

Regular Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, December 18, 2017 at the Municipal Building, Van Wyck Street, Croton-on-Hudson, NY 10520.

The following officials were present:

Mayor Pugh	Trustee Attias
Village Manager King	Trustee Gallelli
Village Treasurer Bullock	Trustee Horowitz
Village Attorney Whitehead	Trustee Murtaugh

1. APPROVAL OF VOUCHERS:

Trustee Gallelli made a motion to approve the following Fiscal Year 2017-2018 Vouchers. The motion was seconded by Trustee Murtaugh and approved with a vote of 5-0 vote.

General Fund	\$69,781.73
Water Fund	\$27,777.03
Sewer Fund	\$1,295.00
Capital Fund	\$296,730.15
Trust Fund	\$23,632.00
	\$419,215.99

2. PRESENTATION

Presentation by Lindsay Audin, Chair of the Croton Sustainability Committee regarding the "Community Choice Aggregation" program and proposed educational outreach.

Mr. Audin presented a plan and schedule for the "Community Choice Aggregation program" ("CCA"). Mr. Audin explained that when residents purchase power from Con-Edison they are purchasing two basic products; one is for the supplied energy and one is for the delivery of that energy. Mr. Audin explained that approximately twenty years ago these two products were separated by New York State so that a customer could buy their energy from either the local utility or a private energy supply company or what we call an "ESCO". Mr. Audin stated that many "ESCO's" offer power supply in our area but in Westchester the local utility, Con-Edison, still delivers that power. Mr. Audin explained that it can be a very daunting task to choose an "ESCO" because there are more than one-hundred active "ESCO's" in our area. Mr. Audin stated that the aggregation of bringing together many customers as a single entity to buy power in bulk can result in getting a lower price and gives the community an opportunity to utilize a professional

broker or consultant to negotiate that price. Mr. Audin stated that an aggregation of residential and small businesses has been common in other states for many years but it is only allowed in New York State under Municipal auspices since 2015. Mr. Audin stated that in those aggregations a Municipality gathers all the accounts in its territory and hires a broker or consultant who assists in choosing an "ESCO" using competitive bidding and due diligence of qualifications; the two major benefits available through aggregation is a lower price for your energy and the ability to also specify that all of the power come from renewable sources which reduces our climate impact and carbon footprint. In Westchester County an organization called "Sustainable Westchester" has acted as the broker for the first of these aggregations in New York State which are called, by the Public Service Administration, a "CCA Administrator". Mr. Audin advised that "Sustainable Westchester" developed the first "CCA" in 2016 and currently serves 100,000 residents in twenty Municipalities; "Sustainable Westchester" entered into a two year contract with those participating Municipalities in April/May of 2016; that two year contract will run out in the beginning of May 2018 and instead of letting the contract run out they have opted to extend it to the end 2018. Mr. Audin stated that this gives an opportunity for Croton to join "Sustainable Westchester's" "CCA" aggregation program for that eight month period and at the end of the 2018 contract we will then have the opportunity, if we choose, to go with a different "CCA" Administrator or to stay with "Sustainable Westchester". Mr. Audin stated that under the Rules of the "New York State Public Service Commission" a Municipality must perform a public education and outreach program to its residents and small businesses before aggregating them into a "CCA", the education must include how a customer can "opt-out" of the program; because if they do not "opt-out" they will automatically become a member; the benefits and other issues of participation have to be addressed as well; sufficient time must also be given for community response before a Municipality can decide if it wishes to join or work with an aggregation group. Mr. Audin stated that the "Croton Sustainability Committee in concert with "Mothers Out Front" (a local community group supporting "CCA") has been developing appropriate presentations and a draft schedule for delivery to Croton residents and small businesses. Mr. Audin stated that if the proposed schedule is appropriate to the Village Board the committee will move forward with this pursuit in order to satisfy those educational requirements and asked the Board to move ahead on this opportunity. Mr. Audin advised that the proposed schedule

includes two panels separated by about two or three weeks, the first would be held on January 25th at the Croton Library, the second one on either February 6th or 15th depending on the availability of the Library; in between these events there will be a pair of mailings that would be done by the Village and postings on the Village's Web Site that will include FAQ's that have been assembled by "NYSERDA" (New York State Energy Research & Development Authority) as well as producing various presentation materials such as power points and PDF's; later on in the summer they will have the opportunity to look at other "CCA" administrators; "Sustainable Westchester" is just one of three that have offered to do aggregation for Croton; in the later part of the summer another event will be held that will include a review and procurement options going forward.

