

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Wednesday, January 22, 2014 at the Municipal Building, Van Wyck Street, Croton-on-Hudson, New York 10520.

The following officials were present:

Mayor Wiegman	Trustee Gallelli
Village Manager Zambrano	Trustee Davis
Village Attorney Staudt	Trustee Levitt
Village Treasurer Bullock	Trustee Slippen

1. CALL TO ORDER:

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

2. APPROVAL OF VOUCHERS:

Trustee Gallelli made a motion to approve the following Fiscal Year 2013-2014 Vouchers. The motion was seconded by Trustee Davis and approved unanimously with a vote of 5-0.

General Fund	\$126,569.26
Water Fund	\$ 3,130.94
Sewer Fund	\$ -
Capital Fund	\$ 86,650.78
Trust Fund	\$ 4,828.00
Total	\$221,178.98

3. CORRESPONDENCE

a. Letter from John McBride, 1 Croton Point Avenue, Croton on Hudson, dated January 8, 2014 recommending changing the term of Office for Village Trustee from two to four years.

Mayor Wiegman stated that he would like to have a discussion to explore the issues around this proposal at a future work session.

Trustee Gallelli stated that the suggestion made by Mr. McBride is worthy of a thorough examination and discussion. Trustee Gallelli stated that this is consistent with many other municipalities and is something that we should explore.

Trustee Davis stated that he disagrees with having four-year terms but is willing to discuss it.

Mayor Wiegman asked staff to find an appropriate work session to hold this discussion; Trustees Levitt, Slippen and Gallelli concurred with the Mayor as well that this should be discussed at a future work session.

b. Letter from the State of New York Department of Taxation & Finance Office of Real Property Tax Services dated December 19, 2013 advising that the Certificate of Final Railroad Ceiling for the 2014 Village Assessment Roll will be set at \$64,618.00. Village Manager Zambrano advised that this is an increase from last year's Assessment of \$58,848 and will generate an additional \$1,422 in taxes at the current year's rate.

c. Letter from the Westchester County Rent Guidelines Board advising that a Public Meeting will be held on January 21, 2014. Village Manager Zambrano advised that due to the weather the meeting will be rescheduled.

4. CITIZEN PARTICIPATION-AGENDA ITEMS

Karen Bernard, 14 River Lane, Croton on Hudson, thanked the Village Board for moving so quickly on the Arboretum Lease Agreement. Ms. Bernard advised that the Arboretum would like to make a change to paragraph 1 of the Lease Agreement changing the reference from a "Not for Profit Corporation" to reflect that they are a Non-Profit Corporation". Ms. Bernard also suggested a change in the CAF (Coastal Assessment Form) where it refers to the acreage of the Arboretum at 22.4 acres. Ms. Bernard advised that she does not have the original 1975 Rubin Deed but believes the size of the property is 20.3 acres. Ms. Bernard explained that the 22.4 acres would make sense if we were including the Mann property but she is not sure if that property had in fact been rezoned.

Trustee Gallelli stated that he Mann property has not been rezoned but it is still part of the Arboretum property.

Ms. Bernard explained that this particular piece of property is close to the Con-Edison power towers and at the time when the Millennium Pipeline was looming over Croton Con-Edison engineers indicated that they may want their own pipeline and is concerned that they might at some point in time have some plans. Ms. Bernard suggested that the Board consider pursuing the rezoning of this property to PRE so that it will be protected.

Trustee Gallelli stated that the Comprehensive Plan Committee is moving forward with that proposal to rezone the property.

John McBride, 132 Old Post Road North, Croton on Hudson, stated that he is proposing a change in the term of office only for Village Trustee because the Mayor's term would then coincide with a Trustee election and feels that it would be a better way of conducting the election by creating more interest and possibly a higher voter turnout.

Dan Chesnard, 64 Farrington Road, Croton on Hudson, asked what is wrong with the way Village elections are being run now; it has been this way for as long as he can remember and he does not see the need for a change.

Bob Wintermeier, 43 Radnor Avenue, Croton on Hudson, said that Mr. McBride's proposal will disenfranchise voters; the same people will be here for a long time and dissatisfaction with a new Trustee should not require the electorate to have to wait four years to get a replacement; longer terms would allow Trustees to pass unpopular legislation and he is unclear of any benefits to changing the terms but would be in favor of looking at term limits which was also addressed in Mr. McBride's letter.

