

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, July 13, 2009 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 Olver
Village Attorney Staudt	Trustee Restuccia
Treasurer Bullock	Trustee Murtaugh

1. CALL TO ORDER:

Mayor Wiegman called the meeting to order at 8:00 p.m. Everyone joined in the Pledge of Allegiance.

2. APPROVAL OF VOUCHERS:

Trustee Gallelli made a motion to approve the vouchers as follows, subject to review by the Audit Committee. The motion was seconded by Trustee Restuccia; approved unanimously.

Fiscal Year 2008-09

General Fund	\$ 21,186.99
Water Fund	2,444.48
Sewer Fund	3,365.00
Total	\$ 26,996.47

Fiscal Year 2009-2010

General Fund	\$ 120,765.47
Water Fund	6,049.87
Sewer Fund	3,678.53
Capital Account	559,663.72
Trust & Agency	5,602.29
Total	\$ 695,759.88

3. Presentation:

Cory Crosbie-Foote made a presentation on behalf of the CHOOSE internship program for the Croton Harmon High School. He stated that he developed and distributed two surveys and he received a 70% response rate for the community service survey; the recreation survey that polled the 8th graders had a 30% response. He added that he hopes these surveys will be continued in the future.

4. CORRESPONDENCE:

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

- a) A letter from Salvatore Mancini, Skyview Rehabilitation & Health Care Center requesting an amended special use permit. The Board asked that this be referred to the Planning Board.
- b) A letter from Desiree Drapala, Happy Hearts, requesting a special permit to open a child care center. This matter will be referred to the Planning Board
- c) A letter from Margaret Hadad, NYS Long Term Care Ombudsman Program regarding flyers for their fall training program that will begin on October 13, 2009... Trustee Restuccia asked that these flyers be sent on to the schools also.
- d) A letter from Georgiana Grant regarding moving the Harmon Redevelopment Project along and call for the SEQR review.
- e) A letter from Mark Castiglione, Hudson River Valley Greenway, regarding the adoption of the Climate Smart Community Pledge by the Village.
- f) A letter from several Croton residents regarding dogs at Croton Landing and other concerns. These concerns will be sent to the Recreation and DPW Departments and also the Ranger assigned to Croton Landing.
- g) A letter from Don and Doris Daubney, 45 Bungalow Road, suggesting the removal of some trees along Bungalow Road. Village Manager Zambrano replied that a survey of the trees has been started in early April by Peter Anfitiatro, Dan O'Connor and himself to make sure property owners are aware of trees that need taking care of. Trustee Murtaugh stated that a certified arborist is being utilized.
- h) A letter from Monya Berg Brown, regarding funding for a permanent art center in the Village. Mayor Wiegman stated that he would like to take this under consideration with the Board.
- i) A flyer from the NYMTC noticing several Draft Regional Transportation Plan public review meetings scheduled. Mayor Wiegman stated that the Village Engineer has already looked at this.
- j) A letter from Robert Hoch, Cablevision, regarding 27 new HD channels and a rate increase. Village Manager Zambrano stated that he has asked Mr. Hoch to attend a work session. Trustee Murtaugh asked if the Village has heard anything from Verizon. Village Manager Zambrano replied that he has heard nothing the attorney who was hired to oversee this.
- k) A letter from Westchester County Executive Andrew Spano regarding a financial helpline the County will have available on Tuesday, July 11 and Wednesday, July 22 from 4 to 8 pm.

5 CITIZEN PARTICIPATION (agenda items):

- a) Anthony Gagliotti, stated that he feels parking is a big item; he cited the Village Zoning Law states that a family can have four unrelated people in one apartment which could equate to four cars and Section 239 allows one boarder or roomer which would add another car; building more stores does not make any sense; residents are against zoning change and he asked the Board to stop spending money on more consultants. He stated also that wells will be stressed and would not be able to take the water use in case of draught; MetroNorth shops

have doubled in size and there is the golf course; with the addition of school age children, this proposal will devastate the schools.

