

1 A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on
2 Monday, August 8, 2011 at the Municipal Building, Van Wyck Street, Croton-on-Hudson, NY
3 10520.

4
5 The following officials were present:
6

Mayor Wiegman	Trustee Gallelli
Village Manager Zambrano	Trustee Murtaugh
Village Attorney Staudt	Trustee Schmidt
Treasurer Bullock	Trustee Raskob-Absent

7
8 1. CALL TO ORDER:

9 Mayor Wiegman called the meeting to order at 8:10 p.m. Everyone joined in the Pledge of
10 Allegiance.

11
12 2. APPROVAL OF VOUCHERS:

13 Trustee Gallelli made a motion to approve the vouchers as follows, subject to review by the
14 Audit Committee. The motion was seconded by Trustee Schmidt and approved with a vote of
15 4-0 with one absent.
16

17 **2010-2011**

General Fund	96,696.61
Water Fund	-0-
Sewer Fund	3,900.00
Capital Account	-0-
Trust & Agency	-0-
Total	\$ 100,596.61

18
19 Trustee Schmidt made a motion to approve the vouchers as follows, subject to review by the
20 Audit Committee. The motion was seconded by Trustee Gallelli and approved with a vote of
21 4-0 with one absent.
22

23 **2011-2012**

General Fund	348,272.27
Water Fund	14,343.47
Sewer Fund	9,772.62
Capital Account	17,603.88
Trust & Agency	5,371.18
Total	\$ 395,363.42

24
25
26 3. PRESENTATIONS: none
27

28 3a) Mayor Wiegman noted that at the Special Meeting held on July 25th, the Board chose to

1 rescind the resolution for taping of special meetings and bring a resolution to the meeting of
2 8/8/11; this has not been brought to the Board tonight because other options are being
3 considered.

4
5 4. CORRESPONDENCE:

6 Village Manager Zambrano read the following correspondence (full text available at the
7 Village Office):
8

- 9 a) A letter from the Planning Board regarding Designation of Lead Agency for an
10 application for a single family dwelling, 50 Half Moon Bay. Trustee Gallelli stated that
11 she thinks the Planning Board should be Lead Agency on this application; most all the
12 background work will have to be done by the Planning Board. Mayor Wiegman stated
13 that this parcel is the one referred to as the "restaurant". Trustee Gallelli made motion to
14 consent to the Planning Board to become Lead Agency in this application; second by
15 Trustee Murtaugh, approved with a vote of 4-0 with one absent.
- 16 b) A letter from Allison Stadtmueller, Senior Acct. Coordination, LeadDog Marketing
17 Group, regarding Bike MS Sunday, September 25, 2011. The Board unanimously
18 approved the request.
- 19 c) A letter from Jud Ramaker, Race Director, Harry Chapin Memorial Run Against Hunger
20 regarding their Annual Run for Hunger Race, October 16, 2011. Trustee Murtaugh made
21 a motion to approve the request for cooperation for the HCMR; second by Trustee
22 Schmidt; approved with a vote of 4-0 with one absent.
- 23 d) A letter from Sandra Galef, NYS Assemblywoman, regarding the local court
24 consolidation bill; Ossining consolidation will become effective on Jan 1, 2012.
- 25 e) A letter from NYS Dept. of State regarding coastal fish and wildlife habitats along the
26 Hudson River; for more information, look at www.nyswaterfronts.com Trustee Gallelli
27 stated that it says they are considering 17 habitats, but none are in Westchester.
- 28 f) A letter from Paul Feiner, Greenburgh Town Supervisor, with follow up suggestions in
29 reference to the Clarkstown arbitration panel award.
- 30 g) A letter from Robert Hoch, Director, Cablevision Government Affairs, regarding re-
31 positioning of the Independent Film Channel
- 32 h) A letter from Robert Gaudioso, Snyder & Snyder, LLP regarding a special permit
33 renewal for Nextel Communications. Trustee Gallelli made a motion to refer this to the
34 Planning Board for a recommendation; second by Trustee Murtaugh, approved with a
35 vote of 4-0.
- 36 i) A letter from Charles Schumer, US Senator, announcing that the US Dept. of Homeland
37 Security's Federal Emergency Management Agency Grant Programs Directorate will
38 soon be accepting applications for the 2011 Assistance to Firefighters Grant Program.
39