Trustee Gallelli asked how this proposed outreach compares to what other communities have done.

Mr. Audin stated that there was quite a wide range on how this was done throughout the other communities; some did more and some did less and while he cannot say we are more than anyone else we are probably at least as much and a little more than the average.

Village Manager King asked if Con-Edison will be supplying the names and addresses or are we going to do a mailing to the entire community similar to how we mail our Newsletter.

Mr. Audin stated that under the "PSC" rules Con-Edison is required to supply that information and as of today they just came out with a new ruling that details exactly what the process is and what information Con-Edison is required to give the Municipality.

Trustee Attias said that the schedule calls for a review of the process in early fall; part of that is to review who the Administrator would be and if we would want to continue with "Sustainable Westchester". Trustee Attias asked Mr. Audin if he knew if any Municipalities have been displeased with them and has he gotten any feedback on their performance.

Mr. Audin stated that so far he has not heard anything of a negative nature; at the beginning there was some confusion but overall about six percent of the people that were brought into the program opted to drop-out.

Trustee Attias asked if Municipalities offered individual counseling or tutoring to those that dropped out of the program on how things work before they made that decision.

Mr. Audin stated that "not to his knowledge" but "Sustainable Westchester" can better answer that question.

Trustee Murtaugh stated that the "opt-out" issue was raised about eighteen months ago and there seemed to be some fear about this procedure; is the "opt-out" step cumbersome and asked Mr. Audin to explain.

Mr. Audin advised that it has not been cumbersome and the "PSC" has made it a relatively straight forward process. Mr. Audin advised that there was another step that was not made clear during previous "CCA" discussions which is even simpler than the "opt-out" which is called "Blocking" and you can do this even before "CCA" exists and is something that Con-Edison has had available wherein you can pick up the phone, call the number for complaints on your bill and simply ask them to block your account which will stop any change to your account and takes you out of the program completely.

Trustee Gallelli asked if we have to take an action this evening in order to follow through on this schedule.

Mayor Pugh recommended that we adopt a resolution this evening.

RESOLUTION:

Trustee Gallelli made a motion for the Village Board to move forward with the proposed "Sustainability Committee's" schedule for outreach for the "CCA" Program. Motion was seconded by Trustee Attias and approved with a 5-0 vote.

3. CORRESPONDENCE

a. Letter from M.H. Fryburgh requesting that the Board support the resolution to rename Croton Point Park the "Eleanor Roosevelt Park at Croton Point".

4. RESPONSES TO QUESTIONS SUBMITTED BY EMAIL – none

5. PUBLIC PARTICIPATION ON AGENDA ITEMS

M.H. Fryburgh, 35 Brook Street, Croton on Hudson, advised that he and Stefan Lonce are the co-founders of "4 A Better Westchester & NYS Association". Mr. Fryburgh stated that their latest project is to persuade Westchester County officials to rename "Croton Point Park" the "Eleanor Roosevelt Park at Croton Point" and asked for the Board's support.

Stefan Lonce, 35 Brook Street, Croton on Hudson, stated that he could not think of a better time to honor Eleanor Roosevelt and encouraged the Board to support this.

Leo Wiegman, 35 Benedict Blvd. Croton on Hudson, thanked the "Sustainability Committee" and Lindsay Audin for the presentation on "Community Choice Aggregation". Mr. Wiegman advised that the six percent "opt-out" rate was driven by a large number of condominium owners in the Town of Somers and Bedford who had bought their energy supply on a "Time of Use" contract which gives a very low rate for evening usage and a higher rate for daytime usage. Mr. Wiegman stated that the "CCA" program, at that time, was not aware of those customers and when that group received the final dollar amounts for the new rates it was a better deal for them to opt-out of the program and stay with their current program.

Mr. Wiegman stated that he supports resolution a. which will allow businesses to take advantage of the financing made available through the "Energize New York Finance Program"; when this program was initially launched and piloted the State Legislature at that time didn't quite get everything exactly right; two years later technical corrections have been made to the language and each community needs to adopt these corrections as well.

6. RESOLUTIONS:

a. On motion of TRUSTEE GALLELLI, seconded by TRUSTEE Attias, 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 of Croton seeks to amend Chapter 114 Energy Conservation, Article I Energize NY Benefit Financing Program to reflect revisions to the General Municipal Law and program modifications; and

WHEREAS, Local Law Introductory No. 6 of 2017 has been drafted to amend Chapter 114 Energy Conservation, Article I,

NOW THEREFORE BE IT RESOLVED: that a Public Hearing is hereby scheduled for Tuesday, January 2, 2018 at 8:00pm in the Meeting Room of the Stanley H. Kellerhouse Municipal Building located at One Van Wyck Street.

