

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, May 16, 2011 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 Schmidt - absent
Village Attorney Feldman	Trustee Murtaugh
Treasurer Bullock	Trustee Raskob

1. CALL TO ORDER:

Mayor Wiegman called the meeting to order at 8:00 p.m. Trustee Murtaugh led the Pledge of Allegiance.

2. APPROVAL OF VOUCHERS:

Trustee Raskob made a motion to approve the vouchers as follows, subject to review by the Audit Committee. The motion was seconded by Trustee Murtaugh and approved with a vote of 4-0 with one absent.

General Fund	\$ 158,549.56
Water Fund	3,123.34
Sewer Fund	9,325.76
Capital Account	22,953.45
Trust & Agency	2,631.69
Total	\$ 196,583.80

3. CORRESPONDENCE:

Village Manager Zambrano read the following correspondence (full text available at the Village Office):

- a) A letter from Sandra Galef, NYS Assemblywoman regarding discussion of Energy Consumption and Meeting the Demand, to be held on Wednesday, June 8, 2011 7 pm to 9 pm at Croton Harmon High School.
- b) A letter from Commissioner Anthony W. Sutton, Westchester County Department of Emergency Services, regarding the GIS Lifelines Project which will include an inventory and mapping of public water systems; when completed, each municipality will get a copy in GIS format.
- c) A letter from Robert Hoch, Director, Government Affairs, Cablevision regarding a rate change for the remote and the cable box, with the basic rate of \$6.95 for the two remaining the same.

1 4. APPROVED RESOLUTIONS:

2 a) On motion of TRUSTEE Schmidt, seconded by TRUSTEE Murtaugh, the following
3 resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson,
4 New York with two absent members:

5
6 WHEREAS, Chapters 168 and 172 of the Village Code allows food vendors to operate in
7 Village Parks by authorization of the Village Board.

8
9 NOW, THEREFORE BE IT RESOLVED: the Village Board hereby authorizes the issuance
10 of a special permit to “La Monica’s Salumeria” for the sale of food at Senasqua Park on
11 April 23, 2011 during the Village’s Earth Day Celebrations; and

12 BE IT FURTHER RESOLVED: that “La Monica’s Salumeria” will adhere to the following
13 requirements:

- 14
- 15 ▪ Selling hours at Senasqua Park will be limited to the hours between 9:00 a.m. and 4:00
 - 16 p.m.
 - 17 ▪ The vendor would be responsible for providing all necessary equipment. Only prepared
 - 18 food may be sold but heating and assembly of items may occur at the site. All food must
 - 19 be prepared in accordance with Westchester County Health Department guidelines.
 - 20
 - 21 ▪ The vendor would be responsible for any kind of clean-up associated with the selling of
 - 22 the food and would be responsible for removing all of the garbage and trash associated
 - 23 with the sales of the food.
 - 24
 - 25 ▪ All equipment used to heat and sell the food must be portable and must be removed at the
 - 26 end of each day.
 - 27
 - 28 ▪ The Village will determine the location of the vendor site(s) within the park.
 - 29
 - 30 ▪ The vendor must supply the necessary insurance coverage holding the Village harmless
 - 31 from its operations.
 - 32

33
34 b) On motion of TRUSTEE Gallelli, seconded by TRUSTEE Raskob, the following
35 resolution was adopted with a 4-0 vote with one abstention by the Board of Trustees of
36 the Village of Croton-on-Hudson, New York:

37
38 WHEREAS, Croton Point Realty, the owner of the building at 1-3 Croton Point Avenue (the
39 Owner) requires additional parking spaces for its tenants; and

40
41 WHEREAS, the Village Engineer has determined that the Owner could apply to the Planning
42 Board for an amended site plan to add parallel parking along the west side of the property;
43 and
44

1 WHEREAS, if these parking spaces were added it would impede traffic in parking lot A of
2 the Croton Harmon Train Station; and

3
4 WHEREAS, the Owner and the Village have agreed that in exchange for the owner waiving
5 his right to apply for an amended site plan he would be designated 6 parking spaces in
6 Parking Lot A,

7
8 NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to execute
9 the agreement between the Village of Croton on Hudson and Croton Point Realty whereby
10 the Village would lease 6 parking spaces in parking lot A of the Croton Harmon Train
11 Station to Croton Point Realty for a period of three years ending May 31, 2014.