5. RESOLUTIONS:

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

WHEREAS, the Village has been in negotiations with the Arboretum for the renewal of its lease; and

WHEREAS, a draft lease agreement has been prepared, and

WHEREAS, the Village Board is considering taking an action to execute the lease agreement with the Arboretum (the "Proposed Action"); and

WHEREAS, the Village has caused Parts 1 and 2 of a Short Environmental Assessment Form (the "EAF") to be drafted in connection with the Proposed Action; and

WHEREAS, the Village has caused a Coastal Assessment Form (the "CAF") to be drafted in connection with the Proposed Action,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Village Board hereby determines that the Proposed Action is an Unlisted action.
2. The Village Board hereby declares itself to be the Lead Agency for SEQRA purposes in connection with the Proposed Action.
3. The Village Board hereby issues the EAF which it has before it in connection with the Proposed Action.
4. The Village Board hereby issues the CAF which it has before it in connection with the Proposed Action.
6. The Village Board hereby refers the Draft Lease Agreement, the EAF and the CAF to the Village Waterfront Advisory Committee for a recommendation back to the Village Board in accordance with Village Law.

DISCUSSION:

Mayor Wiegman advised that during discussions under Citizen Participation on Agenda Items the Lease Agreement was modified to change paragraph 1 to reflect that the Croton Arboretum and Sanctuary, Inc. is a "Non-Profit Corporation".

Trustee Gallelli stated that in anticipation of the Board doing this the Secretary of the Waterfront Advisory Committee has already organized a meeting on January 30th to review this as well and we should have their recommendations back by our next meeting.

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

WHEREAS, as the result of a claim filed against the Village related to 1A Croton Point Avenue, it is necessary to obtain legal services; and

WHEREAS, the Village wishes to retain the law firm of Arnold & Porter, LLP on account of their familiarity with the history of this case,

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby authorizes the Village Manager to sign the Retainer Agreement with Arnold &

Porter, LLP for legal services related to a claim against the Village pertaining to 1A Croton Point Avenue.

DISCUSSION:

Trustee Gallelli advised that this is in response to an action that Greentree Realty has taken to pursue their opposition to the Court Decision and in the event that we need representation we would be looking to have our previous representatives who are knowledgeable about this case handle it for us.

c. On motion of TRUSTEE LEVITT, seconded by TRUSTEE DAVIS, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton on Hudson; with a 5-0 vote

WHEREAS, Hudson National Golf Club located at 40 Arrowcrest Drive has applied for a special permit for building modifications; and

WHEREAS, this matter has been referred to the Planning Board for its recommendation and review; and

WHEREAS, in its January 15, 2014 memo to the Village Board of Trustees, the Planning Board recommends the special permit be approved subject to certain considerations,

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby schedules a Public Hearing in the meeting room of the Stanley H. Kellerhouse Municipal Building at 8 pm on February 3, 2014 to consider the special permit for building modifications at Hudson National Golf Club located at 40 Arrowcrest Drive.

d. On motion of TRUSTEE DAVIS, seconded by TRUSTEE GALLELLI, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton on Hudson; with a 5-0 vote

Whereas, the Village has experienced a steep rise in the number of applications to the Building Department for the installation of solar roof-mounted or ground-mounted photovoltaic systems for both residential and commercial buildings, and

Whereas, the Village code and fee schedule does not directly anticipate this kind of building improvement, and

Whereas, the Village permit fee schedule therefore should be amended to place a fair and appropriate fee schedule on the applications for solar systems, and

Whereas, the Village Building Department and Village Engineer have made the recommendation that the Village follow the guidelines of the New York State Unified Solar Permit Application to streamline the application process for both the applicant and the Village, and

Whereas, doing so (1) requires an amendment to the Village's Permit Fee Schedule, and

Whereas, per section §122-4 of the Village Code, "Adjustment of fees; exclusions" reads "All fees imposed by the Village of Croton-on-Hudson may, from time to time, be adjusted to reflect either an increase or decrease upon a resolution duly enacted by the Board, and

Whereas, The NYS Unified Solar Permit Application, as modified by the Village, may be used once the Village Board adopts the revised fee schedule, and any changes to the fee schedule made by the Village Board will be incorporated into the application;

Now, therefore be it resolved, that the proposed solar photovoltaic system application fee schedule (includes the building permit and certificate of conformity) is:

