

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, October 6, 2014 at the Municipal Building, Van Wyck Street, Croton-on-Hudson, NY 10520.

The following officials were present:

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

1. CALL TO ORDER:

Mayor Wiegman called the meeting to order at 8: 15pm; everyone joined in the Pledge of Allegiance.

2. APPROVAL OF VOUCHERS:

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

General Fund	92,949.99
Water Fund	31,181.32
Sewer Fund	28.55
Capital Fund	1,087,276.15
Trust Fund	6,657.89
Debt Fund	-
Total	\$1,218,093.90

3. PRESENTATIONS:

Mayor Wiegman presented a Proclamation to Janet Mainiero in recognition of her leadership as the Project Director for the 9-11 Remembrance Memorial.

Janet Mainiero stated that she could not have done this without the Village Board’s support and thanked the Village Manager’s Office, the Engineering Department, Parks and Recreation, Croton Volunteer Fire Department and the Ambulance Corps. Ms. Mainiero gave special thanks to the Public Works Department for their continued support throughout the project and to the entire Task Force.

Mayor Wiegman presented a Proclamation to Lisa Moir, owner of the Blue Pig on achieving the "Green Business Certification" through the "Green Business Certified Program" of Westchester County.

4. PUBLIC HEARING

Motion to open up a Public Hearing regarding a Local Law Introductory #3 of 2014 to amend Chapter 230 of the Village's Zoning Code and Official Zoning Map of the Village of Croton on Hudson was made by Trustee Davis and seconded by Trustee Levitt with a 4-0 vote.

Trustee Gallelli advised that she will be recusing herself from the discussion regarding the proposed Local Law; her property is adjacent to one of the properties that is being considered for a Zoning change and in accordance with acceptable procedure will be leaving the Board Room during the discussion.

Village Manager Zambrano gave an overview of the Local Law as follows: Local Law Introductory No.3 of 2014 has been drafted to amend chapter 230 of the Village Code and the Official Zoning Map. The amendments will (1) add a new Single-Family Residence RA-60 (1.5 acre) District and district regulations; (2) remap approximately 482 acres within the Village to Park, Recreation and Education (PRE) from One Family Residence RA-40 (1 acre) District; and (3) remap an approximately 425-acre portion of the Village from RA-40 to the new RA-60 District. The parcels to be rezoned consist of approximately 907 acres in the southern and northern portions of the Village of Croton-on-Hudson. The southern rezoning area consists of Croton Point Park, which is currently zoned RA-40. The northern rezoning areas encompass the Hudson National Golf Club (HNGC) area, two Audubon sanctuaries (Graff Sanctuary and Brinton Brooke Sanctuary), and a narrow length of land along Albany Post Road/Route 9A. All of the northern area is currently zoned RA-40.

The tax map designations of the properties to be rezoned to RA-60 are as follows: 67.08-2-1, 67.08-2-2, 67.10-2-6, 67.10-2-9, 67.10-2-10, 67.12-1-6, 67.12-1-7, 67.12-1-11, 67.12-1-12, 67.14-3-1, 67.14-3-1.1, 67.14-3-2, 67.14-3-3, 67.14-3-4, 67.14-3-5, 67.14-3-7, 67.14-3-8, 67.14-3-10, 67.14-3-11, 67.14-3-12, 67.14-3-13, 67.15-1-4, 67.15-1-7, 67.15-1-8, 67.15-1-11, 67.15-1-14, 67.16-1-1, 67.18-1-1, 67.18-1-2, 67.19-1-1, 67.19-1-2, 67.19-1-3, 67.19-1-4, 67.19-1-4.01, 67.19-1-4.02, 67.19-1-4.03, and 67.19-1-7.

The tax map designations of the properties to be rezoned to PRE-1 are as follows: 67.10-1-1, 67.11-1-1, 67.11-1-2, 67.11-1-21, and 67.12-1-5. The tax map designation of the property to be rezoned to PRE-3 is 89.12-1-1.

Susan Favate, Planning Consultant from the firm of BFJ advised that the Village's Comprehensive Planning Committee meets regularly to discuss potential changes to the 2003 Comprehensive Plan; one of those recommendations from the 2003 Comprehensive Plan that has been percolating for a few years is a very specific recommendation on using zoning tools to protect certain areas of the Village in terms of their natural resources and open space and what is before the Board this evening is the result of those recommendations. Ms. Favate stated that the two main changes will be the designation of the PRE (Parks Recreation and Education) Zone for the Croton Point Park, Brinton Brook, Graff Sanctuary, Audubon Sanctuary and the Jane Lytle Memorial Arboretum which will better reflect their actual use and a newly created RA60 Single Family Zone for the property now occupied by Hudson National Golf Club in addition to a narrow strip of land along Albany Post Road/Route 9A. Ms. Favate explained that the RA60 Zone would essentially go from one acre zoning to one and half acre zoning with the main changes being the lot size, dimensions of the yards and the building coverage. Ms. Favate stated that by changing these designated areas to the RA60 Zone she believes there will be positive environmental impacts; there is the potential of sixty-seven fewer residential units, six hundred and forty fewer car trips and fifty-nine to sixty fewer school children if these areas were to be developed under the RA60 Zone. Ms. Favate advised that the Planning Board also recommended that some houses already in existence along Albany Post Road and who had pre-approvals for potential subdivisions should have grandfathering provisions to protect those current landowners.

