

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, March 3, 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 Feldman	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 Davis made a motion to approve the following Fiscal Year 2013-2014 Vouchers. The motion was seconded by Trustee Slippen and approved unanimously with a vote of 5-0.

General Fund	\$ 94,826.15
Water Fund	\$ 6,147.06
Sewer Fund	\$ 318.50
Capital Fund	\$ 1,255.00
Trust Fund	\$ 1,130.00
Total	\$103,676.71

3. CORRESPONDENCE

a. Letter from The Mental Health Association of Westchester dated February 12, 2014 enclosing flyers about their volunteer Ombudsman Program.

b. Letter from Gary Shaw dated February 28, 2014 requesting permission to use Parking Lot A at the Croton Train Station in conjunction with the Annual Peace Walk to be held on Saturday, March 9th.

On motion made by Trustee Davis and seconded by Trustee Gallelli the Board of Trustees unanimously approved the request from Gary Shaw to use Parking Lot A at the Croton Train Station in conjunction with the Annual Peace Walk to be held on Saturday, March 9th and to further authorize the Village Manager to make the necessary arrangements; with a vote of 5-0

4. CITIZEN PARTICIPATION-AGENDA ITEMS

Mark Franzoso, 6 Hixon Road, Croton on Hudson, New York, asked for clarification on resolution e. "authorizing the necessary funding for snow removal on commercial sidewalks as a one-time effort". Mr. Franzoso stated that the DPW has always been removing snow from these sidewalks and is concerned as to why this is now before the Board. Mr. Franzoso additionally blamed the Department of Public works for damaging sidewalks during snow removal.

Village Manager Zambrano explained that businesses in the Upper Village and the Harmon area are concerned with pedestrian safety. Mr. Zambrano advised that he brought this to the Board's attention and they have authorized the removal of the additional snow and ice from the sidewalks so that the sidewalks can be restored back to their normal width.

Mayor Wiegman stated that Mr. Franzoso's statement that the Public Works Department has always removed snow from sidewalks is not a correct statement. Mayor Wiegman stated that in this particular case property owners have no place else to put the snow and the Village is interceding for the benefit and safety of the community.

Trustee Levitt stated that the Department of Public Works does not normally clear snow and ice from commercial and residential owned sidewalks but because of the inordinate amount of snow and ice the Board is authorizing this for safety concerns.

Trustee Gallelli added that there is a section in our Village Law that refers to snow removal that explicitly states that it is the responsibility of the property owner to remove snow from their sidewalks. Trustee Gallelli stated that because of the unusual circumstances this year we need to make a one-time effort.

Virginia Calcutti, 19 Hunter Place, Croton on Hudson, stated that businesses are asking that snow be cleared so that residents can get to the sidewalks safely; right now the sidewalks are blocked by snow and ice and people are forced to walk half-way down the road to find an opening. Ms. Calcutti added that prior to 2007 sidewalks were cleaned by the Village but since 2007 property owners are responsible for removing snow and ice from their sidewalks.

Bob Wintermeier, 43 Radnor Avenue, Croton on Hudson, stated that after reviewing the Yacht Club Lease he does not feel that the one-percent increase after twenty years is compatible with the inflation rate and suggested that instead of saying one-percent it should read "at the inflation rate at that time".

Marshall Goldberg, 11 Alexander Lane, Croton on Hudson, stated that a thirty year Lease Agreement with the Yacht Club seems like an inordinately long time and asked what the rationale was. Mr. Goldberg stated that to bind us to this at a limited rental number is incomprehensible and suggested that something be put into the Lease that there can be periodic renegotiations based upon some type of formula.

Mayor Wiegman advised that the membership has made some significant improvements to the dock area which at a minimum required a twenty year or more investment by the membership of the Yacht Club. Mayor Wiegman added that the Yacht Club is also being asked to make improvements to the Marina on Village land that would outlive the Lease that they currently have. Mayor Weigman added that if the Yacht Club is willing to make improvements to the seawall and ramps as well they would like those improvements to at least have a life expectancy within the length of the Lease or at least not have their Lease halt before their investment would pay off for those improvements.

Trustee Gallelli stated that there are clauses in the Lease that if the Village felt there was an alternative use that would be to the Village's benefit the Lease can be broken.

Kevin McClone, 2 Stephenson Place, Croton on Hudson, stated that he feels it is not fiscally responsible for the Village to go into a thirty-year lease; it is way too long and the rent is way below value. Mr. McClone stated that since the Village would not be able to turn this into a Marina if the Village breaks the lease he suggested a shorter lease. Mr. McClone also suggested that the Village look to do something similar to what the Town of Ossining is trying to do and make it more of a partnership between the Village and the Yacht Club. Mr. McClone addressed #35 of the "Waterfront Advisory Review Sheet" regarding dredging wherein it states that it is "not applicable" but in the Lease Agreement item #4 it states that the Yacht Club agrees to assist the Village by periodically removing sediment at the mouth of the Brook Street Drainage Culvert. Mr. McClone added that we talk about people in the community having access to the Yacht Club but this is a private club and

technically you have to be a member or know someone who is a member to be able to rent the facility.

Mayor Wiegman stated that the distinction is that the Lease is not an act of dredging. Mayor Wiegman advised that eight years ago when the Village and the Yacht Club dredged the basin it required a separate environmental review.

Trustee Gallelli stated that what we are discussing this evening is signing a Lease Agreement with some rules and regulations that will go forward into the future. Trustee Gallelli stated that if in the future the Village and Yacht Club do a project that entails clearing the sediment basin then we would have to go through another SEQRA process with another review with the Waterfront Advisory Committee and then number #35 would apply at that time.

Mark Franzoso, 6 Hixon Road, Croton on Hudson, stated that the Yacht Club is part of the fabric of Croton and supports voting for this tonight.

5. RESOLUTIONS:

- a. A. On motion of TRUSTEE GALLELLI, seconded by TRUSTEE DAVIS, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York; with a 4-0, Trustee Levitt Abstaining.

RESOLUTION OF LWRP CONSISTENCY FOR CROTON YACHT CLUB LEASE AGREEMENT

WHEREAS, in connection with the Proposed Croton Yacht Club Lease Agreement the Village Board is required to make a determination of consistency with the LWRP policy standards and conditions; and

WHEREAS, the Village Board has issued an Environmental Assessment Form and a Coastal Assessment Form in connection with the proposed action; and

WHEREAS, the Village Board has duly referred this matter to the Village Waterfront Advisory Committee which has made and provided in writing to the Village Board both a preliminary and final recommendation of consistency with the LWRP policy standards and conditions; and

WHEREAS, after due deliberation, the Village Board has issued a Negative Declaration in connection with the proposed action; and

WHEREAS, the Village Board has reviewed each of the 44 policies and sub-policies thereunder set forth in the LWRP and the explanation of each policy as set forth in the LWRP; and

WHEREAS, at its meeting on February 18, 2014 the Village Board verbally made its findings with respect to each of the policies and sub-policies and adopted a resolution that, based upon its review of the LWRP, the EAF, the Negative Declaration, the Coastal Assessment Form, and the Waterfront Advisory Committee's preliminary and final recommendations, and the review and discussion undertaken by the Board, the proposed action complies with the policy standards and conditions and is consistent with the policies of the LWRP; and

WHEREAS, the Village Board directed the findings with respect to its determination of consistency as set forth at the February 18, 2014 to be memorialized in written form which as follows,

NOW, THEREFORE, BE IT RESOLVED: that the Board of Trustees of the Village of Croton on Hudson unanimously finds that the LWRP Policies Policy 1, 2, 7B, 9, 9A, 19A, 19B, 20, 21A, and 34 are applicable to and consistent with the Croton Yacht Club Lease Agreement and that the Yacht Club Lease Agreement is consistent with those Policies and,

BE IT FURTHER RESOLVED: that the Village Board finds that entering into the Yacht Club Lease Agreement is consistent with the Policy Statement and conditions set forth in the Local Waterfront Revitalization Program of the Village for the reasons concurred in by the Board members in their discussion on February 18, 2014.

