

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, June 23, 2014 at the Municipal Building, Van Wyck Street, Croton-on-Hudson, NY 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 Slippen and approved; with a vote of 5-0 vote.

General Fund	\$124,525.34
Water Fund	35,036.92
Sewer Fund	1,131.30
Capital Fund	79,272.78
Trust Fund	4,491.94
Debt Fund	-
Total	\$244,458.28

Trustee Gallelli made a motion to approve the following Fiscal Year 2014-2015 Vouchers. The motion was seconded by Trustee Davis and approved; with a vote of 5-0 vote.

General Fund	\$303,079.70
Water Fund	63,508.38
Sewer Fund	3,456.01
Capital Fund	4,506.00
Trust Fund	4,570.65
Debt Service Fund	-
Total	\$379,120.74

3. CORRESPONDENCE

a. Letter from Village Engineer Dan O'Connor dated June 19, 2014 advising that during the time period January 2014 to June 2014 the results of samples taken of our water found that the copper levels (1.58 mg/1) exceeded the copper action level (1.30mg/1) allowed by the Westchester County Health Department. Mr. O'Connor advised that he met with Westchester County Health Department officials on May 19, 2014 and was advised that the Village needed to move ahead with the installation of a corrosion control system. Mr. O'Connor advised that Chazen Engineering completed a Corrosion Control Report for the Village in February 2007 that recommended the use of zinc orthophosphate as a corrosion control additive to the Village's water system.

Mayor Wiegman stated that we are bringing this up this evening so that the public is aware and that the County knows that we are tracking this issue very carefully. Mayor Wiegman advised that we will be discussing this issue further in our next work session with a view towards exploring our options and the recommendations from our consulting engineers and the costs associated with those recommendations.

b. Letter from Steven Richman, Treasurer of the Westchester County Cycle Club dated June 4, 2014 requesting permission to use Black Rock Park as a rest stop on August 31, 214 in conjunction with the 33rd annual running of the "Golden Apple Bike Tour".

On motion made by Trustee Davis and seconded by Trustee Gallelli authorizing the Village Manager to make the necessary arrangements with the Westchester County Cycle Club for the use of Black Rock Park for their annual "Golden Apple Bike Tour"; motion approved with a 5-0 vote.

c. Letter from the New York State Department of Taxation and Finance, Office of Real Property Services certifying that on June 9, 2014 the Village of Croton's Equalization rate is set at 4.33.

4. CITIZEN PARTICIPATION-AGENDA ITEMS

Joel Gingold, 55 Nordica Drive, Croton on Hudson, expressed his condolences on the passing of Mrs. Gouveia; Mr. Gingold; Virginia Calcutti, 19 Hunter Place, Dan Chesnard 64 Farrington Road and Don Daubney, 45 Bungalow Road all asked questions regarding the status of the Gouveia property.

Village Attorney Staudt stated that Mrs. Gouveia just passed away and he is uncomfortable with addressing questions regarding the status of her

property; they are somewhat inappropriate at this time and when the Village has more information they will be happy to share it with the community.

Bob Wintermeier, 43 Radnor Avenue, Croton on Hudson, stated that he is concerned with the impact of copper and lead in our water on our young children and that Zinc Orthophosphate is the most economical solution. Mr. Wintermeier advised that the Village could receive penalties anywhere from \$25,000 to \$37,000 per day if nothing is done to correct this problem.

Don Daubney, 45 Bungalow Road, Croton on Hudson, questioned the number of Croton Caring Committee lunches and asked what the \$7,000 budget is for.