Jeanette Altamur, 1327 Albany Post Road, Croton on Hudson, stated that her property abuts the Brinton Brook Sanctuary and believes that her property is currently in the RA40 zone that is going to be changed to the RA60. Ms. Altamur stated that she is concerned that if she wanted to subdivide her property in the future there would be no possibility to do so and is not sure that she would be grandfathered since she has not made any proposals at this time.

Mayor Wiegman stated that those were some of the comments that were raised by our Planning Board.

Michael Eisenkraft, 30 Finney Farm Road, Croton on Hudson, advised that his property abuts the zone and is in favor of open space and supports the new zoning.

Eugene Perl, 39 Finney Farm Road, Croton on Hudson, asked if there has been any discussion to develop the Bell property which is adjacent to Finney Farm Road.

Mayor Wiegman advised that he is not aware of any active discussions from any developers.

Village Manager Zambrano advised that the Bell property is for sale but the Village does not have any specific information.

Kathy Morgan, 23 Furnace Dock Road, Cortlandt Manor, stated that she is in favor of open space; her property abuts the Graff Sanctuary and their access road is right next to her house and asked if the new zoning will restrict the Graff Sanctuary from any future development.

Mayor Wiegman advised that the Graff Sanctuary will become a Parks, Recreational and Educational Zone which will prohibit residential development.

Peter Lavary, 33 Finney Farm Road, Croton on Hudson, stated that his concern is that development could effectively surround Finney Farm Road if this entire area were developed; where would the access road be and given the amount of property there could be a lot of traffic; why not consider an RA160 or an RA80 designation.

Susan Favate advised that there is no development proposal on the table at this time and it would be impossible to predict with any accuracy where a road may or may not go. Ms. Favate stated that access would waive heavily on a potential development if a developer ever came before the Board with a proposal. Ms. Favate said that the question of why not bigger; the RA60 was a way to try to achieve a lower density type of development that is not out of character with Croton; Croton is a Village with smaller lots and is overall more of a medium density Village. Ms. Favate stated that larger density zoning is more characteristic of "up-county" communities that do not have the same characteristics of Croton. Ms. Favate stated that the Village felt that RA60 was a good comprise and a way to preserve more land for open space and to protect steep slopes as well.

Mayor Wiegman stated that the Board felt that RA80 zoning would have been too much of a leap and felt that the RA60 zoning gave the Village the desired reduction in housing units in that area without creating an undue hardship. Mayor Wiegman stated that there were a number of concept studies for what could have happened under the existing RA40 zoning and the number of potential houses that could have been built. Mayor Wiegman stated that with respect to the question regarding access roads; you could assume that the best roads that currently go up to the golf course now would probably be the logical roads that a developer would look at.

Kimberly Regazzo, 30 Finney Farm Road, Croton on Hudson, stated that in her opinion Croton is "up-County"; this is not Yonkers and believes that Croton is rural.

There being no further comments to come before the Board a motion to close the Public Hearing and forward this to the Waterfront Advisory Committee was made by Trustee Davis and seconded by Trustee Slippen; motion was approved with a 4-0 vote with Trustee Gallelli not present during the time of this discussion.

5. CORRESPONDENCE

- a. Letter from Mark Duncan, Recreation Supervisor, dated September 23, 2014 requesting permission to hold the annual Goblin Walk on Saturday, October 25, 2014 at 12noon.

On motion by Trustee Davis and seconded by Trustee Levitt the Board of Trustees hereby authorizes the Village Manager to make the necessary arrangements for the annual Goblin Walk on Saturday, October 25th; motion approved with a 5-0 vote.

- b. Letter from Jim Christensen, Croton Council of the Arts, dated September 22, 2014 thanking Village Manager Zambrano and Village staff for their assistance in making the September 14, 2014 Arts Festival as huge success.
- c. Letter from Laurie Dean, Croton Community Coalition, dated September 30, 2014 thanking the Board, Village Manager Zambrano and Assistant Village Manager King for supporting their efforts to secure a new Drug Free Communities Grant.
- d. Letter from Village Engineer Dan O'Connor, dated October 2, 2014 proposing changes to the Master Fee Schedule with respect to Special Permit Fees.

Trustee Gallelli stated that this is the overall intention on the part of the Board to make the application process more streamlined and easier for applicants especially for renewals.

6. CITIZEN PARTICIPATION-AGENDA ITEMS

Dan Chesnard, 64 Farrington Road, Croton on Hudson, stated that the Arts Festival is a good thing but if we are planning on doing it again he believes they should pay a fee to cover the costs for the Park Rangers and Police Department.

