

Mayor Elliott closed Public Hearing.

A motion was made by Trustee McCarthy, seconded by Trustee Schmidt, approved unanimously, to go to Executive Session to discuss this matter. The Board adjourned to Executive Session at 10:45 pm. On motion of Trustee McCarthy, seconded by Trustee Schmidt, unanimous approval, the Board reconvened at 10:50 pm.

On motion of Trustee McCarthy, seconded by Trustee Wiegman, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York with the following role call: Trustee Wiegman "aye", Trustee McCarthy "aye", Trustee Schmidt "aye", Trustee Grant "aye", Mayor Elliott "aye".

ADOPTION OF EMERGENCY TENANT PROTECTION ACT OF 1974

On motion of Trustee McCarthy, seconded by Trustee Wiegman, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton on Hudson, New York:

WHEREAS: the Board of Trustees of the Village of Croton on Hudson held a Public Hearing on May 5, 2003 to consider whether an emergency exists as to any class of housing accommodations in said Village of Croton on Hudson as authorized by Section 8629 of the Unconsolidated Laws of the State of New York; and

WHEREAS: the Public Hearing on May 5, 2003, was also held to consider whether the provisions of the Emergency Tenant Protection Act of 1974 should be invoked in regard to the Village of Croton on Hudson; and

WHEREAS: on the basis of the supply of housing accommodations, the condition of such accommodations and the need for regulating and controlling residential rents within the Village of Croton on Hudson, this Board has found that the vacancy rate for rental housing accommodations within the Village of Croton on Hudson is not in excess of five percent (5%); and

WHEREAS: the Board has found that in the largest housing complex in the Village, with substantially more housing units than all other residential complexes and buildings with six (6) or more dwelling units combined, the new owner has sought to impose large, double-digit rent increases on its tenants;

NOW, THEREFORE, BE IT RESOLVED: that on the basis of the foregoing, this Board hereby declares that an emergency exists and declares an emergency as to all the housing accommodations with fifty (50) or more housing units; and be it

FURTHER RESOLVED: that effective upon adoption of this resolution the provisions of the Emergency Tenant Protection Act of 1974 as amended shall apply to all residential accommodations in the Village of Croton on Hudson in buildings or complexes containing fifty (50) or more dwelling units; and be it

FURTHER RESOLVED: that the provisions of this resolution shall continue in force and effect until the Board of Trustees shall determine that the conditions of an emergency as defined by the Act shall no longer exist, and be it

FURTHER RESOLVED: that the State Division of Housing and Community Renewal is the sole administrative agency to administer the regulation of residential rents as provided in the Emergency Tenant Protection Act of 1974, as amended to date; and be it

FURTHER RESOLVED: that a certified copy of this resolution shall be forwarded to the State Division of Housing and Community Renewal indicating that the effective date of this resolution is May 5, 2003; and be it

FURTHER RESOLVED: that the Board of Trustees directs the Village Manager to take all other steps necessary to secure enforcement of this resolution.

4. CORRESPONDENCE:

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

- a) A letter from Ann Gallelli, Comprehensive Plan Committee regarding the Town of Cortlandt Draft Comprehensive Plan and concluding that overall the Cortlandt Draft Plan has the same intent as the Croton Comprehensive Plan and is a substantial improvement over the previous Cortlandt Comprehensive Plan.
- b) The Historical Society's Annual Report from Joyce Finnerty, Village Historian.
- c) A letter from Richard Cappellazzi, Grand Street, regarding Operation Christmas Tree. Trustee Schmidt has concerns about who is paying for this and what the costs would be; Village Manager Herbek will continue to follow up.
- d) A letter from Gail Abrams, Teatown Lake Reservation, Inc. requesting permission to use the Village parking lot at Croton Harmon train station for weekly distribution of produce, Saturdays between 1 pm and 4 pm. The Board agreed to allow the use and Village Manager Herbek will work out details. Trustee McCarthy stated that they should make provisions to maintain area. Trustee Schmidt suggested to Village Manager Herbek that perhaps there should be a policy on use requests for the parking lot.
- e) A letter from Janet Nelson, Finney Farm Road, regarding a photo album about Croton that she asked to be available for the May 5th meeting.

5. CITIZEN PARTICIPATION:

Fran Allen and Mary Fagan, regarding the sewer odor issue, stated that they met on Thursday with Village Manager Herbek, Mayor Elliott, Village Board members and others; some recommendations have been made; force mains will be cleaned soon; they had concerns that have been going on for so long, but has been done piecemeal. Ms. Allen and Fagan suggested going back to a consultant without putting a cap on cost to fix this problem. They added that there might be an alternate route for this line; the current study was done to fix the existing line only. Trustee Schmidt replied that they did that already and asked why Arrowcrest was