- \$200 flat fee for PV systems less than 4 kilowatts of generation capacity (kW),
- \$400 flat fee for PV systems 4kW to 10 kW,
- \$400 flat fee, plus \$25 per kW for each kW (or fraction of) over 10 kW, for PV systems greater than 10 kW to 50 kW (see sample table below):

size in kW capacity	Fee
<4.0	\$200.00
between 4.0 and 10.0	\$400.00

Examples for systems over 10kW (5 kW steps)

15	\$525.00
20	\$650.00
25	\$775.00
30	\$900.00
35	\$1,025.00
40	\$1,150.00
45	\$1,275.00
50	\$1,400.00

And be it further resolved, the Village will pursue any needed amendments to the Village Zoning Code to streamline the implementation the NYS Unified Solar Permit Application for those systems requiring site plan and other board approvals.

DISCUSSION:

Trustee Gallelli stated that we are anticipating that there is going to be an increase in the number of these kinds of applications and we currently do not have any provisions in our Fee Schedule.

Mayor Wiegman stated that this is an issue that many municipalities are facing and the State has helped municipalities prepare a standard unified permit application that would assist Building Departments to better understand and inspect these systems. Mayor Wiegman stated that the major change is not to base the permit fee on the cost of construction but to rather base it on the electric size of the system and streamlining the fee structure will make it easier for those applying for permits and know what that fee will be ahead of time. Mayor Wiegman stated that the Village Engineer has pointed out that these fees are slightly lower than what we would have collected by methods of construction costs but since we are seeing an increase in the number of people applying for such systems we will see an increase in the revenues because of the increase in applications. Mayor Wiegman added that the State is also making small grants available for municipalities who have had to make adjustments to their Zoning Code and costs for implementing this program.

Mayor Wiegman stated that in the interest of full disclosure his firm was hired to help promote this program throughout Westchester County and to help assist Building Departments through this process.

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

WHEREAS, an additional fire proof filing cabinet is needed to store Village documents; and

WHEREAS, Bell Office Furniture has provided a quote for a fire proof filing cabinet in the amount of \$3,053.00; and

WHEREAS, this cost was not budgeted for in the 2013-2014 Budget,

NOW THEREFORE BE IT RESOLVED: that the Board of Trustees hereby authorizes the purchase of a new fire proof filing cabinet for the municipal building in the amount of \$3,053;

AND BE IT FURTHER RESOLVED: that the Board of Trustees hereby authorizes the Village Treasurer to transfer \$3,053 from the Contingency Account A.1990.4000 to the Village Clerk Equipment Account A1410.2000 for the purchase of a new fire proof filing cabinet.

7. CITIZEN PARTICPATION-NON AGENDA ITEMS

Bob Wintermeier, 43 Radnor Avenue, Croton on Hudson, asked if someone could elaborate on the possible claim regarding the 1A Croton Point Avenue issue.

Village Attorney Staudt advised that there were multiple lawsuits filed; some have been remanded to the lower courts and some were decided by the Appellate Division but this particular suit claims that the Village was wrong about its position on the zoning of the property and it is has been reactivated in the last several months.

Dan Chesnard, 64 Farrington Road, Croton on Hudson, commended the Public Works Department on a great job clearing Village streets during the last couple of snow storms.

APPROVAL OF MINUTES

Trustee Levitt made a motion to approve the minutes as amended of the Regular Meeting held on January 6, 2014. Trustee Davis seconded the motion. The Board approved with a vote of 5-0.

Trustee Davis made a motion to approve the minutes of the Executive Session held on January 13, 2014. Trustee Slippen seconded the motion. The Board approved with a vote of 5-0.

6. REPORTS

Village Manager Zambrano thanked the Public Works Department for the outstanding work done by the staff in clearing our streets of snow and ice during these recent snow storms.

Village Treasurer Bullock responded to Trustee Gallelli's question from the last meeting asking how many people were utilizing the new on-line payment service for utility billing; Ms. Bullock advised that from December 16th through December 31st nineteen payments came out of the new on-line system out of the eight hundred and fifty-five payments received during that time period via on-line payments.

Mayor Wiegman asked Village Treasurer Bullock to explain the benefits of using the new on-line system.

Village Treasurer Bullock explained that the goal is to get individuals that use their own personal on-line banking to switch to the "Unipay" on-line system. Ms. Bullock explained that by using personal on-line banking there is a delay in the Village receiving payment which can cause payments to come in after the due date. Ms. Bullock explained that by using the "Unipay" system the Village receives the transaction at the point the transaction is done.

