; written comment periods also apply. A SEQRA public hearing may be held in conjunction with the public hearing on the action itself.



Millennium Pipeline Update

The US District Court for the District of Columbia, has granted the motion of the Villages of Croton-on-Hudson and Briarcliff Manor to have intervenor status in the appeal by Millennium Pipeline Co., L.P. of the decision by the Secretary of Commerce to uphold the negative finding by the NYS Dept. of State on the proposed pipeline project. The NYS Dept. of State found that the proposed project is inconsistent with the State's Coastal Zone Management Program. According to the villages' counsel, Neil Levy of Kirkland & Ellis in Washington, D.C., this means that the Villages have been recognized by the court as parties to the proceedings and will be allowed to participate on an equal footing with Millennium and the other defendants. This is a significant decision in the Villages' favor because the Villages, as intervenors (as opposed to amici), have the right to appeal any adverse decision to the D.C. Circuit Court. This means that, even if the District Court of Appeals were to rule in Millennium's favor, the Villages will have the ability to take that decision to a higher court. Amici do not have an independent right to appeal. With intervenor status any settlement discussions between Millennium and the government must necessarily include the Villages. According to Mr. Levy, the Court's decision ensures the Villages a spot at the negotiating table. In the short term, this decision permitted the Villages to participate in the "meet and confer" session ordered by the Court to discuss scheduling and to have a say in whether there will be discovery and what documents will be included in the administrative record.



SUMMERFEST REMINDER!

Celebrate the Summer Season on Sunday, June 6th. The parade kicks off in the Upper Village at 1pm and the fun continues, with live entertainment and good food to 6 pm!

Spotlight on Mark Duncan

Residents who take advantage of the Recreation Dept.'s many programs probably already know Mark Duncan. As Recreation Supervisor for the last 5 years, Mark oversees many programs for the Parks & Recreation Dept.

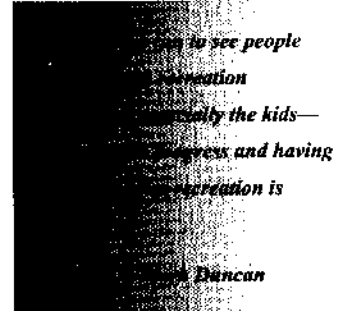
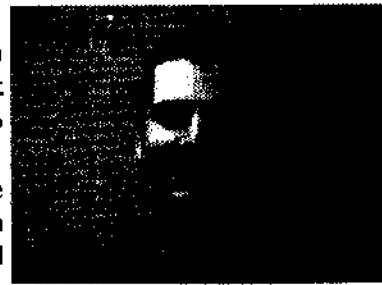
After graduation from SUNY Cortland, Mark served as Intramural Director at SUNY Purchase for 3 years before joining Croton's recreation staff. In his capacity as Recreation Supervisor, Mark supervises the Croton softball league, flag football, basketball program, the boys and girls basketball camps, and the golf program at Hudson National. In addition Mark schedules the use of fields in the village for other

sports groups that have field permits such as AYSO and Little League. As the 'camp operator' for the Tiny Tots and Day camps, he hires staff and organizes trips among numerous other duties. Along with the other Recreation staff, he helps select the summer movies and bands and does the set up for the movies. He enjoys the collaborative aspects of working with the department staff as well as with the people in the community who participate in the programs. The Recreation Dept.'s many special events such as the Goblin Walk, Lunch with the Bunny and window painting are also part of Mark's job. He emphasizes, however, that the Recreation staff

work closely together on these events and get input from each other, helping to make them successful.

In his spare time, Mark is the coach of the Croton Harmon HS varsity baseball team, now in his 5th year. His love for baseball extends to his own participation in the Stan Musial league, a wood bat league, on a team that plays throughout Rockland County and New Jersey at night during the summer. In the winter, Mark enjoys playing in pick-up basketball games to keep active.

Raised in Massena, NY, Mark now lives in Valley Cottage. Mark says he enjoys working with all the village staff in Croton and sees himself remaining here for the foreseeable future.