Village Manager Zambrano advised that this was a Village sponsored event and a trial for the Village. Mr. Zambrano advised that if this happens again the Village will review the details.

Bob Anderson, 33 Franklin Avenue, Croton on Hudson, addressed resolution g. and stated that he does not believe that part time employees should receive benefits. Mr. Anderson added that the Mayor was never authorized to work full time and should not be allowed to self-report his hours. Mr. Anderson also objected to giving employees lifetime health insurance.

Mayor Wiegman stated that resolution g. pertains to a requirement that the Village adopt a "Procedures and Policy Plan" outlining employee eligibility for healthcare coverage with respect to the new "Patient Protection and Affordable Care Act Law". Mayor Wiegman stated that this is a mandatory step that employers must take; the Village was assisted by our consultants in drafting this "Procedure and Policy Plan".

Frederick Turner, 35 Truesdale Drive, Croton on Hudson, stated that the Village Manager's Contract is very generous and asked the Board to rethink lifetime health benefits for employees and not to bind the Village in perpetuity. Mr. Turner asked Village Attorney Feldman if the Village Manager is considered a Public Officer and if so a Public Officer is not eligible for an Employment Contract under New York State Law. Mr. Turner also asked that the Village Manager complies with F.O.I.L.; withholding portions of the last budget under a F.O.I.L. exemption is one of the most egregious practices he has every seen.

Village Attorney Feldman responded by saying that the definition of a Public Officer is very complicated and is not something that she can answer at this time.

Trustee Levitt stated that the Village's Labor Attorney has advised that the way the position of Village Manager was established it is permissible to have a contract with the Village Manager. Trustee Levitt stated that the Board put in a three-year term clause into the Contract because in three years circumstances could change and would give the Board an opportunity to review the contract again at that time.

Virginia Calcutti, 19 Hunter Place, Croton on Hudson, objected to the amount of resolutions on the agenda this evening. Ms. Calcutti asked that the resolution approving the Village's Manager's Contract be tabled because the fringe benefits were not posted. Ms. Calcutti asked that the Board revisit non-union employee benefit packages and suggested that employees be required to work for the Village for a period of twenty years and be at least fifty-five years of age before they are entitled to receive lifetime health benefits from the Village of Croton.

Bob Wintermeier, 43 Radnor Avenue, Croton on Hudson, stated that his objection to the Manager's Contract is the other benefits such as a longevity bonus, sick time bonus, vacation and sick time pay buy backs and suggested limiting the accruals and initiating a take it or lose it policy for vacation pay.

Roseann Schuyler, Olcott Avenue, Croton on Hudson, stated that it is inappropriate for the Village to adopt any policy that states that "the Mayor should be reasonably expected to work in excess of thirty hours a week for the Village" and it is inappropriate for the Mayor to receive benefits for his part time job. Ms. Schuyler stated that the hours submitted were self-supported and it is inappropriate that there is no documentation on how those averages were created. Ms. Schuyler stated that the calendar used to construct the Mayor's hours should have been made public but was told that those records did not exist.

Mayor Wiegman stated that in 2013 he was asked by the Village Treasurer to give a full accounting of his hours and this was done again in 2014. Mayor Wiegman advised that as a result of their meeting with their Health Care Consultants and to meet the requirements of the Retirement System a format for reporting his hours was created and each month his hours will be reported in that format.

Village Manager Zambrano advised that prior to any Board member reporting their hours the staff was required to create a standard day for each elected official and report those hours to the Retirement System.

7. RESOLUTIONS:

a. 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, the Village Attorney, Village Staff, and members of the Waterfront Advisory Committee have recommended that Chapter 225 of the Village Code, Waterfront Revitalization, be revised; and

WHEREAS, the intent of the revision would be to streamline the review process as a way of improving the efficiency of the consistency review; and

WHEREAS, Buckhurst Fish & Jacquemart (BFJ) has provided the Village with a proposal to review the law, recommend revisions, draft the local law, and complete the SEQRA review at a total cost of \$11,000; and

WHEREAS, this matter was discussed at the September 22, 2014 work session,

NOW THEREFORE BE IT RESOLVED: that the Village Manager is authorized to approve the proposal from BFJ to revise Chapter 225 of the Village Code, Waterfront Revitalization, at a total cost of \$11,000,

AND BE IT FURTHER RESOLVED: that this amount will be charged to an existing capital planning account.