**WATERFRONT ADVISORY COMMITTEE LOCAL WATERFRONT
REVITALIZATION PROGRAM – POLICY REVIEW SHEET
PROJECT: CROTON YACHT CLUB**

Policy	DEVELOPMENT POLICIES	Applicable	Consistent	Comments
1	Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational and other compatible uses	Yes	Yes	Board concurred with WAC
1A	Existing planning and zoning documents should be reviewed and amended where necessary to ensure development within the community is consistent with adopted goals and policies			

Policy		Applicable	Consistent	Comments
1B	Redevelop and revitalize Village owned land at the Metro North Train Station, including Village garage and bay area. Encourage integrated development of Village property to assure fulfillment of requirements relating to parking and accessory uses of Metro North Train Station, while facilitating public access to bay area and recreational use.			
1C	Every effort should be made by the municipality to encourage the mutual cooperation and exchange of information between governmental agencies involved in clean-up of the Croton landfill and Metro-North lagoon in order to develop commercial use of resources found in the coastal area.			
1D	Require restoration of deteriorating structures related to railroad use and assure appropriate maintenance and screening to reduce visual impact.			
1E	Develop the old sewage treatment plant site at the intersection of Route 9A and Municipal Place.			
2	Facilitate the siting of water dependent uses and facilities on or adjacent to coastal waters	Yes	Yes	Board concurred with WAC
2A	Expand restrictions on the use of power boats on the Hudson River and Croton River and Bay by further enforcing the parameters that regulate boat traffic such a speed, turbidity, safety, and mooring and sludge disposal. Such controls will further increase the compatibility of power boat use with other forms of recreation use within the coastal zone area.			
3	The state coastal policy regarding the development of major ports is not applicable to Croton.	No		Board concurred with WAC
4	The state coastal policy regarding the strengthening of small harbors is not applicable to Croton.	No		Board concurred with WAC
5	Encourage the location of development in areas where public services and facilities essential to such development are adequate, except when such development has special functional requirements or other characteristics which necessitate its location in other coastal areas.	No		Board concurred with WAC
5A	When feasible, development within the Village should be directed within the current service area of existing water and sewer facilities or in close proximity to areas where distribution lines currently exist.			
5B	The extension of water and sewer distribution lines beyond areas currently served should be undertaken cautiously and with prudent regard for Village water resources and the preservation of environmental values in undeveloped areas.			

Policy		Applicable	Consistent	Comments
5C	Limit proposed development within those portions of the coastal zone boundary area, where traffic impacts such as site distance and carrying capacity of the roadways are restricted, particularly along Route 9A, Albany Post Road and Route 129.			
6	Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.	No		Board concurred with WAC
6A	To expedite permit procedures, the Village shall coordinate all relevant local laws into a development package for applicants and/or make all local laws available to applicants proposing development activities.			
	FISH & WILDLIFE POLICIES			
7	Significant coastal fish and wildlife habitats will be protected, preserved, and, where practical, restored so as to maintain their viability as habitats.			
7A	The quality of the Croton River and Bay significant fish and wildlife habitat and Haverstraw Bay significant fish and wildlife habitat shall be protected and improved for conservation, economic, aesthetic, recreational, and other public uses and values. Its resources shall be protected from the threat of pollution, misuse, and mismanagement.			
7B	Materials that can degrade water quality and degrade or destroy the ecological system of the Croton River and Bay significant fish and wildlife habitat and the Haverstraw Bay significant fish and wildlife habitat shall not be disposed of or allowed to drain in, or on land within, the area of influence in the significant fish and wildlife habitats.	Yes	Yes	Board concurred with WAC
7C	Storage of materials that can degrade water quality and degrade or destroy the ecological system of the Croton River and Bay significant fish and wildlife habitat or Haverstraw Bay significant fish and wildlife habitat shall not be permitted within the area of influence of the habitat unless best available technology is used to prevent adverse impacts to the habitat.			
7D	Restoration of degraded ecological elements of the Croton River and Bay and Haverstraw Bay significant fish and wildlife habitats and shore lands shall be included in any programs for cleanup of any adjacent toxic and hazardous waste sites.			
7E	Runoff from public and private parking lots and from storm sewer overflows shall be effectively channeled so as to prevent oil, grease, and other contaminants from polluting surface and ground water and impact the significant fish and wildlife habitats.			
7F	Construction activity of any kind must not cause a measurable increase in erosion or flooding at the site of such activity, or impact other locations. Construction activity shall be timed so that spawning of anadromous fish species and shellfish will not be adversely affected.			

Policy		Applicable	Consistent	Comments
7G	Such activities must not cause degradation of water quality or impact identified significant fish and wildlife habitats			
8	Protect fish and wildlife resources in the coastal area from the introduction of hazardous wastes and other pollutants which bio-accumulate in the food chain or which cause significant sub lethal or lethal effect on those resources.	No		Board concurred with WAC
9	Expand recreational use of fish and wildlife resources in coastal areas by increasing access to existing resources, supplementing existing stocks, and developing new resources. Such efforts shall be made in a manner which ensures the protection of renewable fish and wildlife resources and considers other activities dependent on them.	Yes	Yes	Board concurred with WAC
9A	Ensure continued recreational use and public access to the rivers through Village-owned land adjacent to the Metro-North parking lot, at Croton Point Park and at Senasqua Park, along the Croton River, and at the Croton Yacht Club. Efforts should be made to encourage recreational use of the fish and wildlife resources found in these areas by increasing the opportunities for public access and enjoyment	Yes	Yes	Board concurred with WAC
9B	Encourage passive recreational enjoyment of the wildlife in the designated significant fish and wildlife habitats, on the Audubon Society Sanctuaries, on other public or private lands within the Village, where wildlife habitats are located. Encourage the recreational use of areas where such resources are found, as well as the protection of such resources.			
10	Further develop commercial finfish, shellfish and crustacean resources in the coastal area by encouraging the construction of new or improvement of existing on-shore commercial fishing facilities, increasing marketing of the state's seafood products, maintaining adequate stocks, and expanding aquaculture facilities. Such efforts shall be made in a manner which ensures the protection of renewable fish and wildlife resources and considers other activities dependent on them.	No		Board concurred with WAC
	FLOODING & EROSION POLICIES			
11	Buildings and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion	No		Board concurred with WAC
11A	Erosion and sediment control measures shall be undertaken in order to safeguard persons, protect property, prevent damage to the environment, and promote the public welfare by guiding, regulating and controlling the design, construction, use and maintenance of any development or other activity which disturbs or breaks the topsoil or results in earth movement.			

Policy		Applicable	Consistent	Comments
12	Activities or Development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs. Primary dunes will be protected from all encroachments that could impair their natural protective capacity	No		Board concurred with WAC
12A	Every effort should be made to protect Croton Point, a natural protective barrier to Croton Bay from activities or development that would increase erosion of or flooding of the Point			
13	The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs.	No		Board concurred with WAC
13A	Any bulkheads along the Hudson must be maintained in good condition and private landowners should be required to restore and maintain erosion control mechanisms along their river frontage which are designed for long term stability.			
14	Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development, or at other locations.	No		Board concurred with WAC
15	Mining, excavation or dredging in coastal waters shall not significantly interfere with the natural coastal processes which supply beach materials to land adjacent to such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.	No		Board concurred with WAC
16	Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features	No		Board concurred with WAC
16A	Public funds shall be appropriated for the yearly maintenance of Senasqua Park until such time that is determined that expenditure of funds outweighs the cost of acquiring, constructing and maintaining a similar public park on Croton's waterfront.			

Policy		Applicable	Consistent	Comments
17	Whenever possible, use non-structural measures to minimize damage to natural resources and property from flooding and erosion. Such measures shall include: (i) the setback of buildings and structures; (ii) the planting of vegetation and the installation of sand fencing and draining; (iii) the reshaping of bluffs; and (iv) the flood-proofing of buildings or their elevation above the base flood level.	No		Board concurred with WAC
17A	Efforts to control erosion along the rivers and on the steep slopes rising from areas inland shall be of a non-structural nature, wherever possible, in consideration of the visual impact of structural measures. The retention or planting of vegetative covers will be preferred to structural measures.			
18	To safeguard the vital economic, social and environmental interests of the state and of its citizens, proposed major actions in the coastal area must give full consideration to those interests, and to the safeguards which the state has established to protect valuable coastal resource areas.	No		Board concurred with WAC
	PUBLIC ACCESS POLICIES			
19	Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities so that these resources and facilities may be fully utilized in accordance with reasonably anticipated public recreation needs and the protection of historic and natural resources. In providing such access, priority will be given to public beaches, boating facilities, fishing areas and waterfront parks.	Yes	Yes	Board concurred with WAC
19A	Encourage the linkage of open space along the Hudson and Croton Rivers in the form of a trail or walkway system. Such systems should be provided along undeveloped and underutilized land as well as along previously developed land.	Yes	Yes	Board concurred with WAC
19B	Increase physical access to areas that have specific value for their physical and visual access to the Hudson River or Croton River and Bay.	Yes	Yes	Board concurred with WAC
19C	Encourage the expansion of public transportation, when feasible, to areas within the coastal zone area where water dependent and water enhanced recreation activities are located.			
19D	Increase access to Croton River and Bay at the Village-owned land south of the Village parking lots at the Croton-Harmon Station.			
19E	Maintain the trail, which provides access to the Croton River waterfront, in its current undeveloped condition as a pedestrian walkway.			
20	Access to the publicly-owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly-owned shall be provided and it should be provided in a manner compatible with adjoining uses. Such lands shall be retained in public ownership.	Yes	Yes	Board concurred with WAC