40 5 CITIZEN PARTICIPATION (agenda items):

- 41 a) Ginny Calcutti, 19 Hunter Place, questioned authorizing the Village Manager to purchase
42 a maintenance bond for tanker fire apparatus and does it not come with warranties. Village
43 Manager Zambrano replied that the Village Attorney reviewed the contract and
44 recommended purchasing a maintenance bond to protect ourselves. Village Attorney Staudt
45 added that it comes with the standard guarantees, but there are instances where the contractor
46 goes bankrupt; there is no certainty anymore; it will ensure us against that risk; the bonding

1 company is agreeing that if anything goes wrong, they will step in and take care of it. Ms.
2 Calcutti asked if the tax refunds being voted on tonight are in addition to what was done last
3 meeting. Village Manager Zambrano replied that it is an additional piece of property. Ms.
4 Calcutti asked how do we amend a budget after it is passed. Village Manager Zambrano
5 replied that the State requires us to do this; whatever funds are available that fiscal year must
6 cover the expense. Ms. Calcutti, regarding the Executive session that was held at 7:30 pm,
7 asked if it does have to be announced first. Village Attorney Staudt replied that the
8 availability of the agenda covers the announcement.

9
10 b) Roseanne Schuyler, Olcott Ave., stated that she is pleased that the Board will be considering
11 alternatives to the recording of special meetings and work sessions as she brought up a few
12 weeks ago. She added that to increase openness in government, she is suggesting leveraging
13 the power of modern technology to do so; our ability to do that today is much greater these
14 days; she suggested that the Board look into making its public record public on its web site
15 rather than requiring foil requests.

16
17 c) Pat Moran, 49 Penfield, stated that she is also glad the Board is taking the position to
18 record work sessions; she suggested that lengthy reports be televised. Ms. Moran asked,
19 when approving vouchers, what does subject to approval of Finance and Audit mean. Mayor
20 Wiegman explained that this is subject to review by the auditors. Ms. Moran suggested
21 putting back up documents with the agenda. Village Manager Zambrano responded that
22 there is a large stack of papers each week and it would not be practical. Ms. Moran asked if
23 Village Manager Zambrano met with the DPW consultant. Mr. Zambrano replied that he did
24 and the Consultant will be at the last meeting of Sept. which will be televised. Regarding the
25 budget items for 2010-2011, Ms. Moran asked for an explanation of the procedure of how
26 this is accomplished. Village Manager Zambrano and Treasurer Bullock explained the
27 process. Treasurer Bullock stated that these are really transfers, not amendments and
28 perhaps should be called that; the total remains the same.

29
30 6. PROPOSED RESOLUTIONS:

31 a) On motion of TRUSTEE MURTAUGH, seconded by TRUSTEE GALLELLI, the following
32 resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York
33 with a vote of 4-0 with one absent:

34
35 WHEREAS, several residential property owners and or their representatives have filed a
36 small claim assessment review with the State Supreme Court seeking an assessment
37 reduction; and

38
39 WHEREAS, the attached memo provided by the Village Assessor, states a property ID 78.8-
40 005-028.01 has been granted a reduction in assessment from \$26,460 to \$23,760; a reduction
41 of \$2,700 and should receive a tax refund providing their taxes are paid in full; and

42
43 WHEREAS, the tax refunds were calculated using the current tax rate of \$237.182 per
44 \$1,000 of assessed value,
45

1 NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees authorizes the
2 Village Treasurer to issue a tax refund to the property owner of property ID 78.8-005-028.1
3 as outlined in the attached memo from the Village Assessor,

4
5 AND BE IT FURTHER RESOLVED: that the total amount of the refund as outlined in the
6 attached memo is \$640.39
7
8
9

10 b) On motion of TRUSTEE MURTAUGH, seconded by TRUSTEE GALLELLI, the following
11 resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York
12 with a vote of 4-0 with one absent:
13