DISCUSSION:

Trustee Gallelli stated that the mechanics and logistics of going through the WAC (Waterfront Advisory Committee) process had been somewhat difficult and for some time our Village Attorney and the State had recommended that the Village streamline the process.

b. 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, the Village's Local Waterfront Revitalization Program (LWRP) was adopted in 1992; and

WHEREAS, since that time many of the recommendations in the program have been achieved and other recommendations are no longer considered priorities; and

WHEREAS, the Village Attorney, Village Staff, and members of the Waterfront Advisory Committee have recommended that the LWRP be updated to reflect current conditions in the Village; and

WHEREAS, Buckhurst Fish & Jacquemart (BFJ) has provided the Village with a proposal to update the LWRP including a public input process, compliance with the New York State Department of State, completion of SEQRA review, and completion of the Public Hearing process at a total cost of \$65,000; and

WHEREAS, this matter was discussed at the September 22, 2014 work session,

NOW THEREFORE BE IT RESOLVED: that the Village Manager is authorized to approve the proposal from BFJ to update the Village's LWRP at a total cost of \$65,000,

AND BE IT FURTHER RESOLVED: that this amount will be charged to an existing capital planning account.

DISCUSSION:

Trustee Gallelli stated that the Local Waterfront Revitalization Program is a document that encompasses the entire Village and does not just effect our waterfront; it is subject to both New York State DOS (Department of State) and the Federal Coastal Zone Management Program. Trustee Gallelli stated since its adoption in 1992 laws have changed; projects that were identified in 1992 have largely been completed; some of the State Laws with respect to SEQRA have changed as well and our Policy is somewhat out of sync with not only our laws but other laws as well and in order to continue to be effective we need to update this program.

c. On motion of TRUSTEE LEVITT, seconded by TRUSTEE SLIPPEN, 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 of Trustees has received a request for a zoning amendment from Ralph Mastro Monaco, Consulting Engineer; on behalf of Amberlands Realty Corporation for property located at 1 Baltic Place; and

WHEREAS, the property is located in a RA-25 Residential District and is designated on the Tax Maps of the Village as Section 67.10 Block 10 Lot 2; and

WHEREAS, the amendment request would change the zoning from a RA-25 Residential District to a C-1 Commercial District; and

WHEREAS, the Village Board reviewed this request at its September 22, 2014 Work Session and has decided to consider the request,

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby refers to the Village Planning Board the request for a zoning amendment for property located at 1 Baltic Place for a report back to the Village Board in accordance with Village Law.

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

WHEREAS, the Village Board of Trustees has received a special permit application from Lawrence Doyle for a mixed use occupancy at 379 South Riverside Avenue, and

WHEREAS, on August 11, 2014 the Village declared its intent to serve as Lead Agency for SEQRA purposes and directed the staff to circulate its intent to all involved agencies; and

WHEREAS, the Village has received comments back from the Westchester County Planning Board and the Village Planning Board regarding the project and stating that they have no objections to the Village serving as Lead Agency; and

WHEREAS, the Village has not received comments back from any other involved agency,

NOW, THEREFORE BE IT RESOLVED: the Village Board declares itself to be the Lead Agency for SEQRA purposes in connection with the proposed action,

AND BE IT FURTHER RESOLVED: the Village Board hereby refers the Environmental Assessment Form, Coastal Assessment Form and all other application documents to the Waterfront Advisory Committee for its written preliminary recommendation of consistency with the Village's Local Waterfront Revitalization Program.

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

WHEREAS, the Village has received a special permit renewal application from MetroPCS for a colocation of the personal wireless services facility located adjacent to the DPW facility in the Croton-Harmon Train Station; and

WHEREAS, the initial special permit was issued in 2009 for a period of five years and is now up for renewal,

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees calls for a Public Hearing at 8pm on November 3, 2014 in the meeting room of the Stanley H. Kellerhouse Municipal Building to consider the special permit renewal application from Metro PCS.

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

BE IT RESOLVED, that the Board of Trustees hereby approves the employment contract between the Village and Abraham J. Zambrano and further authorizes the Mayor to execute the contract on its behalf.

DISCUSSION:

Mayor Wiegman stated that General Municipal Law does not define the position of Village Manager as it does for other appointed officials that are appointed to serve a fixed term such as the Village Clerk, Treasurer and Deputy Treasurer. Mayor Wiegman advised that when the Village of Croton adopted the Village Manager form of government there has always been a contract for that position. Mayor Wiegman added that this contract now provides that the Village Manager contribute to health care. Mayor Wiegman stated that Village Manager Zambrano has been proactive at shopping for benefit packages and our expenditures on benefits for the current fiscal year is two-hundred thousand dollars less than the prior fiscal year. Mayor Wiegman said that comments made this evening by the public that "it seems like a generous package"; the Village Manager is essentially on call twenty-four hours a day, seven days a week; three-hundred and sixty-five days a year. Mayor Wiegman stated that the Village Manager did not take a salary increase during fiscal years 2009-10 and 2010-11; his salary is actually lower than the salary of his predecessor and in the lower third of the salaries other Managers receive

throughout Westchester. Mayor Wiegman stated that it is important to keep salaries competitive to be able to continue to attract and keep talented employees.

Trustee Gallelli stated that she concurs with Mayor Wiegman's comments; as a Board member it is very important to have a good open relationship with your Village Manager and to keep the lines of communication open at all times which Mr. Zambrano has done very well for the Board.

Trustee Slippen stated that because there are three Board positions open it would be irresponsible on the part of this Board to leave the new Board without an experienced Manager who understands what is current and going on in the Village.