Policy		Applicable	Consistent	Comments
21	Water dependent and water enhanced recreation will be encouraged and facilitated, and will be given priority over non-water related uses along the coast, provided it is consistent with the preservation and enhancement of other coastal resources and takes into account demand for such facilities. In facilitating such activities, priority shall be given to areas where access to the recreation opportunities of the coast can be provided by new or existing public transportation services and to those areas where the use of the shore is severely restricted by existing development.	No		Board concurred with WAC
21A	Boating activities should be encouraged provided that they do not restrict other recreational opportunities and are undertaken in a manner compatible with existing water-dependent uses.	Yes	Yes	Board concurred with WAC
22	Development when located adjacent to the shore will provide for water-related recreation, as a multiple use, whenever such recreational use is appropriate in light reasonably anticipated demand for such activities and the primary purpose of the development	No		Board concurred with WAC
23	Protect, enhance and restore structures, districts, areas of sites that are of significance in the history, architecture, archaeology or culture of the state, its communities or the nation.	No		Board concurred with WAC
24	Prevent impairment of scenic resources of statewide significance as identified on the coastal area map. Impairment shall include: (i) the irreversible modification of geologic forms, the destruction or removal of vegetation, the destruction, or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resource; and (ii) the addition of structures which because of siting or scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource.	No		Board concurred with WAC
25	Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the coastal area.	No		Board concurred with WAC
25A	Protect local scenic resources by preventing: (i) the irreversible modification of geologic forms, the destruction or removal of vegetation or wetlands, the destruction, or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resources; and (ii) the addition of structures which because of siting scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource.			

Policy		Applicable	Consistent	Comments
25B	Secure the designation of the panoramic views from Croton Point as a scenic area of statewide significance.			
25C	Secure the designation of Routes 9 and 129 within the Croton boundaries as a scenic road. Ensure developments on or adjacent to Route 9 do not impair scenic resources or views of or from the Hudson and Croton Rivers			
25D	Establish and protect identified viewsheds which provide visual access to the Hudson River, including but not limited to the views of the Hudson River from the western shoreline of the Village, and from Prickly Pear Hill, Lounsbury Hill, and River Landing. In addition, protect viewsheds to and of the Croton River and Gorge.			
26	The state coastal policy regarding the protection of agricultural lands is not applicable to Croton	No		Board concurred with WAC
	ENERGY AND ICE MANAGEMENT POLICIES			
27	Decisions on the siting and construction of major energy facilities in the coastal area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need for a shorefront location.	No		Board concurred with WAC
28	Ice management practices shall not damage significant fish and wildlife and their habitats, increase shoreline erosion or flooding, or interfere with the production of hydroelectric power.	No		Board concurred with WAC
28A	Ice management practices must consider short and long term impacts on the Croton River and Bay and Haverstraw Bay significant fish and wildlife habitats.			
29	The state coastal policy regarding the development of energy resources is not applicable to Croton.	No		Board concurred with WAC
	WATER AND AIR RESOURCES POLICIES			
30	Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, into coastal waters will conform to state and national water quality standards.	No		Board concurred with WAC
30A	Existing rail services and transportation-related facilities shall not dispose any materials in coastal waters until such materials have been tested by the state for conformance with water quality standards.			
30B	Storage and disposal of all materials shall be monitored by the state to assure there will be no discharge or leaching of materials into coastal waters.			
31	State coastal area policies and purposes of approved local waterfront revitalization programs will be considered while reviewing coastal water classifications and while modifying water quality standards; however, those waters already over-burdened with contaminants will be recognized as being a development constraint.	No		Board concurred with WAC

Policy		Applicable	Consistent	Comments
31A	Clean water is desired and NYSDEC should continually monitor water quality in the Hudson River and Croton Bay which have already been overburdened with pollutants. Recommendations for mitigation and upgrading water quality classifications cannot be determined without continual monitoring and testing of the waters.			
32	Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high, given the size of the existing tax base of these communities.	No		Board concurred with WAC
33	Best Management Practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.	No		Board concurred with WAC
33A	Encourage new developments to retain stormwater runoff on site so as to not increase flows within the existing system or to improve existing stormwater runoff systems to that runoff from such developments does not adversely impact coastal waters			
33B	Improve existing Village stormwater discharge to control flow of pollutants from street and parking areas, etc. directly in the rivers.			
34	Discharge of waste into coastal waters from vessels will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas.	Yes	Yes	Board concurred with WAC Yacht Club confirmed that they have policies & procedures which are recognized by the State
34A	There shall be no discharge from moored structures or marine vessels, due to shape of cove and lack of tidal flushing.			
35	Dredging and dredge spoil disposal in coastal waters will be undertaken in a manner that meets existing state dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.	No		Board concurred with WAC
36	Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.	No		Board concurred with WAC
37	Best Management Practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.	No		Board concurred with WAC
37A	Standards and specifications for the control of non-point source discharge as set forth in Westchester County's Best Management Practice Manual or other recognized reference shall be utilized during development of any site.			

Policy		Applicable	Consistent	Comments
37B	Control of the development of hilltops, and steep slopes should be exerted in order to prevent erosion and minimize runoff and flooding from new construction.			
38	The quality and quantity of surface water and ground water supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.	No		Board concurred with WAC
39	The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within coastal areas will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources.	No		Board concurred with WAC
39A	Require transporters, producers and storers of hazardous material to inform the public or allow public access to records involving the transport, storage, treatment and disposal of hazardous materials. This is of particular concern with respect to rail transport of such materials, storage of identified materials on railroad property and uses in the waterfront area involved in the treatment, storage and disposal of such materials.			
39B	In accordance with Title III, Section 302, Emergency Planning and Community Right-to- Know of the 1986 Superfund Reauthorization Act, the local emergency planning committee and the Croton Fire Department shall be notified if hazardous substances exceed the established threshold planning quantity			
40	Effluent discharged from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to state water quality standards.	No		Board concurred with WAC
41	Land use or development in the coastal area will not cause national or state air quality standards to be violated	No		Board concurred with WAC
41A	A NYSDEC point-source air monitoring station should be established within the Village of Croton-on-Hudson.			
42	Coastal management policies will be considered if the state reclassifies land areas pursuant to the prevention of significant deterioration regulations of the Federal Clean Air Act.	No		Board concurred with WAC
43	Land use or development in the coastal area must not cause the generation of significant amounts of the acid rain precursors: nitrates and sulfates.	No		Board concurred with WAC
43A	Encourage the use of shuttle bus service to the train station, thereby decreasing dependency on the automobile use and reduce the generation of acid rain precursors.			
43B	Encourage the use of low sulphur fossil fuels for rail vehicles and encourage the development of a monitoring program to assess rail vehicle engines emissions.			
44	Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.	No		Board concurred with WAC

Policy		Applicable	Consistent	Comments
44A	Wetlands, water bodies and watercourses shall be protected by preventing damage from erosion or siltation, minimizing disturbance, preserving natural habitats and protecting against flood and pollution			

DISCUSSION:

Trustee Gallelli stated that this is the written version of what the Board went through quite extensively at our last Board Meeting.

Mayor Wiegman advised that this has been a long process and under the State Environmental Review Act the Village needs to go through this whenever there is a significant action being taken within the Village. Mayor Wiegman advised that when the Village became part of the Coastal Zone Management Program it placed every parcel of land within the Village in the Waterfront Revitalization Program.

b. On motion of TRUSTEE GALLELLI, seconded by TRUSTEE DAVIS, 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 Levitt voting Nay.