12 Discussion: Trustee Murtaugh stated that the lease is just an arrangement, there is no money
13 involved. Village Manager Zambrano added that the Village retains the right to change where
14 the spaces are located and retains the rights to the spaces.

15
16 5. CITIZEN PARTICIPATION (AGENDA ITEMS):

17 a) Ginny Calcutti, 19 Hunter Place, asked how the parking agreement works. Trustee
18 Murtaugh replied that the road comes close to the building and the building owner is entitled
19 to spaces; in order to avoid expense, we made an agreement we would give them dedicated
20 spaces in parking lot A for his tenants. Ms. Calcutti asked for an explanation of the service
21 award to Eddie Walsh Jr. Village Manager Zambrano replied that he is a fireman in the
22 Village. Ms. Calcutti stated that regarding 1300 Albany Post Rd., the expense up to \$5,000
23 and asked how the lawyer gets paid for that. Village Manager Zambrano replied that the
24 \$5,000 is only for the title search and does not include the attorney's fees. Ms. Calcutti
25 questioned the permit for Blue Pig and asked if they sell food. Trustee Gallelli replied that
26 the resolution is for them to have a vendor's license to sell ice cream at Croton Landing.

27
28 b) Don Daubney, 45 Bungalow Rd., asked where Mapleby LLC is. The reply is that it is the
29 Croton Commons. Mr. Daubney stated that the Village owns several recreation parcels and,
30 regarding the Gorveia property, he questioned if we need these additional acres taken off the
31 tax roles and requiring more maintenance by Village employees; we are adding further
32 burden on Village employees or additional personnel will be needed and are taking taxes
33 away from the Village; it seems we are overdoing it; this property will not add any benefit to
34 the Village, but will add expenses and headaches; he thinks the whole idea is ill advised and
35 is not setting a good precedent and we should not go through the expense of pursuing the
36 idea. Trustee Murtaugh replied that the Village did not solicit this and we may not accept the
37 offer. Mr. Daubney stated that we know what the property and house are and we are not
38 going to make any money off this property; the Village is 4 to 5 square miles and are asking
39 8000 people to pay more and more; Black Rock Park had plans for a number of stages of
40 development and we have not gotten 1/3 of the way there.

41
42 6. PROPOSED RESOLUTIONS:

43 a) On motion of TRUSTEE GALLELLI, seconded by TRUSTEE RASKOB, the following
44 resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New
45 York with a vote of 4-0 with one absent:

1
2 WHEREAS, the Volunteer Fire Department Service Award Program was approved by
3 referendum in 2003; and
4

5 WHEREAS, Article 11-A of the New York State General Municipal Law requires that the
6 list of members of the Fire Department indicating those who earned a year of service credit
7 during the calendar year, those that did not earn a year of credit, and those who waived
8 participation must be certified under oath by the Fire Department; and
9

10 WHEREAS, once certified, this list must be approved by the Village Board, and
11

12 WHEREAS, after review of the 2006 service award report it has been determined that
13 Edward Walsh Jr. is entitled an additional year of credit; and
14

15 WHEREAS, Edward Walsh Jr. has been receiving benefits since September 2006 and is
16 entitled to receive a retroactive payment and increase in current benefit;
17

18 NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby
19 authorizes the correction of the 2006 service award report to enable Edward Walsh Jr. to
20 receive a retroactive payment, increase his current benefit and produce a letter to Penflex
21 stating such.
22
23

24 b) On motion of TRUSTEE RASKOB, seconded by TRUSTEE GALLELLI, the
25 following resolution was adopted by the Board of Trustees of the Village of Croton-on-
26 Hudson, New York with a vote of 4-0 with one absent:
27