Trustee Levitt stated that he is very pleased that the contract will be reevaluated in three years and appreciates the comments and suggestions from the public.

Trustee Levitt said that he has enjoyed working with Mr. Zambrano and appreciates the skill and knowledge that he brings to the Board and looks forward to continuing to work with him.

Trustee Davis stated that the public does not see Mr. Zambrano as much as the Board does; Mr. Zambrano has an extensive finance background as well which is very valuable to the Village and it is important for a Manager to have multiple skills and experience working in municipal government. Trustee Davis stated that Mr. Zambrano has been extremely helpful in assisting new Board members and guiding us through the process as we make policy decisions.

Village Manager Zambrano thanked the Board for entrusting him to continue to work with the Board and the community. Mr. Zambrano pledged to continue his dedication and loyalty to the Village and will continue to make himself available to the Board and community.

g. On motion of TRUSTEE LEVITT, seconded by TRUSTEE SLIPPEN, the following resolution was adopted unanimously as amended by the Board of Trustees of the Village of Croton-on-Hudson, New York; with a 4-1 vote, Trustee Davis voting Nay.

WHEREAS, the new Patient Protection and Affordable Care Act Law stipulates certain requirements that the Village must abide by and implement; and

WHEREAS, one of the requirements the Village must comply with is to have a Procedure and Policy Plan outlining employee eligibility for healthcare coverage provided by the Village; and

WHEREAS, on September 2, 2014 the Village entered into an agreement with CPI-HR to assist with Health Care Reform requirements; and

WHEREAS, CPI-HR has provided the Village with a recommended Procedure and Policy Plan outlining employee eligibility for healthcare coverage for the years of 2014 and 2015,

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby adopts the 2014 and 2015 Procedure and Policy Plans outlining employee eligibility for healthcare coverage provided by the Village.

DISCUSSION:

Trustee Levitt stated that the main difference between the 2014 and the 2015 Policy is that the 2014 Policy states that the Mayor was reasonably expected to work thirty hours a week and the 2015 Policy provides that the Mayor is a variable employee which means that the hours are uncertain. Trustee Levitt stated that the reason for that, as he understands it based on discussions with the consultant, is that we have data for 2014 that the Mayor was working more than thirty hours and we cannot adopt a policy for this year that is contrary to that data. Trustee Levitt stated that people can raise issues with the data but the data that we have at this point does not permit us to have a policy that is contrary to it, but for 2015 we don't have that data and therefore it is unsure and that is why the Mayor is considered a variable employee for purposes of that policy.

Trustee Davis stated that with due respect for the position of Mayor and the amount of hours that are put in, it is his opinion that all elected officials should not work full time hours; we are part time elected and objects to the policy saying that Trustees will work twenty-five hours per week or less; it should state that "all Trustees and the Mayor will work twenty-five hours a week or less".

Trustee Levitt stated that it is his understanding after discussions with the consultant that it is not a requirement that trustees work twenty-five hours or less, but rather that this is the anticipated hours based on whatever factors, i.e. the nature of the job, etc., and because trustees are considered that way the policy permits us to say that trustees are part time from the "ACA" standpoint and therefore the village we are not required to engage in all of the different record keeping requirements for trustees and trustees do not have to report their hours. Trustee Levitt stated that for the Mayor, because we have the empirical data we can't classify a job that has been full-time for "ACA" purposes as part time in order to deprive someone of a benefit to which they are entitled. Trustee Levitt stated that this policy takes into account what has gone on to date and while you can

think what you want about the hours submitted you cannot pretend that they were not submitted at this point; Mayor Wiegman will still have to report his hours. Trustee Levitt stated that he feels that the adoption of this policy is separate from the philosophical question of the Mayor taking health insurance.

Trustee Davis stated that the one way to prevent this from happening is for anyone on the Board to agree to not work more than twenty-five hours a week. Trustee Davis stated that he is very uncomfortable having the Mayor and Trustees treated unequally in the policy; we are elected to be part time.

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

WHEREAS, the Village has been webstreaming their Board of Trustees Meetings since June of 2006; and

WHEREAS, this service was first performed by Michael Pollock of Ossining.com Video Services; which was subsequently bought by Granicus, Inc. (Granicus) in July of 2010; and

WHEREAS, over the past year Granicus has not been able to offer consistent indexing services of the webstreams unless the Village agreed to upgrade to a more expensive option; and

WHEREAS, the Village's web host, Virtual Towns & Schools, partners with EarthChannel, which has offered the Village a low cost option for webstreaming and indexing at a cost of \$4,995 per year; and

WHEREAS, EarthChannel's product will be compatible with computers, tablets and smartphones; and

WHEREAS, the Village will also have to pay a one-time migration fee of \$995 to migrate the Village's prior meetings from Granicus' servers to EarthChannel's servers; and

WHEREAS, the Village currently pays Granicus \$275 per meeting which on average comes to \$6,050 per year,

NOW THEREFORE BE IT RESOLVED: that the Village Manager is authorized to accept the proposal from EarthChannel for webstreaming services in the amount of \$4,995 per year,

AND BE IT FURTHER RESOLVED: that the pro-rated yearly amount for the fiscal year 2014-2015 will be \$2,913.75 for 7 months of service and a one-time charge of \$995 to migrate from Granicus to EarthChannel, totaling \$3,908.75.