WHEREAS, the current Croton Yacht Club Lease Agreement is due to expire on May 31, 2014; and

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

WHEREAS, a draft lease agreement has been prepared, and

WHEREAS, after due deliberation, the Village Board has issued a Negative Declaration in connection with the Croton Yacht Club Lease Agreement; and

WHEREAS, the Village Board has reviewed each of the 44 policies and sub-policies set forth in the LWRP and finds that the LWRP Policies; Policy 1, 2, 7B, 9, 9A, 19A, 19B, 20, 21A, and 34 are applicable to and consistent with the Croton Yacht Club Lease Agreement; and

WHEREAS, the term of the lease shall be twenty years from June 1, 2014 to and including May 31, 2034, with one additional 10 year renewal option provided that the Croton Yacht Club has met all the obligations stipulated in the lease; and

WHEREAS, an annual rent of \$20,000.00 shall be paid for the first five years; then \$25,000.00 from year 6 to year 10, then \$30,000 from years 11 through 20 and starting on year 21 of the lease, if the additional 10 year option is exercised, the annual rent shall be adjusted by 1% per year until the end of the lease.

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to sign the Lease Agreement with the Croton Yacht Club commencing on June 1, 2014 and ending May 31, 2034, with an additional 10 year extension option to be exercised if the Croton Yacht Club has met all the obligations stipulated in the lease.

DISCUSSION:

Mayor Wiegman said that the wording on page two, section 1C of the Lease Agreement needs to be clarified as to what the Board and the Yacht Club is agreeing to with respect to rent and years and asked that the Board approve the resolution subject to final approval and clarification by our Village Attorney. Mayor Wiegman explained that the \$20,000 is a 45% rental increase from the current rent and is a steep inflation at the front end of the Lease; the term of the Lease Agreement is twenty years from June 1, 2014 to and including May 31, 2034 and Club shall have the right to continue leasing for one additional ten-year period commencing on the expiration date.

Trustee Davis stated that the Yacht Club is agreeing to pay a significantly higher rate than what they are currently paying; they are a great asset to the community and do many other projects for the Village that has a lot of value.

Trustee Levitt stated that when he first came onto the Board he felt that we should not do this but now that he has had the opportunity to look at the issue more closely and had the opportunity to meet some of the leadership and members of the Yacht Club it is a much closer call for him. Trustee Levitt stated that based on the situation as it is now and the information that he has he is still not able to support the Lease at this time. Trustee Levitt stated while some people in the community have expressed frustration in the amount of rent there is a significant increase in the rent over the prior Lease and once you look at the numbers the rent is not as low as it appears in view of all that the Yacht Club is required to do for the Village which has a real dollar value. Trustee Levitt added that he is also very much in favor of a Yacht Club where people can afford to have a boat. Trustee Levitt said that looking at this in isolation it is not as horrible deal as he thought it was initially but the sticking point for him is that he cannot look at it in isolation; this is a very long term lease and in many respects it is a private club that is ultimately not used by that many people in the Village or have the opportunity to use. Trustee Levitt

said that he would like to see a shorter term renewal; take a broader look to see what we might be able to do with the property; ways to increase community access, keep affordable boating and continue to study the possibility of a restaurant. Trustee Levitt stated that while he does think that the Yacht Club brings a lot to the community he is unable to vote in favor of this at this time.

Trustee Gallelli said that when she moved to Croton forty years ago the Yacht Club was here; she is not a member and not a boater, but ever since she has lived here the Yacht Club has been part of the fabric of the community. Trustee Gallelli stated that for her Croton is a river town and the Yacht Club is part of being a river town. Trustee Gallelli stated that Croton's concept of its waterfront, which she has been involved in over many years, is one about reasonable accessibility for its residents and multiple uses and certainly boating is one of them. Trustee Gallelli stated that having a boat club that most residents can belong to if they desire is important to that concept; as a Trustee she has learned about a lot of the work that the Yacht Club has done for the Village particularly at Senasqua Park and that is very valuable to us. Trustee Gallelli stated that over the years the relationship between the Yacht Club and the Village has changed in positive ways especially with the new leadership. Trustee Gallelli stated that the Club has increasingly become a partner with the community by sponsoring many community events throughout the year that have been well attended giving our residents an opportunity to come out and see what a wonderful place it is. Trustee Gallelli stated that we have accessibility to the River through our paths which are being expanded as well under this new Lease. Trustee Gallelli stated that she expects that this level of partnership and cooperation is going to continue in the future with the continuation of the new Lease and she is happy to see that we can continue to have a Yacht Club providing these benefits to the Village that go beyond just revenue. Trustee Gallelli stated that she will be supporting this tonight because she feels the Yacht Club is a very valuable part of our community.

Trustee Slippen stated that although she is not a member of the Yacht Club she has had opportunities to attend events there and while she is not closely tied to any members of the Club she has been able to access the Yacht Club for a fundraiser for our schools. Trustee Slippen stated that the members were gracious and happy to be involved and happy to be able to share this wonderful resource that they have. Trustee Slippen advised that the Yacht Club is also working on a program with the schools called "River Related Curriculum"; in the past the School District has had to go outside the Village to do this program but now because of the relationship with the Yacht Club they will be able to work with them so that the youngest members of our Village are going to have access to this as well. Trustee Slippen stated that while it is called a Yacht Club you can have a kayak or a jet sky and be a member

and while there is still a financial piece to this compared to what other Yacht Club's on the Hudson River cost this is something that is very accessible to all members of the community and for that reason and because she believes it is an integral part of Croton as a river town she will be supporting it this evening.

Mayor Wiegman advised that over the years that he has served on the Board the Yacht Club has been increasingly reaching out to the community and to the Village. Mayor Wiegman stated that the Yacht Club started out with requesting a much longer lease term and the Village started with a shorter term and after lengthy discussion we met up in the middle. Mayor Wiegman stated that there are intangibles that come into play here and as mentioned before the Yacht Club is essentially one of the last places for affordable boating in the area. Mayor Wiegman stated that the option does exist for the Village, if we turn down this lease, to privatize the Yacht Club with a commercial marina which would basically price nearly everyone who is currently a member out of the market. Mayor Wiegman stated that he is not so sure that we would like the results of that because the Village would have to pick up the slack for all the other work that the Yacht Club would no longer do for the Village and we would certainly be hard pressed to have a commercial vendor do community outreach. Mayor Wiegman stated that the notion of doing something different on the River such as a restaurant was raised this evening but the working Marina that we have is not necessarily compatible because it is frequently inundated with flood water and referred to a piece of land to the north that would be a better location. Mayor Wiegman said that we have a very long collaboration with the Yacht Club and if we were to walk away from this or turn this down we would essentially be putting the Yacht Club out of business; those members and future members would be forced to make other arrangements and this is not something that the Yacht Club deserves.

c. On motion of TRUSTEE SLIPPEN, seconded by TRUSTEE GALLELLI, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York; with a 4-0 vote; Trustee Levitt Abstaining.

RESOLUTION OF LWRP CONSISTENCY FOR CROTON ARBORETUM LEASE AGREEMENT

WHEREAS, in connection with the Proposed Croton Arboretum Lease Agreement the Village Board is required to make a determination of consistency with the LWRP policy standards and conditions; and

WHEREAS, the Village Board has issued an Environmental Assessment Form and a Coastal Assessment Form in connection with the proposed action; and

WHEREAS, the Village Board has duly referred this matter to the Village Waterfront Advisory Committee which has made and provided in writing to the Village Board both a preliminary and final recommendation of consistency with the LWRP policy standards and conditions; and

WHEREAS, after due deliberation, the Village Board has issued a Negative Declaration in connection with the proposed action; and

WHEREAS, the Village Board has reviewed each of the 44 policies and sub-policies thereunder set forth in the LWRP and the explanation of each policy as set forth in the LWRP; and

WHEREAS, at its meeting on February 18, 2014 the Village Board verbally made its findings with respect to each of the policies and sub-policies and adopted a resolution that, based upon its review of the LWRP, the EAF, the Negative Declaration, the Coastal Assessment Form, and the Waterfront Advisory Committee's preliminary and final recommendations, and the review and discussion undertaken by the Board, the proposed action complies with the policy standards and conditions and is consistent with the policies of the LWRP; and

WHEREAS, the Village Board directed the findings with respect to its determination of consistency as set forth at the February 18, 2014 to be memorialized in written form which are as follows:

NOW, THEREFORE, BE IT RESOLVED: that the Board of Trustees of the Village of Croton on Hudson unanimously finds that the LWRP Policies Policy 7, 9, 9B, 19, 23, 25, and 25A are applicable to and consistent with the Croton Arboretum Lease Agreement and that the Croton Arboretum Lease Agreement is consistent with those Policies and,

AND BE IT FURTHER RESOLVED: that the Village Board finds that entering into the Croton Arboretum Lease Agreement is consistent with the Policy Statement and conditions set forth in the Local Waterfront Revitalization Program of the Village for the reasons concurred in by the Board members in their discussion on February 18, 2014.