Budget Approved at 8%

The final budget approved by the Board of Trustees calls for an 8% tax increase, reduced from the 9.3% increase initially proposed. The \$12 million budget anticipates a 7.7% increase in expenditures. The reduction of the total budget amount from the initial proposal resulted from an increase in projected revenues from the 1/2 % increase in the County sales tax. A \$40,000 reduction in the Fire Dept. budget also helped reduce the tax increase. Due to a decision to purchase a new replacement pumper this year (which will be part of the capital budget), the Fire Dept. was able to take out projected costs for repairs and maintenance of the existing pumper.

The new tax rate for the fiscal year 2004-2005 has a tax rate of \$173.66 per \$1,000 assessed valuation.

June Skatepark Hours

The skatepark hours and dates below are subject to change due to weather, maintenance and staff availability.

June 1-24	Mon—Fri	All ages	3pm—6pm
June 25—Sept. 3	Mon—Fri	All ages	12pm—7pm
June-Aug	Wkends	10 & under	11am—12pm
	Wkends	All ages	12pm—6pm
	Wkends	11 & older	6pm—8pm



Earth Day Success

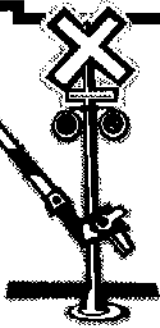
Croton's annual Earth Day Cleanup day was a huge success with close to 150 volunteers participating. Sponsored by the Conservation Advisory Council, and assisted by the DPW, cleanup and plantings took place at Croton Landing, the boat launch on the Croton River, the brook along Brook Street and the Benedict Blvd./S. Riverside Ave. intersection. Shown above are members and leaders of Girl Scout Troop 1245 along with Bruce Laemmel, a resident landscaper who donated materials and time at the Benedict Blvd. site. The Brook St. effort was an Eagle Scout project.

Metro Enviro Permit Denial Upheld

In mid-May, a ruling by the Appellate Division, Second Dept. in Brooklyn, upheld the village's denial in January 2003 of a special permit to Metro Enviro. This decision reversed an earlier decision by State Supreme Court Justice Nicolai which struck down the denial. Metro Enviro has a period of time in which to request an appeal to the Court of Appeals, the state's highest court.

We're on the Web. Visit us at:
<http://www.crotononhudson.com>

Got a Question?



This summer, while the new riverfront road is being constructed, I understand that all access to Senasqua Park, Croton Landing and the Yacht Club will be over the Brook St. at-grade

railroad crossing. Can you provide information for making the crossing safe for pedestrians and vehicles?

Vehicle access to our Hudson riverfront this summer will be restricted to the at-grade crossing reached from the southbound exit and service road of Route 9. Pedestrians also have the option of using the pedestrian bridge located at the foot of Brook St.

There are some important things to know about crossing at a grade crossing. Metro North has a flyer available in the rack outside of the Recreation Dept. that covers many aspects of safety regarding their tracks.

The following rules must be observed when crossing:

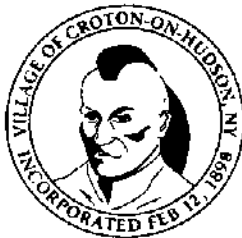
- Cross only at designated crossings. In Croton, this means at the Brook St. at-grade crossing or the pedestrian bridge. It is illegal, as well as dangerous, to cross at any other location and it is considered and treated as trespassing if it occurs.
- Never go around the gates at the crossing. When the gates go down, it means a train is coming and you must stop and wait until the gates are raised again.

At the Brook Street crossing it is also important that you wait until the car in front of you clears the tracks before you start driving across yourself. This will keep you from being stopped on the tracks if the car in front of you pauses for any reason.

Even though there are gates which go up and down to alert you of approaching trains, do not cross the tracks without looking carefully in both directions. Keep in mind that trains cannot swerve to avoid hitting anything in their path and also that they are not able to stop quickly even at low speeds.

While access to the Hudson River waterfront this summer will have some inconveniences, by next summer we should all be using the new waterfront road currently under construction with access from the Half Moon Bay Drive.

June 2004



Published for the Residents of the Village of Croton-on-Hudson

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Georgianna K. Grant, Trustee
Charles Kane, Trustee
Gregory J. Schmidt, Trustee
Leo A. W. Wiegman, Trustee

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