Trustee Slippen stated that she had also questioned the amount during the Budget process but after discussions with Ann Kennedy she understands better what those expenses are. Trustee Slippen read a memo from Ann Kennedy, Executive Director of the Croton Caring Committee as follows: "sponsors supply the food but on occasion the Croton Caring Committee needs to supply bread, butter, punch, tea, coffee and milk; we always provide table covers, decorations, dishes, hot and cold cups, cutlery, serving utensils, napkins, cleaning materials for the kitchen, paper towels; all equipment such as coffee pots, tea kettles, pitches and take home containers; in addition we arrange the schedule, take care of printing and mailing invitations, name tags for guests and volunteers, arrange musical entertainment, transportation for those in need, catering to individual's needs and providing an opportunity for grade school and high school students to complete community service for graduation, Bar Mitzvah, Confirmation, or court mandated service hours; the total number of Croton Caring Committee members involved in each lunch range from eight to ten; the average number of attendees is seventy-three and there is no charge; the majority are over eighty years old and several are in their nineties; the goal of the Croton Caring Committee is to keep our elderly active and involved through their later years and we feel that our luncheons are essential in accomplishing this." Trustee Slippen also clarified that this budget does not cover Ms. Kennedy's salary; her salary is covered through donations.

Dan Ferguson, 2 Alexander Lane, Croton on Hudson, stated that the problem with Zinc Orthophosphate is that we do not know its effect on our health or what it will do to our pipes and plumbing. Mr. Ferguson said that Zinc Orthophosphate works by coating water pipes with lead and copper

phosphate and can be absorbed into our drinking water. Mr. Ferguson said that he has documentation that this can cause cancer much worse than copper or lead and, in his opinion, could be an environmental disaster and is a very ineffective way to treat this problem.

5. RESOLUTIONS:

a. On motion of TRUSTEE SLIPPEN, 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, the agreement between the Croton Caring Committee and the Village of Croton-on-Hudson has expired; and

WHEREAS, the Croton Caring Committee for over 25 years has provided vital services to the Croton Community; and

WHEREAS, among those services the Croton Caring Committee provides 8 luncheons a year to the elderly residents of the Village; and

WHEREAS, the Village desires to reimburse the Croton Caring Committee for expenses related to the 8 luncheons provided per year,

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to sign the agreement with the Croton Caring Committee whereby the Village will reimburse the Committee for the cost of the 8 luncheons at a total cost of \$7,028.56 per year,

AND BE IT FURTHER RESOLVED: that this agreement shall be for five years commencing on June 1, 2013 and terminating on May 31, 2018.

DISCUSSION:

Mayor Wiegman stated that this is a long standing collaboration between the Village and the Croton Caring Committee which fills an immediate social service on behalf of the community.

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, the Village Board is considering taking an action to adopt Local Law Introductory No. 3-2014 (the "Draft Law") to amend the zoning code of the

village and official zoning map which would (1) add a new single family residence RA-60 District and district regulations and (2) amend the official zoning map to remap approximately 482 acres within the Village to Park, Recreation and Education (PRE) District from One Family Residence RA-40 (1 acre) District; and (3) amend the official zoning map to remap an approximately 425-acre portion of the Village from RA-40 to the new RA-60 District (the "Proposed Action"); and

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

WHEREAS, the Village Board has caused a Coastal Assessment Form 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 a Type I 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 Coastal Assessment Form which it has before it in connection with the Proposed Action.
5. The Village Board hereby refers to the Village Planning Board, the Draft Law for a report back to the Village Board from the Planning Board in accordance with Village law.
6. The Village Board hereby refers the Draft Law, the EAF and the Coastal Assessment Form to the Village Waterfront Advisory Committee for a recommendation back to the Village Board in accordance with Village Law.
7. The Village Board hereby refers the Draft Law, the EAF and the Coastal Assessment Form to the Westchester County Planning Board/Planning Department for review in accordance with law.
8. The Village Board hereby directs Village staff to make any other circulations and notifications regarding the Proposed Action as may be required by law.

DISCUSSION:

Trustee Gallelli advised that this came out of the Comprehensive Plan Committee and is identical to what had been proposed in 2009-10 and what was drafted based on recommendations of the Comprehensive Plan Committee back in 2003. Trustee Gallelli stated that this proposal would categorize our open space areas such as Croton Point Park, Brinton Brook Sanctuary, Graff Sanctuary and a small section of the Arboretum property that are currently zoned as residential and put them into either a PRE1, which is the most limiting of passive open space, or in the case of the Croton Point County Park a PRE3, which allows more active uses. Trustee Gallelli advised that the other aspect of this draft local law is that it would create a new residential zone (RA-60) that would be applied to an area in the northern part of the Village primarily the Hudson Valley Golf Course and approximately seventeen to eighteen properties along Albany Post Road. Trustee Gallelli added that, except for Westchester County, all these parties were consulted back in 2009.