28 WHEREAS, on April 15, 2011, 1 bid was received and opened for SCBA/Scuba Breathing
29 Air Station; and
30

31 WHEREAS, the sole bidder was AAA Emergency Supply of White Plains, NY in the amount
32 of \$57, 495.00; and
33

34 WHEREAS, the Fire Chief has reviewed the bid and recommends awarding the contract to,
35 AAA Emergency Supply of White Plains, NY;
36

37 NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to award
38 the bid to AAA Emergency Supply of White Plains, NY in the amount of \$57,495 for one
39 SCBA/Scuba Breathing Air Station.
40

41 Discussion: Trustee Gallelli stated that we have allocated \$100,000 for this in the budget and
42 this is substantially less than was allocated.
43

1 c) On motion of TRUSTEE RASKOB, seconded by TRUSTEE GALLELLI, the following
2 amended resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson,
3 New York with a vote of 4-0 with one absent:

4
5 WHEREAS, Mapleby LLC, the owner of Croton Commons, parcel 78.12-003-004, has filed
6 a grievance and a Petition in State Supreme Court against both the Village of Croton on
7 Hudson and the Town of Cortlandt for the years 2008, 2009, 2010 and 2011 seeking an
8 assessment reduction; and

9
10 WHEREAS; The Village has reached an agreement with Mapleby LLC to reduce the
11 assessments to reflect a more reasonable market value of the property; and

12
13 WHEREAS; as the result of such settlement, the Village has agreed to reduce the assessment
14 of parcel 78.12-003-004 from \$234,500 to \$116,305 for years 2008 through 2011; and

15
16 WHEREAS; such assessment reduction will cause a tax refund to Mapleby LLC, owners of
17 parcel 78.12-003-004 as follows:
18 Fiscal year 2008/2009 \$27,016
19 Fiscal year 2009/2010 \$25,933
20 Fiscal year 2010/2011 \$26,926
21 Fiscal year 2011/2012 \$28,034,
22 Totaling \$107,909; and

23
24 WHEREAS; refunds for the first three years with a total of \$79,875 should be allocated and
25 charged to Fiscal Year 2010/2011 and the balance of \$28,034 to be refunded from Fiscal
26 Year 2011/2012.

27
28 NOW THEREFORE BE IT RESOLVED: That the Board of Trustees approves the
29 assessment reduction of parcel 78.12-003-004 from \$234,500 to \$116,305 based on the
30 recommendation of the Village Assessor and the settlement agreement with representatives
31 of Mapleby LLC.

32
33 AND BE IT FURTHER RESOLVED: That the Board of Trustees authorizes a tax refund of
34 \$107,909 based on the assessment reduction for fiscal years 2008/2009, 2009/2010,
35 2010/2011 and 2011/2012.

36
37
38 c) On motion of TRUSTEE GALLELLI, seconded by TRUSTEE MURTAUGH, the
39 Following resolution was adopted by the Board of Trustees of the Village of Croton-on-
40 Hudson, New York with a vote of 4-0 with one absent:

41
42 WHEREAS, Mrs. Laurel Gouveia has offered to make a gift to the Village of Croton-on-
43 Hudson of her approximately 16 acre parcel of real property located at 1300 Albany Post
44 Road on terms described in a letter from her attorney, Edward Davidson, Esq., dated January
45 28, 2011; and

1 WHEREAS, the Village Board is considering whether it will accept this gift; and

2
3 WHEREAS, in order for the Village to consider accepting this gift, it is necessary for the
4 Village to perform a due diligence review regarding the property; and

5
6 WHEREAS, such review will include the following: Obtaining a title report, having a phase
7 I environmental review conducted with respect to the property, inspection of any oil tanks on
8 the property, inspection of the septic system, inspection of the water supply, radon
9 inspection, termite inspection and inspection of structures and mechanical systems.

10
11 NOW THEREFORE BE IT RESOLVED: that the Board of Trustees authorizes the
12 expenditure of up to \$5,000 from account A1940.4000 to conduct the due diligence review of
13 1300 Albany Post Road.