**WATERFRONT ADVISORY COMMITTEE LOCAL WATERFRONT REVITALIZATION
PROGRAM –POLICY REVIEW SHEET
PROJECT: ARBORETUM LEASE**

Policy	DEVELOPMENT POLICIES	Applicable Yes/No	Consistent Yes/No	Comments
1	Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational and other compatible uses	No		Board Concurred with WAC
1A	Existing planning and zoning documents should be reviewed and amended where necessary to ensure development within the community is consistent with adopted goals and policies			
1B	Redevelop and revitalize Village owned land at the Metro North Train Station, including Village garage and bay area. Encourage integrated development of Village property to assure fulfillment of requirements relating to parking and accessory uses of Metro North Train Station, while facilitating public access to bay area and recreational use.			
1C	Every effort should be made by the municipality to encourage the mutual cooperation and exchange of information between governmental agencies involved in clean-up of the Croton landfill and Metro-North lagoon in order to develop commercial use of resources found in the coastal area.			
1D	Require restoration of deteriorating structures related to railroad use and assure appropriate maintenance and screening to reduce visual impact.			
1E	Develop the old sewage treatment plant site at the intersection of Route 9A and Municipal Place.			
2	Facilitate the siting of water dependent uses and facilities on or adjacent to coastal waters	No		Board concurred with WAC
2A	Expand restrictions on the use of power boats on the Hudson River and Croton River and Bay by further enforcing the parameters that regulate boat traffic such a speed, turbidity, safety, and mooring and sludge disposal. Such controls will further increase the compatibility of power boat use with other forms of recreation use within the coastal zone area.			
3	The state coastal policy regarding the development of major ports is not applicable to Croton.	No		Board concurred with WAC
4	The state coastal policy regarding the strengthening of small harbors is not applicable to Croton.	No		Board concurred with WAC
5	Encourage the location of development in areas where public services and facilities essential to such development are adequate, except when such development has special functional requirements or other characteristics which necessitate its location in other coastal areas.	No		Board concurred with WAC

Policy		Applicable	Consistent	Comments
5A	When feasible, development within the Village should be directed within the current service area of existing water and sewer facilities or in close proximity to areas where distribution lines currently exist.			
5B	The extension of water and sewer distribution lines beyond areas currently served should be undertaken cautiously and with prudent regard for Village water resources and the preservation of environmental values in undeveloped areas.			
5C	Limit proposed development within those portions of the coastal zone boundary area, where traffic impacts such as site distance and carrying capacity of the roadways are restricted, particularly along Route 9A, Albany Post Road and Route 129.			
6	Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.	No		Board concurred with WAC
6A	To expedite permit procedures, the Village shall coordinate all relevant local laws into a development package for applicants and/or make all local laws available to applicants proposing development activities.			
	FISH & WILDLIFE POLICIES			
7	Significant coastal fish and wildlife habitats will be protected, preserved, and, where practical, restored so as to maintain their viability as habitats.	Yes	Yes	Board concurred with WAC
7A	The quality of the Croton River and Bay significant fish and wildlife habitat and Haverstraw Bay significant fish and wildlife habitat shall be protected and improved for conservation, economic, aesthetic, recreational, and other public uses and values. Its resources shall be protected from the threat of pollution, misuse, and mismanagement.			
7B	Materials that can degrade water quality and degrade or destroy the ecological system of the Croton River and Bay significant fish and wildlife habitat and the Haverstraw Bay significant fish and wildlife habitat shall not be disposed of or allowed to drain in, or on land within, the area of influence in the significant fish and wildlife habitats.			
7C	Storage of materials that can degrade water quality and degrade or destroy the ecological system of the Croton River and Bay significant fish and wildlife habitat or Haverstraw Bay significant fish and wildlife habitat shall not be permitted within the area of influence of the habitat unless best available technology is used to prevent adverse impacts to the habitat.			
7D	Restoration of degraded ecological elements of the Croton River and Bay and Haverstraw Bay significant fish and wildlife habitats and shore lands shall be included in any programs for cleanup of any adjacent toxic and hazardous waste sites.			
7E	Runoff from public and private parking lots and from storm sewer overflows shall be effectively channeled so as to prevent oil, grease, and other contaminants from polluting surface and ground water and impact the significant fish and wildlife habitats.			

Policy		Applicable	Consistent	Comments
7F	Construction activity of any kind must not cause a measurable increase in erosion or flooding at the site of such activity, or impact other locations. Construction activity shall be timed so that spawning of anadromous fish species and shellfish will not be adversely affected.			
7G	Such activities must not cause degradation of water quality or impact identified significant fish and wildlife habitats			
8	Protect fish and wildlife resources in the coastal area from the introduction of hazardous wastes and other pollutants which bio-accumulate in the food chain or which cause significant sub lethal or lethal effect on those resources.	No		Board concurred with WAC
9	Expand recreational use of fish and wildlife resources in coastal areas by increasing access to existing resources, supplementing existing stocks, and developing new resources. Such efforts shall be made in a manner which ensures the protection of renewable fish and wildlife resources and considers other activities dependent on them.	Yes	Yes	Board concurred with WAC
9A	Ensure continued recreational use and public access to the rivers through Village-owned land adjacent to the Metro-North parking lot, at Croton Point Park and at Senasqua Park, along the Croton River, and at the Croton Yacht Club. Efforts should be made to encourage recreational use of the fish and wildlife resources found in these areas by increasing the opportunities for public access and enjoyment			
9B	Encourage passive recreational enjoyment of the wildlife in the designated significant fish and wildlife habitats, on the Audubon Society Sanctuaries, on other public or private lands within the Village, where wildlife habitats are located. Encourage the recreational use of areas where such resources are found, as well as the protection of such resources.	Yes	Yes	Board concurred with WAC
10	Further develop commercial finfish, shellfish and crustacean resources in the coastal area by encouraging the construction of new or improvement of existing on-shore commercial fishing facilities, increasing marketing of the state's seafood products, maintaining adequate stocks, and expanding aquaculture facilities. Such efforts shall be made in a manner which ensures the protection of renewable fish and wildlife resources and considers other activities dependent on them.	No		Board concurred with WAC
	FLOODING & EROSION POLICIES			
11	Buildings and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion	No		Board concurred with WAC since the Arboretum is not located in an area of coastal flooding or erosion
11A	Erosion and sediment control measures shall be undertaken in order to safeguard persons, protect property, prevent damage to the environment, and			

	promote the public welfare by guiding, regulating and controlling the design, construction, use and maintenance of any development or other activity which disturbs or breaks the topsoil or results in earth movement.			
12	Activities or Development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs. Primary dunes will be protected from all encroachments that could impair their natural protective capacity	No		Board concurred with WAC since the Arboretum is not located in an area of coastal flooding or erosion
12A	Every effort should be made to protect Croton Point, a natural protective barrier to Croton Bay from activities or development that would increase erosion of or flooding of the Point			
13	The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs.	No		Board concurred with WAC since the Arboretum is not located in an area of coastal flooding or erosion
13A	Any bulkheads along the Hudson must be maintained in good condition and private landowners should be required to restore and maintain erosion control mechanisms along their river frontage which are designed for long term stability.			
14	Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development, or at other locations.	No		Board concurred with WAC since the Arboretum is not located in an area of coastal flooding or erosion
15	Mining, excavation or dredging in coastal waters shall not significantly interfere with the natural coastal processes which supply beach materials to land adjacent to such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.	No		Board concurred with WAC since the Arboretum is not located in an area of coastal flooding or erosion
16	Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features	No		Board concurred with WAC since the Arboretum is not located in an area of coastal flooding or erosion
16A	Public funds shall be appropriated for the yearly maintenance of Senasqua Park until such time that is determined that expenditure of funds outweighs the cost of acquiring, constructing and maintaining a similar public park on Croton's waterfront.			