Trustee Davis stated that under the existing zoning the Golf Club property could potentially generate one-hundred and fifty residential units but if we change this to an R-60 there could only be potentially ninety units.

Mayor Wiegman stated that some people were surprised to learn that the entire Croton Point Park is currently zoned for one acre housing; since there is little chance this will occur we feel that it is reasonable to give it a Village zoning designation that matches its actual active recreational use.

Trustee Levitt stated that no one thinks that the Golf Course is going anywhere but if they do it is prudent planning to have something in place.

6. CITIZEN PARTICPATION-NON AGENDA ITEMS

Bob Wintermeier, 43 Radnor Avenue, Croton on Hudson, stated that it is his opinion that based on the quantities of Zinc Orthophosphate that would be used it would not be a carcinogen. Mr. Wintermeier stated that if you look at the New York City water supply all ground water entering the New York City distribution system is treated with chlorine, fluoride, food grade phosphoric acid and in some cases sodium hydroxide.

Dan Chesnard 64 Farrington Road, Croton on Hudson, asked how a home would be affected that is for sale now in the R40 Zone if it was changed to an R60 Zone.

Mayor Wiegman stated that one of the principals that we want to keep in mind when we change zoning is that we create a change that is in the community's best interest; we do not want to create a large number of non-conforming, pre-existing conditions and this is one of the issues that we will address with our Planning Consultants. Mayor Wiegman stated that they believe it would be a very small number; possibly one or two parcels out of the several hundred potential parcels that would fall into the non-conforming use.

Virginia Calcutti, 19 Hunter Place, Croton on Hudson, asked what information goes to the State indicating the number of hours an Elected Official works; it appears that the instructions indicate that an Elected Official must show a daily detail of hours. Ms. Calcutti questioned the time Trustee Gallelli spends doing the Village Newsletter and asked why that is being reported as her work as a Trustee. Ms. Calcutti said that she is concerned that in the future, depending on who is elected to office, the Village could be paying hundreds of thousands of dollars for benefits.

Village Manager Zambrano advised that the Village submits a payroll report monthly to the State. Village Manager Zambrano explained that Trustee Gallelli's time spent doing the Newsletter must get reported and it is irrelevant to the Retirement System if Trustee Gallelli's time was spent as a Trustee action or as a part time employee doing the Newsletter.

Trustee Gallelli stated that she files a list of what she does, along with the date, what the activity was and how much time she spent on that activity; these records are incredibly detailed; she accounts for every single day of the week and how much time she spends on Village business and reflects what she does as a Trustee as well as her time preparing the newsletter.

Village Treasurer, Sandra Bullock, stated that the Board is required to pass a resolution every year establishing a "Standard Workday" for Elected Officials who are in the New York State Retirement System; prior to that resolution being established hours and/or schedules are submitted and a determination is made of what the time per day is going to be reported to the Retirement System for those Elected Officials.

Village Manager Zambrano explained that it is the law that every part time employee must be given the option of joining the New York State Retirement System; depending on what Tier they are in it determines what a part time employee contributes to the System; the Village is also required to pay a

portion to the New York State Retirement systems as well and that number is calculated and determined by that Tier.

Don Daubney, 45 Bungalow Road, Croton on Hudson, stated that it bothers him that Board members subscribe to the Retirement System and feels that the small amount that a Board member will receive is not worth the controversy. Mr. Daubney also stated that he objects to the Mayor receiving medical benefits and questioned his thirty hours a week.

Dan Ferguson, 2 Alexander Lane, Croton on Hudson, stated that we are surrounded by water and someday water is going to be worth more than oil; we have a gold-mine here and does not want to see that gold-mine contaminated by adding chemicals to the water.