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

WHEREAS, the playground equipment at the Duck Pond Park has not been upgraded for many years and has deteriorated to a significant extent; and

WHEREAS, the Recreation Supervisor and Parks Foreman have recommended that the equipment be replaced; and

WHEREAS, the Parks Foreman has obtained estimates regarding the costs of replacing the playground equipment, chain link fence, and railroad tie wall totaling approximately \$52,000; and

WHEREAS, this amount has not been included in this year's capital budget,

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees authorizes the Recreation Department to proceed with the necessary upgrades to the Duck Pond Park,

AND BE IT FURTHER RESOLVED: that the Village Board of Trustees authorizes the Village Manager to include the costs of the upgrade in this year's bond acquisitions.

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

WHEREAS, the Treasurer recommends the following budget transfers as detailed in the attached schedules;

NOW THEREFORE be it resolved that the Village Treasurer is authorized to make the following budget transfer to the 2013/14 Water fund and Debt service budgets as follows:

WATER FUND

INCREASE

Dept.	Item Description	Amount
-------	------------------	--------

F9010	8000 NYS ERS	1,354
Total Increases		\$1,354
DECREASE		
F9040	8000 WKRS. COMP	1,354
Total Decreases		\$1,354

DEBT SERVICE FUND

INCREASE

Dept.	Item Description	Amount
V1380	4000 FISCAL AGENT	750
V9710	6000 SERIAL BOND-PRINCIPAL	10,000
Total Increases		\$10,750

DECREASE

V9710	7000 SERIAL BOND- INTEREST	\$10,750
Total Decreases		\$10,750

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

WHEREAS, the Village and the New York State DOT have entered into a snow and ice agreement which will expire in 2015; and

WHEREAS, the Village has received an amendment to this contract reflecting the severity of the winter for the 2013/14 period; and

WHEREAS, under this amendment the estimated expenditure has been increased from \$17,534.40 to \$38,856.23;

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to sign Amendment B of the Indexed Lump Sum Snow and Ice Agreement with New York State Department of Transportation expiring in 2015.

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

WHEREAS, on August 5, 2013 the Village awarded the bid to Blakeslee Arpaia Chapman Inc., (BAC) of Branford, CT, in the amount of \$2,499,877.00 for the Bulkhead Replacement Project at the Croton Yacht Club, and

WHEREAS, Ocean and Coastal Consultants (OCC), the design engineer, has been providing construction inspection/administration services for the project, and

WHEREAS, BAC has submitted three change orders for the additional and unanticipated work performed during the project; and

WHEREAS, the requested change orders were reviewed and revised by OCC, and the revised amounts were agreed to by BAC; and

WHEREAS, the total amount of the revised change orders come to a total of \$113,699.22, as outlined in the attached memo from Marco Gennarelli, the Village's Project Manager,

NOW THEREFORE BE IT RESOLVED: that the Village Manager is authorized to approve the Change Order requests from BAC in the amount of \$113,699.22 for the Bulkhead Replacement Project at the Croton Yacht Club.

DISCUSSION:

Mayor Wiegman stated that the contract came in approximately two hundred thousand dollars under budget than the original amount.

Village Manager Zambrano contributed the reduction in original costs of the project to the management and overseeing of the project by Ocean and Coastal Consultants.

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

WHEREAS, on June 2, 2014 the Village Board awarded the contract for the Sidewalk and Curb Improvement Project to DLG Contracting, LLC in the amount of \$252,554.50; and

WHEREAS, DLG Contracting has submitted 2 change orders totaling \$20,300 for the repair of two catch basins and for the replacement of the concrete stamped brick band in the upper village; and

WHEREAS, as outlined in his September 30, 2014 memo, the Village Engineer has reviewed the change order requests and recommends that they be approved,

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to approve Change Order 1 in the amount of \$500 and Change Order 2 in the amount of \$19,800 for a total of \$20,300.

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

WHEREAS, the New York Power Authority (NYPA) has provided the Village with an Energy Efficiency Service Program Agreement; and

WHEREAS, under this agreement the Village will be able to participate in energy efficiency services and/or clean energy technology projects; and

WHEREAS, one project the Village will be participating in is a group purchase of LED street lights at a reduced cost to the Village,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to execute the agreement with the New York Power Authority (NYPA) to participate in the Energy Efficiency Service Program.

DISCUSSION:

Trustee Gallelli stated that this is a win/win situation and only good things can come out of this.

Village Manager Zambrano advised that funding has already been approved to purchase similar fixtures and we are looking forward to being able to buy them at better prices than we originally anticipated.