- b) Jack Gingold, Nordica Drive, stated that a number of questions have been raised about the plans and they need to be addressed; questions do not mean rejection; this is the only concrete plan that has been proposed; if problems cannot be effectively resolved, the Village can move on to something else; we have lost a lot of business and this deserves a looking at. He added that the election was a few months ago with two slates of candidates with opposing sides of the plan; the candidates who favored the plan won so that shows the thoughts of the Village; the Board should pursue this and decide what is best for the Village.
- c) Paula Pradines 36 Melrose Ave., stated that on September 9, 2007 Trustee Gallelli wrote in the Croton blog and asked why her opinion differs now. Trustee Gallelli replied that the purpose tonight is to listen to residents and hear all concerns and move forward to address these concerns
- d) Seth Davis, stated that the concerns of the public should go into the decision making process; he hopes that is what the Board has in mind; keep open the lines of communication and have more input sessions; this is a community that works together.
- e) Dave Goldman 76 Croton Ave. asked what the approximate time line will be; he hopes the study is finished by September or October. He added that a comprehensive marketing of all businesses, services, and goods in the Harmon area should be done; also send out regular emails and put together a directory as many residents are not aware of what is available in this Village. He suggested owners should shop locally; Croton lost much history during the demolition for highway construction.
- f) Adam Rothberg, 98 Old Post Road South, stated that there is a lot of discussion about historical reasons why Croton is what it is today; the point is how to move forward; it is not enough to wait for the economy to turn around; he sees a well researched and thought through plan to revitalize a critical entry to the town; there has been a lot of effort by public officials and volunteers to get to this point and there is a lot at stake; the Board should be guided by the facts in the SEQRA review; be tough negotiators and look out for our interest every step of the way; let the review do what it is supposed to and move on from there; the current Trustees ran on the platform of changes and were elected; authorizing the SEQRA review is a big step.
- g) Michael Goetz, 19 Irving Ave., stated that people were not happy when the Village bought the railroad station parking lot property but it has become a cash cow and this was done in 1991-92 during a recession; another piece of property was bought, what is now Croton Landing; they knew grant money and State money was needed and it went through. He added that as far as the water supply, the golf course uses more water than any rental units; and he believes that the schools is an excuse for not going through with anything new if they want to expand. He added that never before has he seen this many vacancies; this is a shot that should go ahead; many positive things have occurred that had frightened people.
- h) Michael Kolk, Elmore Ave., stated that he is in favor of moving ahead with the proposal and the vitality it will bring to the Village; he served on the Planning Board when Half Moon Bay was being proposed and there was an outcry about bringing a development that size into the Village. There were similar arguments such as traffic and school population; not too many people now argue that Half Moon Bay is a negative to the Village, rather it is a plus; schools have not suffered and traffic has not been an impact.

- i) John McBride, 132 Old Post Rd. No., stated that he supports the zoning amendment; he is a potential tenant for a small law firm with shared services; Riverside Ave. now is not particularly attractive for this service
- j) Don Daubney, Bungalow Rd., stated that it was brought to his attention that what is being sought could be achieved with current zoning and a marketing plan, instead of a plan that increases population; people move to a Village such as this for suburban semi-country living, but are now faced with increased apartments in the Village. Mr. Daubney commented that there doesn't seem to be much input from the Planning Board and why haven't we heard more from them? Mayor Wiegman replied that some Planning Board members were members of this committee. Trustee Murtaugh added that the Village Board is the only board that can implement zoning changes.
- k) Georgiana Grant, 37 Wells Ave., stated that she wrote the letter read tonight to encourage the Board to go ahead with the SEQRA process; this is a good thing because it is an in depth analysis; if it turns out concerns cannot be addressed, she believes the Board will not go ahead with the rezoning.
- l) Nance Shatzkin, 132 Old Post Rd. No., stated that the proposed zoning change is likely to result in little change to the neighborhood; affordable housing cannot become a dirty word; she will continue to speak out to continue to have affordable housing in the Village.
- m) Michael Goetz, stated that there is a resolution tonight about fines and believes that many sections do not mention fines. He added that there is no specific fine for specific offenses. Village Attorney Staudt replied that this could be arbitrary and it is common that a judge can have a broad range; his experience, with the exception of certain traffic, there is a range. Mr. Goetz replied that if there is nothing specific, isn't it unconstitutional. Attorney Staudt replied that he is aware that there are some sections of the code that do not specify a fine and a catch-all section that the Village can set a fine by resolution to cover those sections. Trustee Restuccia added that the Board will be discussing these matters in the near future. Mayor Wiegman stated that this is filling a gap from prior administrations.
- n) Jane Hallock, 50 Oneida Ave., stated that she finds citing Half Moon Bay and Croton Landing is faulty logic, there were some things that did not work out well such as MetroEnviro; voters voted for those in favor of the Harmon zoning by a very slim margin, a lot of people didn't have much information but voted by party line; it is better to not have partisan politics. Ms. Hallock added that she lives at the spot where new parking lots will have to enter and exit; she feels the Villages does not have a right to dictate what is acceptable to her; the residents should be consulted and are they considering expanding to other parts of the Village. She added that she does not appreciate people from other parts of the Village telling her how to live; there is a need to focus on business; no one has asked what she wants; parking will be on her street and noise from apartments will affect her homes. Ms. Hallock asked how much does the Village pay for the Village planting. Trustee Restuccia replied that the community garden will cost zero; there was a start up cost of about \$5,600 and then it will be maintained by users.
- o) Anthony Gagliotti, 22 Young Ave., stated that she lives just two blocks from Young Ave. has about 50 people against it. Trustee Murtaugh stated that he lives half way between Ms. Hallock and Mr. Gagliotti and is favor of this proposal.
- p) Phyllis Morrow, 61 Nordica Dr., stated that the she is not impressed with the consulting firm being used; she would love to create a business district by the train station and a museum into the Village; if it doesn't work, try again; a wholesale zoning change is not the way to go.