Dan Chesnard 64 Farrington Road, Croton on Hudson, stated that the Village Board does a good job but believes that the Mayor should not be receiving medical benefits because this is a part time position.

7. APPROVAL OF MINUTES

Trustee Slippen made a motion to approve the minutes as amended of the Regular Meeting held on June 2, 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 June 2, 2014. Trustee Gallelli seconded by motion. The Board approved; with a vote of 5-0

8. REPORTS

Village Manager Zambrano extended condolences to the Gouveia family on the passing of Mrs. Gouveia.

Village Manager Zambrano advised that Con Edison will be holding a meeting next week to update municipalities on their projected activity. Mr. Zambrano advised that Con-Edison has been increasing their ability to respond to emergencies and major events; they have come a long way and are planning much better for emergencies.

Village Manager Zambrano stated that it is not unusual for elected officials to receive health benefits; the Town of Cortland, Town Council members who are

part time do receive medical benefits. Mr. Zambrano stated that as far as Retirement and Health benefits are concerned the Village is just following the laws and the steps that we are required to follow.

Trustee Davis stated that when you are reporting your hours you are required to report what you actually do; people can differ, as he does, whether you should accept medical benefits if you are putting in more than thirty hours a week.

Trustee Gallelli announced that a meeting will be held this Thursday evening at the Harmon Firehouse for those residents who will be affected by the water infrastructure improvements.

Trustee Gallelli thanked the Croton Police and Fire Departments for an outstanding job during a very unfortunate and dangerous situation that occurred a week ago at Half Moon Bay. Trustee Gallelli stated that our Police and Fire Departments acted professionally and should be commended for their actions as first responders.

Trustee Gallelli advised that she and Village Engineer Dan O'Connor attended a meeting last Friday at the County Executive's office updating attendees on the County's Housing Settlement.

Trustee Levitt stated that the Board will be looking into other alternatives with respect to the copper/lead levels in our water and what our legal options are; there is a possibility that we are going to go ahead with the zinc orthophosphate option and based on what he knows he does not think there is a reason for people in the community to be alarmed that the water will be poisoned if zinc orthophosphate is going into it. Trustee Levitt stated that this option is used in a lot of places and as far as he understands there are no demonstrated adverse health impacts but, with that said, we do not want to introduce chemicals into our water if we don't have to; the Board is committed to do our due diligence to see what other options are out there and nothing will be rushed into.

Mayor Wiegman stated that his contribution towards the Village's health insurance is \$450.00 a month which exceeds the salary that he receives from the Village.

Mayor Wiegman announced that Jeremy Goldsmith is moving out of Croton and has notified the Village that he will be resigning from the Bicycle Pedestrian Committee; Mayor Wiegman thanked him for his service. Mayor Wiegman advised that Joe Biber, former chair of the Conservation Advisory Council, has agreed to become the Chair of the Bicycle Pedestrian Committee.

Mayor Wiegman advised that Rick Olver has announced that he will be leaving Croton and will be resigning from the Planning Board. Mayor Wiegman thanked him not only for his service on the Planning Board but for his service as a past Board Member. Mayor Wiegman advised that they will be working with the Planning Board to find a potential candidate for that open seat.

Mayor Wiegman thanked our first responders for their assistance during the Clearwater Festival; it was a wonderful event.

Mayor Wiegman advised that school will be ending shortly; we will be seeing more bicycles and pedestrians on our streets and asked the public to be careful.

A motion to enter into an Executive Session for the purpose of the Board being updated on litigation related to 1A Croton Point Avenue and Real Property relating to the Gouveia property was made by Trustee Slippen and seconded by Trustee Davis; motion approved with a 5-0 vote.

There being no further business to come before the Board; Trustee Davis made a motion to adjourn the meeting. Trustee Levitt seconded the motion approved with a 5-0. The meeting was adjourned at 9:50pm.

Respectfully submitted

Judy Weintraub, Board Secretary

Paula DiSanto, Village Clerk