14
15 Discussion: Mayor Wiegman stated that the Village has right of first refusal for this property
16 which will come off the tax rolls. Trustee Gallelli added that there is a misconception that
17 this property has been offered to multiple entities; it has not and the Town has not been
18 offered it, but it has been made very clear that the owner of this property will ensure that the
19 property will retain open space, recreational and will come off the tax rolls in any case; we
20 have not made a decision, but when presented with an opportunity like this for a substantial
21 piece of property like this, it is incumbent on us to look at it carefully for uses in the future; if
22 we come to the conclusion to accept, it will become a very long range proposition as the
23 owner will remain there and maintain the property

24
25 d) On motion of TRUSTEE MURTAUGH, seconded by TRUSTEE RASKOB, the
26 following resolution was adopted by the Board of Trustees of the Village of Croton-on-
27 Hudson, New York with a vote of 4-0 with one absent:

28
29 WHEREAS, the Village Board of Trustees would like to identify permitted users of Village
30 Parks and Recreation area and prohibit sales within Village Parks and Recreations area
31 unless authorized by the Village Board; and,

32
33 WHEREAS, Local Law No. 2 of 2009 has been adopted amending Chapter 168 Sections 5,
34 8, 10 of the Village Code to limit the use of specified Village Parks and Recreation areas to
35 residents only and prohibit sales of food, goods, wares or merchandise, unless authorized by
36 the Village Board; and

37
38 WHEREAS, Local Law No. 3 of 2009 has been adopted amending Chapter 172 Section
39 2(A) of the Village Code adding subparagraph (7) allowing for sales in the Village Parks and
40 Recreation areas by authorization of the Village Board, and

41
42 NOW, THEREFORE BE IT RESOLVED: the Village Board hereby authorizes the issuance
43 of a special permit to the Blue Pig, Baked by Susan and La Monica's Salumeria for the sale
44 of food at Senasqua Park;

1 BE IT FURTHER RESOLVED: the Blue Pig, Baked by Susan and La Monica's Salumeria
2 will pay a one time fee of \$350.00 for the year and adheres to the following requirements:

- 3 ▪ Selling hours for Senasqua Park are restricted to concert nights from 5pm to 10 pm. The
4 concert schedule is as follows:

5
6 Friday, June 24th, Friday, July 1st, Friday, July 15th, Friday, July 22nd, Friday July 29th,
7 Friday, August 5th, and Friday, August 12th.

- 8
9 ▪ The vendor would be responsible for providing all necessary equipment. Only prepared
10 food may be sold but heating and assembly of items may occur at the site. All food must
11 be prepared in accordance with Westchester County Health Department guidelines.
12
13 ▪ The vendor would be responsible for any kind of clean-up associated with the selling of
14 the food and would be responsible for removing all of the garbage and trash associated
15 with the sales of the food.
16
17 ▪ All equipment used to heat/cool and sell the food must be portable and must be removed
18 at the end of each day.
19
20 ▪ The Village will determine the location of the vendor site(s) within the park.
21
22 ▪ The vendor must supply the necessary insurance coverage holding the Village harmless
23 from its operations.
24

25 BE IT FURTHER RESOLVED: the Village Board hereby authorizes the issuance of a
26 special permit to the Blue Pig for the sale of food at Croton Landing, two days a week at the
27 discretion of the Blue Pig as long as the Village is notified in advance and adheres to the
28 following requirements:

- 29 ▪ The vendor would be responsible for providing all necessary equipment. Only prepared
30 food may be sold but heating and assembly of items may occur at the site. All food must
31 be prepared in accordance with Westchester County Health Department guidelines.
32
33 ▪ The vendor would be responsible for any kind of clean-up associated with the selling of
34 the food and would be responsible for removing all of the garbage and trash associated
35 with the sales of the food.
36
37 ▪ All equipment used to heat/cool and sell the food must be portable and must be removed
38 at the end of each day.
39
40 ▪ The vendor must supply the necessary insurance coverage holding the Village harmless
41 from its operations.
42

Discussion: Trustee Murtaugh stated that this will be the 3rd season and the food has been well received and is a nice addition to concert nights. Village Manager Zambrano added that this is the first time the merchants have responded to our requests this early.