DISCUSSION:

Mayor Pugh stated that this is a program that was established by the State of New York and is administered by "Energize New York" which is a State Chartered Local Development Corporation; it is meant to provide low interest financing for renewal energy projects by attaching that loan to the property tax-payer which provides extra security for the lender and insuring that the project can receive a lower interest rate.

b. On motion of TRUSTEE MURTAUGH, seconded by TRUSTEE ATTIAS, 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 use permit application for a mixed occupancy building at 25 South Riverside Avenue in order to construct a new 2nd and 3rd story over a new open parking structure in a C-1 commercial zone, which would include 13-dwelling units on the 2nd and 3rd floors for a total of 26 units; and

WHEREAS, on November 6, 2017 the Village Board declared its intent to serve as Lead Agency and circulated all application documents to the involved agencies; and

WHEREAS, all involved agencies have no objection for the Village Board to serve as Lead Agency for SEQRA purposes,

NOW, THEREFORE BE IT RESOLVED: that the Village Board hereby declares itself Lead Agency for SEQRA purposes related to the special use permit application for a mixed occupancy building at 25 South Riverside Avenue in order to construct a new 2nd and 3rd story over a new open parking structure in a C-1 commercial, which would include 13-dwelling units on the 2nd and 3rd floors for a total of 26 units,

AND BE IT FURTHER RESOLVED: the Village Board refers all application documents to the Village Waterfront Advisory Committee for a recommendation of consistency with the Village's Local Waterfront Revitalization Program.

DISCUSSION:

Trustee Murtaugh stated that he thinks this a great project; it is on the main drag; it will be low impact to the neighbors; the renderings look attractive and we need people to support businesses and small one and two bedroom residential units is a win for both the tax base and the business community.

Trustee Gallelli stated that she agrees with Trustee Murtaugh that this is a good project and supports what its intended outcome will be which is having additional housing units over a commercial property, however in this particular case and the way this is being promoted this proposal is not consistent with the intent of the C1 Zone and she has concerns with that as well as her concerns about setting a precedent. Trustee Gallelli stated that if we want the C1 Zone to be something different then we should address the C1 Zone. Trustee Gallelli stated that the path that she sees would be to reexamine the C1 Zoning in that area.

Village Attorney Whitehead stated that this resolution is just a procedural step confirming that the Village Board is Lead Agency and referring it to the "Waterfront Advisory Committee".

c. On motion of TRUSTEE GALLELLI seconded by TRUSTEE ATTIAS 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, Steel Style Development Corporation has proposed donating underwater property between Half Moon Bay and Senasqua Park to the Village; and

WHEREAS, a Short Environmental Assessment form (the "EAF") has been drafted in connection with the Proposed Action; and

WHEREAS, a Coastal Assessment Form (CAF) has been drafted in connection with the Proposed Action,

NOW THEREFORE, be it resolved as follows:

1. The Village Board hereby determines that the Proposed Action is an Unlisted Action under SEQRA,
2. The Village Board hereby declares itself Lead Agency for SEQRA purposes,
3. The Village Board hereby refers the CAF to the Village Waterfront Advisory Committee for a recommendation of consistency with the Village's Local Waterfront Revitalization Program.

d. On motion of TRUSTEE MURTAUGH seconded by TRUSTEE HOROWITZ 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 New York State and Local Retirement System requires that the Village establish a standard workday for each employee title for retirement reporting purposes,

NOW THEREFORE BE IT RESOLVED: that the Village of Croton on Hudson, Location Code 40065 hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the to the Village Clerk of this body:

Title	Standard Work Day
ASSOCIATE VILLAGE JUSTICE	7.00
ADMINISTRATIVE INTERN	7.00
ASSESSOR	7.00
ASSISTANT AUTO MECHANIC	8.00
ASSISTANT COURT CLERK	7.00
ASST DISTRICT ATTORNEY(VILLAGE)	7.00
ASST GENERAL FOREMAN	8.00
ASST. BUILDING INSPECTOR	8.00
AUTO MECHANIC	8.00
BUS DRIVER	7.00
COMMISSIONER OF PUBLIC WORKS	8.00
SECRETARY TO VILLAGE MANAGER	7.00
COURT ATTENDANT	7.00
COURT CLERK	7.00