14 WHEREAS, the Village Board wishes to amend chapter 215 of the code of the Village of Croton
15 on Hudson to control seasonal parking on Village streets and the issuance of special hardship
16 permits to allow for more efficient snow removal; and
17

18 WHEREAS, Local Law Introductory No.3 of 2011 has been drafted to reflect these changes;
19

20 NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby calls for a
21 Public Hearing on September 6, 2011 at 8pm in the meeting room of the Stanley H Kellerhouse
22 Municipal Building to consider Local Law Introductory No. 3 of 2011 amending Chapter 215 of
23 the Village Code.
24

25 **LOCAL LAW INTRODUCTORY NO. 3-2011**

26 **VILLAGE OF CROTON-ON-HUDSON, NEW YORK**

27
28
29 **A LOCAL LAW TO REVISE CHAPTER 215 OF THE CODE OF THE VILLAGE OF CROTON-ON-**
30 **HUDSON TO RESTRICT SEASONAL PARKING ON VILLAGE STREETS**
31
32

33 Be it enacted by the Board of Trustees of the Village of Croton-on-Hudson as follows:
34

35 **Section One.** § 215-29 Letter B of Chapter 215 of the Code of the Village of Croton-on-Hudson is amended to add
36 the following sentence at the end of the paragraph in letter B.
37

38 Vehicles parked in the Municipal Building parking lot, Asbury Methodist Parking Lot, Holy Name of Mary Parking
39 Lot, and Benedict Boulevard Parking lot must be moved within 12 hours after snow has ended.

40
41 **Section Two.** § 215-29 Letter C is hereby replaced with the following paragraph:
42

43 C. Special hardship permits. In cases where there is no off-street location or right-of-way area which can be used,
44 the Village Manager shall, upon written application on forms to be supplied by him and verification of the
45 applicant's special hardship, issue an annual permit granting permission to park motor vehicles on the street or
46 public highway except for certain streets designated by the Village Manager, upon recommendation of the
47 Superintendent of the Department of Public Works, provided that such parking conforms to all other laws and

regulations. No permit parking shall be permitted on those streets designated by the Village Manager. Hardship permit holders shall move their vehicles no later than 12 hours after the snow stops.

Section Three. This local law shall take effect immediately upon filing with the Secretary of State.

c) On motion of TRUSTEE SCHMIDT, seconded by TRUSTEE MURTAUGH, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 4-0 with one absent:

WHEREAS, the Village Board wishes to amend chapter 160 of the code of the Village of Croton on Hudson to further restrict the weekend operational hours of motor driven lawn and garden equipment; and

WHEREAS, Local Law Introductory No.4 of 2011 has been drafted to reflect these changes;

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby calls for a Public Hearing on September 6, 2011 at 8pm in the meeting room of the Stanley H Kellerhouse Municipal Building to consider Local Law Introductory No. 4 of 2011 amending Chapter 160 of the Village Code.

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

WHEREAS, at the Village Board Meeting of May 2, 2011 the Village Board authorized the Village Manager to award the bid to Excelsior Fire Equipment Sales in the amount of \$579,953 for the purchase of a Tanker Fire Apparatus; and

WHEREAS, after review of the contract by the Village Attorney it has been determined that a maintenance bond be purchased to protect the Village in case the contractor is unable or unwilling to perform its contractual obligations after the Tanker Fire Apparatus is accepted; and

WHEREAS, the cost of the maintenance bond is \$8.00 per \$1,000 of the value of the Tanker for a total cost of \$4,640;

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to purchase a maintenance bond in the amount of \$4,640; to protect the Village in case the contractor is unable or unwilling to perform its contractual obligations after the Tanker Fire Apparatus is accepted

AND BE IT FURTHER RESOLVED: that the Village Board authorizes the Village Treasurer to transfer \$4,640 from Contingency Account #A1990.4000 to Capital Account #H3410.2010.11224

e) On motion of Trustee Murtaugh, seconded by Trustee Schmidt, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 4-0 with one absent.