7. CITIZEN PARTICIPATION (non-agenda items):

a) Ginny Calcutti stated that she hopes everyone takes the time to look at the property gift. She stated that she is asking for a freeze of attendance at seminars for the year; last year an entourage attended the Mayor's conference and asked if there are a whole bunch of people going again this year; save some money by just having the Village Clerk go and the Village Manager; it is expensive and she would like the Board to cut back this year; she read that we did not hire another DPW laborer or police officer; she spoke to Board members and asked if they knew we were paying a clothing allowance for non-union members which does not show in the benefit package and the response was that we were not paying for that, but we are paying somewhere; kudos to Trustee Raskob for asking for the records from the Fire Dept. fund raising; we need accountability; Trustee Murtaugh made a comment about the \$600 allowance for cleaning uniforms and kudos to you; she is happy that they are starting to look at a few things.

8. APPROVAL OF MINUTES:

Approval of the minutes of the Special Meeting held on April 29, 2011 was held over to next meeting.

Trustee Raskob made a motion to approve the minutes of the Regular Meeting held on May 2, 2011 as corrected. Trustee Murtaugh seconded the motion. The Board approved with a vote of 4-0 with one absent.

Trustee Murtaugh made a motion to approve the minutes of the Work Session held on May 9, 2011. Trustee Raskob seconded the motion. The Board approved with a vote of 4-0 with one absent.

8. REPORTS:

Village Manager Zambrano reported that we are sending notifications to the public June 1st about recycling plastics 1 thru 7 per County recommendations. He reported also that he received a report from Police Chief and DWP Superintendent and will bring the report to the work session on the 23rd.

Trustee Raskob reported that last Thursday he attended a meeting of Municipal officials where he met a several officials; he will be going to the Mayor's conference and will be taking courses; we do have to meet other people in the same predicament as we are; he is spending a fair amount of time to self educate.

Trustee Gallelli reported that the Farmers Market will start on June 1st and be open 1:30 to 6:30 pm at the same location as previous years. Trustee Gallelli reminded everyone that Summerfest is June 5th; the parade will start at 1 pm at Vassalo Park; the grand marshals are all the men and

1 women of the US Armed Forces; there will be two bands, the usual vendors, food, Lions Club
2 will have a raffle, and several other groups such as that. She reported that she had the privilege
3 of going to the 1st Anniversary luncheon of Symphony Knoll which is a lovely place; Sylvia
4 Mills, who was the Planning Board Secretary, was honored with a plaque is in the hallway of
5 Symphony Knoll; it was a delightful occasion;

6
7 *Trustee Murtaugh* reported that Summerfest on June 5th will be a grand even. He reported that
8 last Friday he went to the High School science fair in collaboration with the Education
9 Foundation and the Village; it was a terrific event and well attended with many students.

10
11 *Mayor Wiegman* asked for confirmation for Heath Bingham to be appointed to Trails Committee.
12 He reported that there will be a meeting of the Sustainability Committee and Keith Douglas will
13 be speaker. Mayor Wiegman reported that he was working with the Town of Bedford today on
14 a grant application. He stated that the budget for conferences was reduced this and next fiscal
15 year; but we need the best education and get it by attending these conferences. Ms. Calcutti
16 stated that she didn't want to imply the Mayor and Trustees should not go to conferences, but did
17 question if we need to have all the other people go such as assistants. Mayor Wiegman replied
18 that it is helpful to have staff members come along; these meetings have varied instructions.

19
20
21
22 Trustee Raskob made a motion to adjourn. Trustee Murtaugh seconded the motion; approved
23 unanimously. The meeting was adjourned at 9:20 PM

24
25
26 Respectfully submitted,

27
28 *Phyllis A. Bradbury*

29 _____
30 Phyllis A. Bradbury, Secretary

31
32
33
34 _____
35 Village Clerk