Trustee Levitt stated that using those fixtures will save the Village a lot of money on our electric bills in the future.

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

WHEREAS, the Village has been working with the Croton Community Coalition for the past five years in its efforts to increase awareness regarding underage alcohol and drug use in our community; and

WHEREAS, the Village has also provided administrative services in regards to the 5-year Drug Free Communities Support Program grant received from the Federal Government's Substance Abuse and Mental Health Services Administration (SAMHSA) which was awarded to the Coalition in 2009; and

WHEREAS, the Coalition has been awarded a second grant from SAMHSA in the amount of \$125,000 for one year to be renewed each year for an additional four years,

NOW THEREFORE BE IT RESOLVED: that the Village of Croton-on-Hudson hereby accepts the grant from the Substance Abuse and Mental Health Services Administration in the amount of \$125,000 for one year with the option to renew for an additional 4 years.

DISCUSSION:

Trustee Gallelli stated that Lori Dean, Croton Community Coalition Coordinator, has done a fantastic job moving the Coalition forward and organizing the team that put together this grant application; in the next five years the Coalition will be looking at ways to make themselves sustainable and to finance themselves in the future.

8. CITIZEN PARTICPATION-NON AGENDA ITEMS

Virginia Calcutti, 19 Hunter Place, Croton on Hudson, stated that no one is questioning Mr. Zambrano's ability to do his job we are just questioning the amount that the contract is costing us. Ms. Calcutti suggested that the Board add an Addendum to the Manager's contract that they have at least fifteen years in the retirement system and that they work for the Village for twenty years and be fifty-five years of age before they can retire from Croton with full benefits.

Bob Anderson, 33 Franklin Avenue, Croton on Hudson, asked if the building that was put up at 1300 Albany Post Road has been addressed.

Village Engineer Dan O'Connor stated that he is still working on the issue.

Dan Riely, 110 Truesdale Drive, Croton on Hudson, stated that the Mayor and Trustees should not take health insurance and the community should not be

picking up the 85% of the costs of health benefits. Mr. Truesdale also stated that he objected to changing the Village election to November from March.

Roseann Schuyler, Olcott Avenue, Croton on Hudson, asked what the status is of the Greentree Realty case; has the Village received their application. Ms. Schuyler stated that the community spent a lot of money shutting down that operation and is disappointed that we are at this point again. Ms. Schuyler stated that there was a motion by both sides over the Village's failure to engage in "Timely Discovery" and asked for the status of the case. Ms. Schuyler asked if the Law Firm of Arnold and Porter are still involved in this case because it appears that we are being represented by the Law Firm of Miranda, Sambursky, Stone, Sklarin & Verveniotis.

Trustee Levitt stated that just because someone makes a motion accusing another party of being delinquent in a "Discovery Obligation" it does not mean they are delinquent.

Village Attorney Feldman stated that she understands that the motion has either been withdrawn or will be withdrawn.

Mayor Wiegman stated that the Law Firm of Miranda, Sambursky, Stone, Sklarin & Verveniotis is who our Insurance Carrier has provided us. Mayor Wiegman stated that the Board wanted to bring in an advisor and Michael Gerrard who is an attorney with Arnold and Porter was instrumental to the Village during this process in 2003, 2004 and 2005.

Village Attorney Feldman stated that Michael Gerrard is an expert in Environmental Law and is being retained for his knowledge in that field.

Village Manager Zambrano stated that the last time we heard from Greentree was at the last Board meeting and we have not received anything further at this time.

Village Attorney Feldman advised that she is aware that the Attorney representing Greentree requested to have a meeting with Village Engineer Dan O'Connor but the meeting was cancelled by Greentree's Attorney and no meetings have been held.

APPROVAL OF MINUTES

Trustee Gallelli made a motion to approve the minutes as amended of the Regular Meeting held on September 15, 2014. Trustee Davis seconded the motion. The Board approved with a vote of 5-0.

Trustee Slippen made a motion to approve the minutes of the Executive Session held on September 22, 2014. Trustee Davis seconded the motion. The Board approved with a vote of 5-0.

9. REPORTS

Village Manager Zambrano advised that he and the Police Chief attended the AAA Ceremony wherein the Village received the "Gold Award" for Traffic Safety. Mr. Zambrano advised that the Village was also recognized by the AAA for having twenty-one consecutive years without any pedestrian fatalities. Mr. Zambrano advised that the AAA takes a lot of things into consideration when awarding a community the "Gold Award"; the Village received this designation because we met some of those standards; proactive in encouraging a *"walking community"* and proactive in *"implementing projects for various safe travel modes"*.

Village Manager Zambrano advised that residents who are participating in the "Love Em and Leave Em" Program will receive a lawn sign indicating that they are participating in the program.

Village Manager Zambrano advised that he and the Deputy Treasurer attended the New York State Government Accounting Officers Association Seminar last week and is pleased to advise that the new projected rates from the New York State Retirements System are going down by approximately a percentage for the Regular Employee Retirement System and just a little over one percent for the Police and Fireman's Retirement System. Mr. Zambrano stated that it is not as much as we anticipated but it is a step in the right direction.