Mayor Wiegman stated that in some cases residents using their own personal on-line banking may think that they have paid on time when in fact they haven't

because of the technical standards of the Village not getting the funds by the due date.

Village Manager Zambrano explained that the issue really becomes a problem for those that pay on the last couple of days when a bill is due. Mr. Zambrano advised that when those checks go out they are not post-marked and while the customer may have paid it on line by the due date that check may not go out until a couple of days later. Mr. Zambrano stated that by using the new system residents have the option to pay on the due date and they will get notification that the payment was made timely.

Trustee Davis stated that he is not in favor of extending the terms of Trustee to four years. Trustee Davis stated that if someone is elected to the Board and we find out a year into their term that they are not a good Trustee we would be stuck with them for three more years rather than just one more year. Trustee Davis stated that even with the current system of two year terms we do not always have Trustees who are able to complete their full term and if we extend the terms there will be more situations where Trustees are appointed and it would be a way of getting people on the Board without people electing them. Trustee Davis said that there is also an advantage when someone is an incumbent and it may be harder to find people to run because it is more of a commitment.

Trustee Davis said that he would like the Board to focus on the following items; revision of our Comprehensive Plan with a view towards rezoning Croton Point Park to a PRE to protect it from possible development of multiple homes in the future; review our Zoning Code to get a clearer definition of the Sign Law; look at the best ways to utilize Blackrock Park and to figure out what we are going to do with the Katz Property and look into a shuttle bus during rush hour to take residents to the train station and back.

Trustee Davis advised that on February 2, 2014 the Arboretum will be holding a "Winter Tree I.D. Walk" and encouraged everyone to attend.

Trustee Davis reminded everyone in the Croton Harmon School District that there is a Capital Reserve vote going on at the Croton Harmon High School Gymnasium from 6:00am to 9:00pm.

Trustee Slippen also encouraged everyone to go out and vote for the School District's Capital Reserve vote.

Trustee Slippen advised that she and Trustee Gallelli met with the Farmer's Market Representatives this past week to start discussions on how to improve their

offerings; this is the first in a series of a lot of conversations they will have with them. Trustee Slippen advised that their opening day is scheduled for May 10th.

Trustee Gallelli also thanked the Public Works staff for doing an exceptional job in clearing our streets and for the fine work they are doing in the Village.

Trustee Gallelli stated that even though we have had sustained cold temperatures anyone wishing to skate at the Duck Pond must wait until the flag is posted; our Parks Department staff has been checking the Pond to make sure that we have the required amount of ice and it is safe to skate. Trustee Gallelli also advised that there are a number of areas in Westchester County Parks where winter sports are available for sledding, skating and cross country skiing.

Trustee Gallelli advised that the Comprehensive Plan as it exists now does call for the rezoning of Croton Point Park to a PRE designation and the implementation of that recommendation is something that they have started undertaking as well as the Mann property.

Trustee Gallelli advised that the Bicycle Pedestrian Committee was very happy to learn that the last of the bike posts have been permanently placed in the Harmon area in the vicinity of the Green Growler.

Trustee Gallelli advised that Verizon has finally acknowledged that they are now offering two services; no longer the Triple Play Offer and a Double Play Offer.

Trustee Levitt also thanked the Public Works staff for the work they have done clearing Village streets.

Trustee Levitt advised that the Cortlandt Community Rowing Association is getting organized by residents in both Croton and the Town of Cortlandt; the Association will be operating out of property the Town owns in Verplank; anyone interested in rowing should check out Cortlandt Rowing on Facebook or go to the CortlandtRowing.com website.

Mayor Wiegman advised that the Croton Harmon Education Foundation is holding its Dine-Around this coming Saturday, January 25th.

Mayor Wiegman advised that on February 8th Teatown will be holding their EagleFest at Croton Point Park and other locations throughout the area; tickets for the bus tour are available by going onto their web-site Teatown.org.

Mayor Wiegman advised that he is pleased to announce that the outside walls of his home have been fully insulated with Cellulose Insulation; his home is

less drafty and was all done under the Energize Croton Program and thanked the staff from Energize for their assistance.

There being no further business to come before the Board; Trustee Davis made a motion to adjourn the meeting. Trustee Slippen seconded the motion; approved 5-0. The meeting was adjourned at 9:17pm.

Respectfully submitted

Judy Weintraub, Board Secretary

Paula DiSanto, Village Clerk