Policy		Applicable	Consistent	Comments
17	Whenever possible, use non-structural measures to minimize damage to natural resources and property from flooding and erosion. Such measures shall include: (i) the setback of buildings and structures; (ii) the planting of vegetation and the installation of sand fencing and draining; (iii) the reshaping of bluffs; and (iv) the flood-proofing of buildings or their elevation above the base flood level.	No		Board concurred with WAC since the Arboretum is not located in an area of coastal flooding or erosion
17A	Efforts to control erosion along the rivers and on the steep slopes rising from areas inland shall be of a non-structural nature, wherever possible, in consideration of the visual impact of structural measures. The retention or planting of vegetative covers will be preferred to structural measures.			
18	To safeguard the vital economic, social and environmental interests of the state and of its citizens, proposed major actions in the coastal area must give full consideration to those interests, and to the safeguards which the state has established to protect valuable coastal resource areas.	No		Board concurred with WAC since the Arboretum is not located in an area of coastal flooding or erosion
	PUBLIC ACCESS POLICIES			
19	Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities so that these resources and facilities may be fully utilized in accordance with reasonably anticipated public recreation needs and the protection of historic and natural resources. In providing such access, priority will be given to public beaches, boating facilities, fishing areas and waterfront parks.	Yes	Yes	Board concurred with WAC even though it specified public beaches and boating facilities it is a recreation resource and protects historic & natural resources
19A	Encourage the linkage of open space along the Hudson and Croton Rivers in the form of a trail or walkway system. Such systems should be provided along undeveloped and underutilized land as well as along previously developed land.			
19B	Increase physical access to areas that have specific value for their physical and visual access to the Hudson River or Croton River and Bay.			
19C	Encourage the expansion of public transportation, when feasible, to areas within the coastal zone area where water dependent and water enhanced recreation activities are located.			
19D	Increase access to Croton River and Bay at the Village-owned land south of the Village parking lots at the Croton-Harmon Station.			
19E	Maintain the trail, which provides access to the Croton River waterfront, in its current undeveloped condition as a pedestrian walkway.			
20	Access to the publicly-owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly-owned shall be provided and it should be provided in a manner compatible with adjoining uses. Such lands shall be retained in public ownership.	No		Board concurred with WAC

Policy		Applicable	Consistent	Comments
21	Water dependent and water enhanced recreation will be encouraged and facilitated, and will be given priority over non-water related uses along the coast, provided it is consistent with the preservation and enhancement of other coastal resources and takes into account demand for such facilities. In facilitating such activities, priority shall be given to areas where access to the recreation opportunities of the coast can be provided by new or existing public transportation services and to those areas where the use of the shore is severely restricted by existing development.	No		Board concurred with WAC
21A	Boating activities should be encouraged provided that they do not restrict other recreational opportunities and are undertaken in a manner compatible with existing water-dependent uses.			
22	Development when located adjacent to the shore will provide for water-related recreation, as a multiple use, whenever such recreational use is appropriate in light reasonably anticipated demand for such activities and the primary purpose of the development	No		Board concurred with WAC
23	Protect, enhance and restore structures, districts, areas of sites that are of significance in the history, architecture, archaeology or culture of the state, its communities or the nation.	Yes	Yes	Board concurred with WAC
24	Prevent impairment of scenic resources of statewide significance as identified on the coastal area map. Impairment shall include: (i) the irreversible modification of geologic forms, the destruction or removal of vegetation, the destruction, or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resource; and (ii) the addition of structures which because of siting or scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource.	No		Board concurred with WAC
25	Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the coastal area.	Yes	Yes	Board concurred with WAC
25A	Protect local scenic resources by preventing: (i) the irreversible modification of geologic forms, the destruction or removal of vegetation or wetlands, the destruction, or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resources; and (ii) the addition of structures which because of siting scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource.	Yes	Yes	Board concurred with WAC
25B	Secure the designation of the panoramic views from			

	Croton Point as a scenic area of statewide significance.			
Policy		Applicable	Consistent	Comments
25C	Secure the designation of Routes 9 and 129 within the Croton boundaries as a scenic road. Ensure developments on or adjacent to Route 9 do not impair scenic resources or views of or from the Hudson and Croton Rivers			
25D	Establish and protect identified viewsheds which provide visual access to the Hudson River, including but not limited to the views of the Hudson River from the western shoreline of the Village, and from Prickly Pear Hill, Lounsbury Hill, and River Landing. In addition, protect viewsheds to and of the Croton River and Gorge.			
26	The state coastal policy regarding the protection of agricultural lands is not applicable to Croton	No		Board concurred with WAC
ENERGY AND ICE MANAGEMENT POLICIES				
27	Decisions on the siting and construction of major energy facilities in the coastal area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need for a shorefront location.	No		Board concurred with WAC
28	Ice management practices shall not damage significant fish and wildlife and their habitats, increase shoreline erosion or flooding, or interfere with the production of hydroelectric power.	No		Board concurred with WAC
28A	Ice management practices must consider short and long term impacts on the Croton River and Bay and Haverstraw Bay significant fish and wildlife habitats.	No		Board concurred with WAC
29	The state coastal policy regarding the development of energy resources is not applicable to Croton.	No		Board concurred with WAC
WATER AND AIR RESOURCES POLICIES				
30	Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, into coastal waters will conform to state and national water quality standards.	No		Board concurred with WAC
30A	Existing rail services and transportation-related facilities shall not dispose any materials in coastal waters until such materials have been tested by the state for conformance with water quality standards.			
30B	Storage and disposal of all materials shall be monitored by the state to assure there will be no discharge or leaching of materials into coastal waters.			
31	State coastal area policies and purposes of approved local waterfront revitalization programs will be considered while reviewing coastal water classifications and while modifying water quality standards; however, those waters already over-burdened with contaminants will be recognized as being a development constraint.	No		Board concurred with WAC

Policy		Applicable	Consistent	Comments
31A	Clean water is desired and NYSDEC should continually monitor water quality in the Hudson River and Croton Bay which have already been overburdened with pollutants. Recommendations for mitigation and upgrading water quality classifications cannot be determined without continual monitoring and testing of the waters.			
32	Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high, given the size of the existing tax base of these communities.	No		Board concurred with WAC
33	Best Management Practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.	No		Board concurred with WAC
33A	Encourage new developments to retain stormwater runoff on site so as to not increase flows within the existing system or to improve existing stormwater runoff systems to that runoff from such developments does not adversely impact coastal waters			
33B	Improve existing Village stormwater discharge to control flow of pollutants from street and parking areas, etc. directly in the rivers.			
34	Discharge of waste into coastal waters from vessels will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas.	No		Board concurred with WAC
34A	There shall be no discharge from moored structures or marine vessels, due to shape of cove and lack of tidal flushing.			
35	Dredging and dredge spoil disposal in coastal waters will be undertaken in a manner that meets existing state dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.	No		Board concurred with WAC
36	Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.	No		Board concurred with WAC
37	Best Management Practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.	No		Board concurred with WAC
37A	Standards and specifications for the control of non-point source discharge as set forth in Westchester County's Best Management Practice Manual or other recognized reference shall be utilized during development of any site.			
37B	Control of the development of hilltops, and steep slopes should be exerted in order to prevent erosion and minimize runoff and flooding from new construction.			
38	The quality and quantity of surface water and ground water supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of	No		Board concurred with WAC

	water supply.			
Policy		Applicable	Consistent	Comments
39	The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within coastal areas will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources.	No		Board concurred with WAC
39A	Require transporters, producers and storers of hazardous material to inform the public or allow public access to records involving the transport, storage, treatment and disposal of hazardous materials. This is of particular concern with respect to rail transport of such materials, storage of identified materials on railroad property and uses in the waterfront area involved in the treatment, storage and disposal of such materials.			
39B	In accordance with Title III, Section 302, Emergency Planning and Community Right-to- Know of the 1986 Superfund Reauthorization Act, the local emergency planning committee and the Croton Fire Department shall be notified if hazardous substances exceed the established threshold planning quantity			
40	Effluent discharged from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to state water quality standards.	No		Board concurred with WAC
41	Land use or development in the coastal area will not cause national or state air quality standards to be violated	No		Board concurred with WAC
41A	A NYSDEC point-source air monitoring station should be established within the Village of Croton-on-Hudson.			
42	Coastal management policies will be considered if the state reclassifies land areas pursuant to the prevention of significant deterioration regulations of the Federal Clean Air Act.	No		Board concurred with WAC
43	Land use or development in the coastal area must not cause the generation of significant amounts of the acid rain precursors: nitrates and sulfates.	No		Board concurred with WAC
43A	Encourage the use of shuttle bus service to the train station, thereby decreasing dependency on the automobile use and reduce the generation of acid rain precursors			
43B	Encourage the use of low sulphur fossil fuels for rail vehicles and encourage the development of a monitoring program to assess rail vehicle engines emissions			
44	Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.	No		Board concurred with WAC
44A	Wetlands, water bodies and watercourses shall be protected by preventing damage from erosion or siltation, minimizing disturbance, preserving natural habitats and protecting against flood and pollution.			