WHEREAS, the Treasurer has analyzed the 2010/11 year to date budget and recommends the following budget transfers as detailed below,

NOW THEREFORE be it resolved that the Village Treasurer is authorized to make the following amendments to the 2010/11 budget to reflect these changes:

GENERAL FUND

INCREASE

Dept	Item	Amount
A1110	1200	2,874
A1110	4200	21
A1210	1000	1
A1230	1000	5,000
A1320	4000	10,700
A1325	1000	8,400
A1325	1200	370
A1325	2020	42
A1325	4000	547
A1355	4000	17
A1410	1000	1,775
A1410	4000	233
A1420	1100	97
A1420	4000	58,330
A1420	4010	12,761
A1420	4200	753
A1440	4000	12,300
A1440	1100	7,700
A1440	4500	776
A1450	1200	141
A1450	4000	942
A1460	1000	7,770
A1460	4500	1,401
A1620	1000	3,665
A1620	1200	183
A1620	4300	11,651
A1620	4310	6,700
A1620	4600	579
A1620	4700	1,495
A1640	1000	22,021
A1640	1200	1,160
A1650	4000	5,800
A1680	1100	5,200
A1680	2020	842
A1680	4200	1,500

Village Board Meeting

August 8, 2011

Page 7

A1920	4000	1,200
A1960	4000	52,100
A3120	1200	47,100
A3120	2000	3,520
A3120	2020	1,440
A3120	4200	1,615
A3120	4210	46
A3189	1200	27
A3310	1000	4,950
A3410	1000	180
A3410	4600	1,960
A3410	4710	18,170
A3410	8000	13,900
A4540	2000	165
A4540	4000	17,000
A4540	4020	1,736
A4540	4700	390
A5010	1100	896
A5010	1200	4,674
A5010	4500	372
A5110	4700	605
A5140	1000	7,625
A5140	1100	25,755
A5140	1200	515
A5142	1000	82,650
A5142	1200	76,280
A5182	1000	7,675
A5183	1000	155,427
A5650	1000	1,803
A5650	1200	181
A5650	4710	145
A6410	1100	1,214
A6410	4000	1,030
A7140	1100	1,630
A7140	4710	1,150
A7510	2020	1,800
A7550	1200	382
A7610	1000	805
A8010	4200	121
A8090	1000	132,341
A8090	1200	37,635
A8090	4210	44
A8140	1000	36,770
A8140	1200	1,016
A8140	4200	794
A8160	1000	88,962
A8160	1200	2,118
A8160	4210	87
A8170	1000	16,121

A8170	1200	401
A8510	1200	6,522
A8560	1000	11,206
A8710	4000	395
A8760	2020	749
A8760	4000	6,850
A8790	1100	2,683
A9050	8000	10,327
A9060	8030	6,332
A9060	8040	625
Total Increases		\$ 1,093,959

DECREASE

A1110	1000	1,604
A1110	1100	1,274
A1110	4000	4,500
A1210	4000	1
A1230	1100	1,327
A1230	4000	2,687
A1230	4200	473
A1230	4500	513
A1320	4010	950
A1325	2000	500
A1325	4200	1,304
A1325	4500	1,000
A1355	2000	1,000
A1355	4200	17
A1410	4200	331
A1440	1200	493
A1440	4000	5,753
A1440	4200	358
A1440	4210	575
A1440	4710	1,060
A1450	1100	500
A1450	4200	533
A1460	1100	7,770
A1460	4000	3,450
A1620	4000	7,940
A1620	4200	138
A1620	4710	1,000
A1640	4000	5,200
A1640	4200	1,480
A1640	4210	1,840
A1640	4300	14,375
A1640	4600	6,000
A1640	4800	6,469
A1650	4410	12,975
A1650	4500	3,266
A1680	1000	49,000