DATA ENTRY OPERATOR	7.00
DEPUTY VILLAGE CLERK	7.00
DEPUTY VILLAGE TREASURER	7.00
FIRE INSPECTOR	7.00
GENERAL FOREMAN	8.00
HARBOR MASTER	7.00
INTERMEDIATE CLERK	7.00
JR CLERK	7.00
LABORER	8.00
LEAD MAIN MECH (AUTO)	8.00
LIFEGUARD	7.00
LIFEGUARD CAPTAIN	7.00
MAINTENANCE WORKER REPAIR	8.00
MAYOR	7.00
MOTOR EQUIP OPERATOR	8.00
OFFICE ASSISTANT	7.00
OFFICE ASST (AUTO)	7.00
PARK ATTENDANT	7.00
PARK RANGER	7.00
PARKING ENFORCEMENT OFFICER	7.00
PARKING OFFICE MANAGER	7.00
PARKS FOREMAN	8.00
POLICE CHIEF	8.00
POLICE DISPATCHER	7.00
POLICE LIEUTENANT	8.00
POLICE OFFICER	8.00
POLICE SERGEANT	8.00
RECREATION SPECIALIST	7.00
RECREATION ASSISTANT	7.00
RECREATION LEADER	7.00
RECREATION SUPERVISOR	7.00
SANITATION WORKER	8.00
SCHOOL CROSSING GUARD	7.00
SEC PLANNING BOARD	7.00
SENIOR ACCOUNT CLERK	7.00
SKILLED LABORER	8.00
SPORTS OFFICIAL(S)	7.00
SR OFFICE ASSISTANT	7.00
SUPT OF PUBLIC WORKS	7.00

VILLAGE CLERK	7.00
VILLAGE ENGINEER	7.00
VILLAGE JUSTICE	7.00
VILLAGE MANAGER	7.00
VILLAGE TREASURER	7.00
VILLAGE TRUSTEE	7.00
WATER MAINT FOREPERSON	8.00
WATER MAINTENANCE WORKER 1	8.00
WATER MAINTENANCE WORKER II	8.00

e. On motion of TRUSTEE GALLELLI seconded by TRUSTEE HOROWITZ 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 owners of Fratelli's Trattoria Inc. located at 8 Old Post Road South have requested the use of approximately 230 square feet of Village-owned property for the purpose of constructing a sunroom addition and maintaining and occupying portions of the existing deck, retaining wall and other improvements; and

WHEREAS, this action requires that a license agreement be put in place between Fratelli's Trattoria Inc. and the Village,

NOW THEREFORE BE IT RESOLVED: the Village Board of Trustees authorizes the Village Manager to execute a license agreement with Fratelli's Trattoria Inc. for the use of approximately 230 square feet of Village-owned property for the purpose of constructing a sunroom addition and maintaining and occupying portions of the existing deck, retaining wall and other improvements,

AND BE IT FURTHER RESOLVED: the license agreement will be executed after final approval by the Village Attorney.

DISCUSSION:

Trustee Gallelli advised that this is an ongoing discussion between Fratelli's Trattoria, Inc. and the Planning Board; this will require a very small encroachment on Village owned land which, we believe, would not have an impact.

f. On motion of TRUSTEE ATTIAS seconded by TRUSTEE MURTAUGH 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 Government Accounting Standards Board issued new standards which focus on retiree benefits; and

WHEREAS, the Village Treasurer has received a proposal from USI Consulting Group of Glastonbury, Ct. for actuarial services related to GASB 45/75 for the reporting of retiree benefits,

NOW THEREFORE BE IT RESOLVED: the Village Board of Trustees authorizes the Village Manager to sign the proposal from USI Consulting Group of Glastonbury, Ct. in the amount of \$6,800 for actuarial service related to GASB 45/75 for the reporting of retiree benefits.

g. On motion of TRUSTEE HOROWITZ seconded by TRUSTEE ATTIAS 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 of Croton on Hudson was awarded \$50,000 through the New York State Clean Energy Communities (CEC) Program to construct a 'living lighting laboratory' in the Municipal Building to spread awareness about, and promote, rapid adoption of efficient lighting technologies; and

WHEREAS, this requires that a contract between the Village of Croton and the New York State Energy Research and Development Authority (NYSERDA) be executed so that funds may be distributed,

NOW THEREFORE BE IT RESOLVED: the Village Board of Trustees authorizes the Village Manager to execute the contract with the New York State Energy Research and Development Authority (NYSERDA) for a grant in the amount of \$50,000 to construct a 'living lighting laboratory' in the Municipal Building to spread awareness about, and promote, rapid adoption of efficient lighting technologies.