DISCUSSION:

Trustee Gallelli stated that this is the written version of what the Board went through quite extensively at our last Board Meeting.

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

On motion of TRUSTEE DAVIS, seconded by TRUSTEE GALLELLI, the following resolution was unanimously adopted 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 Croton Arboretum for the renewal of its lease; and

WHEREAS, a draft lease agreement has been prepared, and

WHEREAS, after due deliberation, the Village Board has issued a Negative Declaration in connection with the Croton Arboretum Lease Agreement; and

WHEREAS, the Village Board has reviewed each of the 44 policies and sub-policies set forth in the LWRP and finds that the LWRP Policies; Policy 7, 9, 9B, 19, 23, 25, and 25A are applicable to and consistent with the Croton Arboretum Lease Agreement; and

WHEREAS, the term of the lease shall be twenty (20) years and will automatically renew for a five (5) term, unless either party, at least ninety days (90) before the end of the initial twenty year term notifies the other in writing that it wishes to terminate the lease,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to sign the Lease Agreement with the Croton Arboretum

DISCUSSION:

Trustee Gallelli stated that we have been fortunate to have a group like the Arboretum taking over the stewardship of this significant piece of land in our community and to take care it and improve it as well as they have. Trustee Gallelli

stated that many people in the Village make use of it and welcome their desire to expend their lease and continue their good work.

e. 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, due to the severity and frequency of snow storms and accumulation of snow and ice piles, and below normal freezing weather over the past few weeks, the Village needs to intercede to help with the removal of the piles of snow and ice as a matter of public safety; and

WHEREAS, the Village Board has directed the Village Manager and Superintendent of Public Works to identify sidewalks in the commercial districts of the Village where the removal of the piles of snow and ice would provide for safe pedestrian travel,

NOW THEREFORE BE IT RESOLVED: that the Board of Trustees hereby authorizes the removal of snow and ice in the commercial districts of the Village that have been identified by the Village Manager and Superintendent of Public Works, as a one-time effort to ensure safe pedestrian travel,

AND BE IT FURTHER RESOLVED: that the Village Board will authorize the necessary funding for the removal of snow and ice as a one-time time effort to ensure public safety.

DISCUSSION:

Mayor Wiegman advised that this was a discussion with our business owners to do this as a one-time effort for the safety of pedestrians. Mayor Wiegman asked the Village Manager for an update on the Snow Budget.

Village Manager Zambrano advised that they had budgeted \$55,000 for over-time for Snow Removal; as of last Monday the Village has spent \$143,000. Village Manager Zambrano advised that they have not reached the full budgeted amount for salt but we will be ordering to replenish our stock which has gotten very low.

f. On motion of TRUSTEE GALLELLI, seconded by TRUSTEE DAVIS 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, Local Law No. 3 of 2003 was approved at a regular Village Board Meeting held on October 7, 2003; and

WHEREAS, this Local Law called for the setting of Village Fees through Board Resolutions; and

WHEREAS, the current fees for Planning Board site plans and amended site plans are the same no matter what the scope of the project entails; and

WHEREAS, larger projects require a greater demand of the Planning Board's and Staff's time; and

WHEREAS, the Village Engineer is recommending a tiered fee schedule be applied to Planning Board site plans and amended site plans based on the square footage of the project,

NOW THEREFORE BE IT RESOLVED: that the 2013-2014 "Fee Schedule" has been amended to reflect the following amended and additional fees:

TYPE OF APPLICATION LICENSE OF PERMIT	DESCRIPTION	Adopted 2013- 2014
Planning Board site plans and amended site plans	Less than 4,000 square feet (Type II actions)	\$ 300.00
	Greater than or equal to 4000 sq. ft. to less than 10,000 sq. ft.	\$ 500.00
	Greater than or equal to 10,000 sq. ft.	\$2,000.00

DISCUSSION:

Trustee Gallelli stated that this makes sense that larger projects need more staff and more time is involved and the fees should be greater for larger projects.

g. On motion of TRUSTEE DAVIS, seconded by TRUSTEE LEVITT, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York:

Be it resolved that notice is hereby given that the taxes for the year 2013-2014 of the Village of Croton on Hudson are unpaid on the real property described on the list attached herewith, and

Be it further resolved that and in accordance with Article 14, Title 3 of the Real Property Tax Law (Section 1455), that the advertisement of the notice required by law be published in the official newspaper(s) of the Village.

VILLAGE OF CROTON ON HUDSON
DELINQUENT TAX REPORT 2013-2014

<u>BILL NAME</u>	<u>PROPERTY ID</u>	<u>TAX CHARGE</u>	<u>PENALTY CHARGE</u>	<u>CURRENT BALANCE</u>
1 CREST STREET LLC	079.09-010-052.00	804.95	96.59	901.54
ADAMS HOWARD	068.17-004-006.00	1,528.55	183.43	1,711.98
APOLLONIO GIOVANBATISTTA	078.08-005-042.00	776.60	93.19	869.79
BALAZS LOUIS	067.20-004-044.00	3,681.65	441.80	4,123.45
BERGER ARTHUR	068.13-001-031.00	5,031.85	603.82	5,635.67
BIKEL ILAN	067.20-004-075.00	2,268.17	272.18	2,540.35
BRENDA LLC	079.13-001-061.00	1,195.72	143.49	1,339.21
CHA KWANG YI	078.16-001-004.29	1,805.66	216.68	2,022.34
CRETARA DANTE	079.13-002-064.00	2,869.73	344.37	3,214.10
CRISPI ROBERT	079.09-007-020.00	369.81	44.38	414.19
EDEGRAN HARALD&DEBBIE	078.16-001-001.040	61.64	7.40	69.04
EDMOND LAWRENCE	067.20-003-004.00	2,640.22	316.82	2,957.04
FARRIBANK HOMEOWNERS	078.08-003-068.00	12.33	1.48	13.81
FRANK KARL	079.13-001-071.00	6,748.04	809.76	7,557.80
GOIN DENNIS J	078.16-001-004.03	1,358.44	163.01	1,521.45
GORDON JEFFREY&SHARIR	078.16-001-001.126	61.64	7.40	69.04
HAMMOND NEILL	079.14-001-005.00	345.16	41.42	386.58
HARRIS MICHELE ROLES	079.13-004-055.00	3,923.69	470.84	4,394.53
HUNTER ROXZENE M	078.16-001-001.069	61.64	7.40	69.04
ILLESCAS ROSA	068.14-003-012.00	3,673.45	440.81	4,114.26
KENNEDY JEANNE F	067.10-003-004.04	3,735.34	448.25	4,183.59
KWEI ELEANOR	067.20-003-013.00	2,883.34	346.00	3,229.34
LASALLA FRANCIS	079.09-002-076.00	2,033.96	244.08	2,278.04
LASALLA FRANCIS	079.09-002-079.00	197.23	23.67	220.90
LEECH JAMES	067.10-003-017.01	4,664.91	559.79	5,224.70
LUUKKANEN ALISON	078.16-001-001.085	61.64	7.40	69.04
MCGAHRAN THERESA L	078.16-001-001.122	61.64	7.40	69.04
NADEL BRUCE	068.13-003-021.00	49.31	5.92	55.23
NAPOLITANI RONALD	079.13-002-026.00	6,924.29	830.91	7,755.20
NARDELLA PAUL	078.16-001-001.090	61.64	7.40	69.04
OBRIEN THOMAS	067.20-004-011.00	2,319.26	278.31	2,597.57