Village Board Meeting

August 8, 2011

Page 9

A1910	4000	25,960
A1950	4000	25,926
A1980	4000	6,000
A1990	4000	70
A3120	1000	47,100
A3120	4000	8,339
A3189	1100	27
A3410	1100	741
A3410	2020	1,636
A3410	4070	1,763
A3410	4220	3,420
A3410	4260	1,290
A3410	4300	2,377
A3410	4500	1,200
A3410	8040	2,280
A3510	4000	3,630
A4540	4100	1,274
A4540	4310	6,101
A4540	4500	1,634
A4540	4600	1,246
A4540	4710	1,695
A4540	8040	10,000
A5010	1000	54,014
A5110	1000	560,667
A5110	4000	9,600
A5110	4210	4,552
A5182	1200	447
A5650	1100	6,660
A7140	4000	14,490
A7310	1100	37,000
A7310	4000	8,300
A7310	4200	4,095
A7510	2000	1,430
A7510	4200	370
A7550	1100	382
A7610	1100	805
A7610	4000	3,500
A7610	4200	4,000
A8020	4000	13,348
A8510	1100	1,241
A8560	1200	1,572
A8560	4000	10,250
A8710	4200	2,271
A9040	8000	8,400
A9045	8000	5,200
A9060	8010	40,000

Total Decreases \$ 1,093,959

1
2

WATER FUND

INCREASE

Dept	Item	Amount
F1320	4000	1,794
F1650	4000	506
F1910	4000	498
F1980	4000	182
F8310	1000	25,073
F8310	1200	1,074
F8320	1000	18,751
F8320	1200	13,810
F8320	4300	538
F8320	4600	392
F8340	1000	20,880
F8340	1200	7,881
F9030	8000	5,020
F9045	8000	2
F9060	8010	35,135
F9060	8020	3,725
F9060	8040	50

Total Increases \$ 135,311

DECREASE

F1650	4410	2,559
A1650	4400	20,805
F1990	4000	15,800
F8310	4000	4,512
F8340	4000	51,955
F8340	4200	24,860
F9040	8000	14,820

Total Decreases \$ 135,311

3
4

SEWER FUND

INCREASE

Dept	Item	Amount
G1320	4000	1,000
G1650	4400	685

1 be losing tax income and will incur expenses for that property. He added that we have three
2 other properties that could be upgraded – Silver Lake, Duck Pond, and Black Rock instead of
3 acquiring the Gouveia property.

4
5 c) Ginny Calcutti, Hunter Place, stated that brown water was a problem in her home also and
6 she has bought filters for her home. She questioned the DPW report; why is there a draft, not a
7 report. Village Manager Zambrano replied that is because there were some incorrect data items;
8 when consultants are hired, it is normal practice to have a draft; by August 22nd, he will have the
9 final report for the Board. Ms. Calcutti, regarding the Duck Pond, stated that she hasn't seen any
10 difference yet. Village Engineer O'Connor replied that the aeration system is in and bubbling;
11 they have skimmed the pond, however the thickness was so great, one day was not sufficient;
12 they will come back again; there is still a lot of phosphorus coming down from the watershed; it
13 will progressively get better, but until a reduction of phosphorus is done, it will not eliminate the
14 problem. He added that Westchester County has a ban on phosphorus in fertilizer. Ms. Calcutti
15 stated that a walkway around the Duck Pond had been suggested and she added to also consider
16 putting up a gazebo.

17
18 d) Bob Wintermeier, 43 Radnor Ave., expressed support for opposition to acquisition of the
19 Gouveia property; many are against it and he questions what we are going to do with it; what is
20 the cost; he is in opposition and hopes the Board will drop it. Mr. Wintermeier stated that there
21 were several events this past week and the U.S. debt problem reminds him about Croton's debt
22 problems; people are leaving because of the taxes; suggestions have been made to cut taxes and
23 Ms. Calcutti has talked about salary increases. Village Manager Zambrano stated that as
24 contracts come up, everything is being looked at; it is unreasonable to expect non-union
25 employees to be the only ones to impact lowering taxes; everyone works hard and all work for
26 residents. Mr. Wintermeier stated that he is not a union negotiator; expect someone who knows
27 contractual law the address these; cannot address union stuff, but can address non-union
28 excesses; asking for future changes.

29
30 e) Ginny Calcutti stated that she is not negotiating, but comparing salaries; anything she wrote
31 about are all fact; we have non-union employees creating problems with the pension fund;
32 longevity is not mandated by the State; she is not picking on anyone unfairly, but is picking on
33 issues.