Village Manager Zambrano thanked the Board for giving him the opportunity to continue to work with them and the community in his capacity as Village Manager and to continue to move the Village forward; he is fully committed to the Board and the community.

Trustee Davis encouraged residents not to plant bamboo, bamboo is not native to Croton and spreads like wildfire and becomes a nuisance for other property owners. Trustee Davis suggested that the Board look into potential legislation to ban planting bamboo as some municipalities in Long Island have done.

Trustee Davis said that he hopes for a better tenor in discussions between citizens who come to speak to the Board; he is disappointed and we as a Village can do better.

Trustee Slippen stated that she has spent a lot of time speaking with the Executive Director Robert Freeman from the Office of Open Government and in spite of the expressed displeasure of some of our speakers at our meetings we are far more available to the residents and there is a lot more encouragement and acceptance for resident participation than there has to be. Trustee Slippen stated that the amount of time and the frequency with which an attendee at a meeting can participate is, in Mr. Freeman's words, "excessive" and the amount of time that an attendee is given to speak is, in Mr. Freeman's words, "excessive"; open government should not be a free-for-all; it should be an exchange of ideas. Trustee Slippen stated that as a resident of Croton she is grateful for the openness compared to other municipalities throughout the State.

Trustee Gallelli advised that she attended the Croton Volunteer Fire Department's annual "Fire Fair" this past Sunday, it was the best attended "Fire Fair"; the theme this year was "Working Smoke Alarms Saves Lives".

Trustee Gallelli advised that the "Run against Hunger" will be held on October 19th and encouraged residents to go to their web-site for more information.

Trustee Gallelli advised that on October 18th the Conservation Advisory Council will be holding their "Daffodil Planting" from 9-12:00pm at Vassallo Park.

Trustee Gallelli announced that the October 2014 Edition of Westchester Magazine identified Croton as "One of the Best Places to Live" especially for single family homes and start up homes.

Trustee Levitt echoed Trustee Gallelli's comment regarding the "Fire Fair"; it was a great event and very well done; it is not only fun for the children but educational as well.

Trustee Levitt announced that he attended the Rotary Club's annual "Classic Car Show" this past weekend and congratulated them on a great event and thanked them for all the work they do in the community.

Trustee Levitt stated that he is very impressed with the progress of the "Water Improvement Project"; there has been very little "hic-ups" during the project and he has heard very favorable comments about the contractor and the work they are doing.

Mayor Wiegman advised that we are in the midst of the “Water Improvement Project” in the Harmon area and looks forward to engaging the Croton/ Wolf Road area as well. Mayor Wiegman asked for continued forbearance from the residents during street openings, road closures and the occasional water turn-offs while they are making the temporary connections. Mayor Wiegman stated that we will continue to give residents a heads-up on street closures as soon as we have that information.

Mayor Wiegman made the following appointments:

Janet Mainiero 33 Grand Street	Planning Board	To fill the unexpired term of Rick Olver
Paul Parreira	Visual Environment Board	To fill the unexpired term of Seth Weintraub

Mayor Wiegman stated that in response to the Villages “Request for Qualification” for an “Ad Hoc” Committee to study the potential compatible uses for the Gouveia property at 1300 Albany Post Road he is pleased this evening to make the following appointments:

Ann Bianchi Quota	285 Grand Street,
Christina Connors	7 North Second St (Cortlandt Mnr.
Andrea Furey	14 Morningside Drive
Laurie Gomez	2068 Quaker Ridge Road
Georgianna Grant	37 Wells Avenue
Carl Grimm	5 Cook Lane
Jan Klier	33 Young Avenue
Gayle Lamb	34 Park Trail
Kevin McClone	2 Stevenson Place
Ketti North	12 Alexander Lane
William O’Donnell	70 Morningside Drive
Andy Phillips	40 Palmer Avenue
Megan Sistarenik	101 Hastings Avenue
Holly Jett Stagliano	29 Olcott Avenue
Ken Walsh	26 Palmer Avenue

Mayor Wiegman advised that the “Ad Hoc” Committee is being charged with a six month process to get to know the site and study uses that are compatible with the wishes of the donor as well as uses that currently exist on the site. Mayor Wiegman stated that in addition we are asking the Committee to think

about phasing in uses such as trails and use of the existing house on the property. Mayor Wiegman stated that because the Committee is large, they will have to self-organize themselves and break themselves down into smaller groups depending on each member's expertise. Mayor Wiegman advised that the Village will create a separate Web Page on the Villages Web Site where information about the Committee's progress will be posted; the kick-off for the "Ad Hoc" Committee's work will begin with a site visit sometime in October and we look forward to their recommendations.

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 vote of 5-0. The meeting was adjourned at 11:20pm.

Respectfully submitted

Judy Weintraub, Board Secretary

Paula DiSanto, Village Clerk