O'DONNELL KATHLEEN A	078.08-006-020.00	2,021.63	242.60	2,264.23
PALLADINO JOHN	079.13-001-066.00	7,166.93	860.03	8,026.96
PALLADINO JOHN	079.13-001-068.067	796.33	95.56	891.89
PALLADINO JOHN	079.13-001-069.00	3,278.99	393.48	3,672.47
PEREZ MARCUS	078.08-004-056.00	382.14	45.86	428.00
PERILLO SHIRLEY	079.13-002-006.00	3,784.39	454.13	4,238.52
RAKOTZ JAMES	079.13-002-017.00	2,040.12	244.81	2,284.93
SCHILK JO ANN	079.09-006-032.00	456.10	54.73	510.83
SEKELSKY JOHN (LTE)	068.14-005-007.00	3,069.43	368.33	3,437.76
SHAH PRAKASH	078.16-001-006.06	1,837.71	220.53	2,058.24
SHAPIRO CARON	078.08-005-047.00	2,920.47	350.46	3,270.93
SMITH LAURIE E	079.05-001-028.00	2,329.81	279.58	2,609.39
SMITH LAURIE E	079.05-004-012.00	2,416.10	289.93	2,706.03
SPNY DEVELOPMENT LLC	067.14-001-001.00	332.83	39.94	372.77
SPNY DEVELOPMENT LLC	067.14-001-002.00	604.02	72.48	676.50
STAPP DEIRDRE	079.09-010-012.00	197.23	23.67	220.90
STERN DOV	067.10-003-005.02	3,642.63	437.12	4,079.75
TOBEY LEONARD	068.18-001-004.00	4,939.34	592.72	5,532.06
TOTILLO ANTHONY	068.17-004-027.00	3,111.88	373.43	3,485.31
UJLAKI NAGY ARTHUR	067.19-002-020.01	493.08	59.17	552.25
ULAJ VASSEL	078.16-001-001.055	61.64	7.40	69.04
WASSEF EMIL	078.16-001-001.049	61.64	7.40	69.04
WENACUR RICKY M	067.20-003-035.18	6,385.39	766.25	7,151.64
WILLIAM STREET ESTATES LLC	078.16-001-001.101	61.64	7.40	69.04
ZOLLER MARK	067.20-004-038.00	4,493.20	539.18	5,032.38

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

WHEREAS: Sections 5-504, 5-506, and 5-508 of New York State Village law set forth certain procedures and dates for the adoption of the annual Village budget; and

WHEREAS : in accordance with Section 5-504 the Village Manager, as Budget Officer, has filed the tentative budget in the office of the Village Clerk on or before March 20th ; and

WHEREAS: Section 5-508.3 provides that a public hearing shall be held upon the tentative budget, as changed, altered or revised, on or before the fifteenth day of April,

NOW, THEREFORE BE IT RESOLVED: that a Public Hearing is hereby scheduled on the 2014-2015 Tentative Budget for Monday, April 07, 2014 at 7:30PM in the Meeting Room of the Stanley H. Kellerhouse Municipal Building.

6. CITIZEN PARTICPATION-NON AGENDA ITEMS

Bob Wintermeier, 43 Radnor Avenue, Croton on Hudson, stated that the Yacht Club is a valuable asset but the concern seems to be the contract and hopes that the contract is looked at very carefully.

Mr. Franzoso 6 Hixon Road, Croton on Hudson stated that the problems with the sidewalks that were installed in 1985 near 18 Old Post Road and Maple Avenue are a result of them being poorly installed and the wrong trees planted and it is not fair that property owners should have to bear the cost of replacing them. Mr. Franzoso also advised that his sewer line was damaged and he has been asking for assistance from the Village for the costs to replace it. Mr. Franzoso also added that he is not sure if the Village needs to take on the entire Croton Point Avenue project; he disagrees that the road is in disrepair and stated that businesses were not made aware of the parking changes. Mr. Franzoso also stated that he does not like the idea that the Village is "married" to the Gouveia property and that the village should have the ability to sell the property if the Village needed to. Mr. Franzoso stated that he is also not a big fan of the Farmer's Market and does not agree with moving it to the Municipal Building. Mr. Franzoso said that he also felt that citizens are not aware of what is going on and suggested a lack of open government and questioned how and why the Board goes into Executive Sessions.

Virginia Calcutti, 19 Hunter Place, Croton on Hudson, said that she was surprised that the Farmers Market has requested to move to the Municipal Building parking lot since she heard that they had done well at the Station. Ms. Calcutti said that there is currently not enough parking and is concerned that this would bring more cars into this area.

Mayor Wiegman stated that the Farmer's Market was pleased that business was better but the vendors take a beating because it is a very hot and windy location and if they can find an area that could be slightly less hot and less windy it would be better for them. Mayor Wiegman stated that there are a lot of pros and cons to the proposal and the Board will be looking at it closely.

Bob Wintermeier, 43 Radnor Avenue, Croton on Hudson, said that Village should automatically take care of problems for residents and businesses when it is a Village problem.

7. APPROVAL OF MINUTES

Trustee Slippen made a motion to approve the minutes as amended of the Regular Meeting held on February 18, 2014. Trustee Davis seconded the motion. The Board approved with a vote of 4-0, Trustee Levitt abstaining.

Trustee Davis made a motion to approve the minutes as amended of the Executive Session held on February 24, 2014. Trustee Levitt 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 February 24, 2014. Trustee Gallelli seconded the motion. The Board approved with a vote of 5-0.

8. REPORTS

Village Manager Zambrano stated that he has met with Mr. Franzoso in the past; he has explained that he does not make up these rules and that there are laws on our books that preclude the Village from being responsible for replacing sidewalks of commercial and residential property owners. Mr. Zambrano said that Mr. Franzoso's claim regarding his sewer damage has been submitted to the Village's insurance company; the Village was not made aware that this was a problem back when it happened in 2003 and this claim should have been submitted at that time. Mr. Zambrano advised that Mr. Franzoso was notified and was given proper notification of the changes in the Vehicle & Traffic Regulations that were being made on Croton Point Avenue. Mr. Zambrano said that Mr. Franzoso's comment that citizens are not made aware of what is going on in the Village is farthest from the truth, Croton has done more than most communities by having access to information on the Village's Web-Site and now Facebook. Mr. Zambrano stated that citizens also have a responsibility to engage themselves as well.

Trustee Davis stated that you would be hard pressed to find other communities putting the same amount of information on their Web-Site as Croton does; there are always ways that we can improve and he looks forward to hearing ideas from the community as well.

Trustee Davis advised that on Tuesday March 18th the Green Living Series will be holding another program at the Croton Library; the Croton Advisory Council will be speaking on what kinds of plants you can plant that are deer resistant.

Trustee Slippen announced that on Friday evening at CET the PTA, through a program called "Parents as Reading Partners", will be holding a program called "The Reading Café"; children will be reading with parents and various members of the community.

Trustee Slippen advised that the Recreation Department will be holding a "Build a Snowman Contest"; photos should be submitted no later than March 14th; summer camp forms will be available on March 10th and Recreation brochures will be available on line on April 1st.

Trustee Slippen advised that she has gotten a lot of feedback from residents about the Farmer's Market; a lot of what we are hearing are valid points and encouraged people to continue to give their feedback since no decisions have been made at this time.

Trustee Gallelli congratulated Croton's "Coalition against Alcohol and Substance Abuse"; representatives of the Coalition attended a National Convention and won first place for "Innovative Ideas" that was based on their Tool Kit for Parents that they have developed and mailed to parents in the community.

Trustee Gallelli advised that the Comprehensive Plan Committee, which has reformed as a combination of the Comprehensive Plan Committee and Economic Development Committee, held their first meeting and will be publishing a regular meeting schedule.

Trustee Gallelli advised that the County has received a Federal Grant for approximately one and half million dollars which will enable a service called "Ride Connect" to be available in the Peekskill, Cortlandt, Yorktown Heights and Ossining areas. Trustee Gallelli advised that people who need assistance getting to medical appointments, cultural events, shopping or for Health Care workers who need help getting to homes of people they are helping can arrange for rides through their website "ridesconnectwestchester.org".

Trustee Levitt advised that a lot of work has gone into the "The Reading Café" program; it will be a great event and he will be one of the guest readers.

Trustee Levitt said that he finds it disturbing when there are accusations of closed government; this is a very open government with a lot of information out there; we go into an Executive Session on matters of negotiations and litigation and

that are in the Village's best interest to do so. Trustee Levitt stated that he takes open government very seriously and one of his goals on the Board is to try to continue to improve communication.

Mayor Wiegman advised that he received an encouraging update from the Ossining Volunteer Ambulance Corps regarding Sam Lubin, Sam was in a terrible accident; he is out of the ICU and is moving to intensive physical rehabilitation; members of the community who would like to share thoughts with him can go to samsroadtorecovery.com and wish Sam and his family well.

There being no further business to come before the Board; Trustee Davis made a motion to adjourn the meeting. Trustee Gallelli seconded the motion; approved 5-0. The meeting was adjourned at 10:31pm.

Respectfully submitted

Judy Weintraub, Board Secretary

Paula DiSanto, Village Clerk