34
35 f) Bob Armanini, So. Riverside Ave., read a statement about the Harmon area and a need for
36 delivery accessibility; an accessible experience keeps retail here; more housing will not draw
37 people to shop and eat in Croton;

38
39 g) Pat Moran stated that she wants to understand the process of how union vs. non-union
40 salaries are determined. Village Manager Zambrano gave her an explanation. Ms. Moran
41 questioned why does it seem non-union gets better benefits than union? Village Manager
42 Zambrano replied that those items are being addressed.

8. APPROVAL OF MINUTES:

Trustee Gallelli made a motion to approve the minutes of the Special Meeting held on June 28, 2011. Trustee Schmidt seconded the motion. The Board approved with a vote of 3-0 with one absent and Trustee Murtaugh abstaining.

Trustee Schmidt made a motion to approve the minutes of the Regular Board Meeting held on July 11, 2011 as corrected. Trustee Murtaugh seconded the motion. The Board approved with a vote of 4-0 with one absent.

Trustee Schmidt made a motion to approve the minutes of the Special Meeting held on July 25, 2011 as amended. Trustee Gallelli seconded the motion. The Board approved with a vote of 4-0 with one absent.

9. REPORTS:

Village Manager Zambrano reported that the storm on August 4th caused quite a few trees to come down; there were no injuries and the response was very good; as a result of that storm, the DPW will be picking up debris from that storm during regular yard waste pickup. Village Manager Zambrano reported that Mr. Nagle gave him a quick report about hired EMT; things are going well; they have responded to 62 calls; only 20 calls were not covered; average response time is within 5 minutes and has improved. Mr. Zambrano asked people who live in the Duck Pond watershed to not throw anything in the storm sewers.

Trustee Schmidt thanked Bob Armanini for his comments about Harmon; he raised some very good points; creating events brings people into the Village, we should work on how we bring more events into the business district. Trustee Schmidt, regarding cell service, suggested to see what we can do to encourage cell carriers to improve service even more; Verizon maintains phone service even if cell service goes out; Cablevision phone service does not offer this, but he believes you can get a battery backup from Cablevision for phone service; he will find out if you can plug a modem into a battery backup. Trustee Schmidt reported that at the VEB meeting recently, they had 3 sign applications; most people accept the Board's suggestions; they are doing a great job and are still working with revision of Silver Lake signage. Trustee Schmidt thanked the DPW and Recreation Dept. for the cleanup of the Silver Lake area

Trustee Gallelli thanked members of the Fire Dept. for their response to a recent incident. She stated that she wanted to recognize and give a thank you to Liz Thomas who has accepted another job and will be leaving the Recreation Dept.; she has done a wonderful job with the Seniors and everyone wishes her the best. Trustee Gallelli reminded everyone to save the date of Sunday, Sept. 18th, from 2 -5 p.m. for a benefit for Buchanan-Cortlandt-Croton-on-Hudson memorial which will be held at Monteverde Restaurant; more information will be coming.

Trustee Murtaugh reported that he visited the EMS house last week and met one of the new EMT's; they showed him the logs and response time which was generated. Trustee Murtaugh, regarding the fringe benefit package, reported that some things have taken place and when Ms. Calcutti mentioned something, changes were made; more watchdogs are in place at her suggestion.

1
2 *Mayor Wiegman* reported that he saw on the Silver Lake white board that the water was 80
3 degrees which is much warmer than usual and is lovely swimming conditions. Mayor Wiegman
4 reported that along with recording work sessions; he suggested the possibility of projecting
5 documents we are looking at, perhaps on a wall in this room, during meetings such as this.
6

7
8 Trustee Schmidt made a motion to adjourn. Trustee Murtaugh seconded the motion; approved
9 unanimously. The meeting was adjourned at 10:20 pm.
10

11
12 Respectfully submitted,
13
14
15

16 _____
17 Phyllis A. Bradbury
18 Secretary
19
20
21

22 _____
23 Village Clerk