DISCUSSION:

Trustee Gallelli stated that the "Sustainability Committee" needed an innovative approach to be able to receive this grant money and credited the "Sustainability Committee" for coming up with this idea.

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

WHEREAS, the Village has incurred non-budgeted costs associated with the management of its computer stations, including the replacement of the firewall and acquisition of a spare firewall; and

WHEREAS, in order to cover these costs, the Village Treasurer proposes to transfer \$10,452 from the 2017-2018 Contingency Account,

NOW THEREFORE BE IT RESOLVED: that the Board of Trustees hereby authorizes the Village Treasurer to transfer \$10,452 from the General Fund's Contingency Account number A1990.4000 to Central Communications Account number A1650.4000 to cover non-budgeted costs associated with the management of the Village's computer stations, and the replacement and purchase of a spare firewall for the Village's computer systems.

7. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - none

8. APPROVAL OF MINUTES

Motion to approve the minutes of the Executive Sessions held on December 4th, December 11th and December 12, 2017 was made by Trustee Horowitz. Motion was seconded by Trustee Gallelli and approved with a 5-0 vote.

9. APPOINTMENTS:

Mayor Pugh appointed Trustee Gallelli and Trustee Attias and reappointed Stuart Greenbaum, Bruce Kauderer and Merrily Besvinick to the Waterfront Advisory Committee.

10. REPORTS

Trustee Attias advised that the Arboretum Committee will be hosting its annual "Groundhog Day Tree Identification Walk" with Arborist Craig Stevens between 12pm and 2pm on Sunday, February 4th.

Trustee Murtaugh advised that he and Trustee Attias had a meeting with Village Engineer Dan O'Connor; it was very informative and brought them up to speed on what is going on throughout the Village and thanked him for his time. Trustee Murtaugh advised that he also met with Superintendent of Public Works Frank Balbi who gave him a tour of the new DPW facility and thanked him for taking time out of his day. Trustee Murtaugh suggested that, as we get closer to DPW relocating to the new facility, we hold a DPW Day to give residents the opportunity to tour the new facility.

Trustee Gallelli advised that the Community Blood Drive that was held in early December was very successful; because the need for blood is critical this time of year the Community Blood Drive will be holding another drive on December 27th in the Community room at Village Hall from 3:30pm-8pm. Trustee Gallelli wished everyone a very happy and healthy New Year. Trustee Gallelli asked for an update on the Elliott Way project.

Village Engineer Dan O'Connor explained that all the concrete treads are installed and the contractor is now installing the brackets; the railing system has been ordered and we are expecting them arrive in two weeks; the contractor is installing the curbs between the road and the boardwalk but will hold off grading the roadway until the spring. Village Engineer Dan O'Connor advised that they have a meeting scheduled for this coming Thursday to take a look at the phase of the Riverwalk between the bathhouse and the beginning of the current project with an anticipation to start that work in the spring.

Trustee Horowitz advised that she met with members of the "Sustainability Committee"; they were very welcoming and informative and is delighted to be working with them.

Village Attorney Whitehead wished everyone a happy holiday and a happy New Year.

Mayor Pugh advised that he and Trustee Attias represented Croton at the monthly meeting of the Westchester Municipal Officials Association; the subject of that meeting was "Life After Indian Point" where representatives

from the Public Service Commission assured us that the electric grid will be fine in a world without Indian Point thanks to the addition of new capacity and energy conservation initiatives and that important economic issues for the community is still being worked on. Mayor Pugh stated that he had a chance to meet with a number of our volunteer committees; Recreation Advisory Council, Visual Environment Board, Council on the Arts, Bicycle Pedestrian Committee and the Water Control Commission and looks forward to meeting with members of the Planning Board and Zoning Board of Appeals. Mayor Pugh wished everyone a happy holiday and a happy New Year.

A motion to enter into an Executive Session regarding a real property matter and a personnel matter related to a specific individual was made by Trustee Murtaugh and Trustee by Trustee Horwitz. Motion was approved with a 5-0 vote.

There being no further business to come before the Board; Trustee Gallelli made a motion to adjourn the meeting. Trustee Murtaugh seconded the motion; the motion was approved with a vote of 5-0.

Respectfully submitted

Judy Weintraub, Board Secretary

Paula DiSanto, Village Clerk