- q) Michael Mamone, 19 Young Ave., stated that the area is not like other areas, it has unique characteristics; he can see the river from his back yard and does not want to lose that; you can't stop progress but need to limit it in this particular area because of its unique location; the height, FAR and parking is unworkable; the Village should not spend tax dollars to make developers rich; he is against the Green house which should not have been purchased; spending is out of hand; rents are too high in empty stores and will only get worse; they need to lower taxes and cut spending, not make government bigger; please slow down this plan.
- r) Holly Crosbie-Foote, 116 Benedict Blvd., stated that she came from Tarrytown which rezoned an area that had a diverse population and they built projects and it is full of crime and has big problems; she asked to beware of developers who will take advantage and she trusts the Board to make the right decision.
- s) Terry Yanni, stated that he is an advocate of the movement to change the zoning in the Harmon area; the process that has been taken has been well vetted and researched; we don't have a viable commercial area right now; the commercial heart was torn out by the State when they rebuilt Rt. 9; he advocates moving forward but working with the community on the nuances so everyone in Croton can be proud of it.
- t) Jane Hallock added that she loves having the ability to walk to the shops and that the cars go in and out of the main street, Riverside which allows her to have a quiet neighborhood; she enjoys that peace.

6. RESOLUTIONS:

- a) On motion of Trustee Gallelli, seconded by Trustee Murtaugh, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the Village has received two proposals in response to its Request for Proposals for the furnishing and installation of a Multi-Space Parking Meter System at the Croton-Harmon Train Station; and

WHEREAS, the two proposals were from Amano Integrated Systems in the amount of \$83,551 for the Luke System and \$20,040 for the shelters and from CTR New York in the amount of \$79,226.40 for the Luke System and \$19,200 for the shelters; and

WHEREAS, the Luke System is equipped to take credit cards, debit cards, smart cards, bills, and change, and has the capability to take payment by cell phone and does not give change; and

WHEREAS, the Village Manager and Assistant Village Manager have reviewed these proposals in detail; and

WHEREAS, the staff has determined that the proposal from CTR New York, while slightly lower in cost, does not provide the full scope of work desired by the Village as outlined in the RFP; and

WHEREAS, the cost quoted by CTR New York includes 1 year of factory warranty but does not include the labor warranty and the cost quoted by Amano Integrated Systems does include both factory and labor; and

WHEREAS, although required in the RFP, CTR New York did not supply information as to its experience and reputation in undertaking the installation of a multi-purpose pay station and did not supply references; and

WHEREAS, CTR New York did not supply information on its qualifications for the servicing of the machines; and

WHEREAS, Amano Integrated Systems supports the EMS technology and CTR New York does not; and

WHEREAS, the staff has determined that the proposal from Amano Integrated Systems is comprehensive and the cost is reasonable for the services to be rendered; and

WHEREAS, the staff has received very favorable references from other municipalities in Westchester regarding the services of Amano Integrated Systems; and

WHEREAS, Digital Systems, the manufacturer of the Luke pay station, strongly recommends Amano Integrated Systems because of its strong capabilities in service support and technical knowledge of the software necessary to integrate the machines; and

WHEREAS, Amano Integrated Systems has supplied the Village with other quotes it has submitted to other municipalities which are comparable to the quote it submitted to the Village

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to approve the proposal from Amano Integrated Systems for the Luke System in the amount of \$83,551 and for the shelters in the amount of \$20,040,

AND BE IT FURTHER RESOLVED: that this amount should be charged to Account # H 5650-2102 98015.

- b) On motion of TRUSTEE MURTAUGH, seconded by TRUSTEE RESTUCCIA, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, on April 8, 2009, the Village received one bid proposal for a 25 yard garbage truck body; and

WHEREAS, the bid received was in the amount of \$69,990.00 from Sanitation Equipment Corporation; and

WHEREAS, on April 20, 2009, the Village Manager was authorized to award the Contract to Sanitation Equipment Corporation for the purchase of one 25 yard garbage truck body; and

WHEREAS, this purchase was for a truck approved in the 2008-09 capital budget; and

WHEREAS, the contract with Sanitation Equipment Corporation allows the Village to increase the bid amount for the same cost; and

WHEREAS, the Village approved the purchase of an additional garbage truck in the 2009-2010 Capital Budget; and

WHEREAS, the Superintendent of Public Works has researched the costs incurred by other Westchester municipalities for similar truck bodies and has concluded that the bid from Sanitation Equipment Corporation is comparable,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to purchase one 25 yard garbage truck body from Sanitation Equipment Corporation of North Paramus, New Jersey at the price of \$69,990.00,

AND BE IT FURTHER RESOLVED: the amount of \$69,990.00 be charged to Capital Account number H513.2010.10207

- c) On motion of TRUSTEE RESTUCCIA, seconded by TRUSTEE MURTAUGH, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the Police Department has been awarded a grant in the amount of \$8,000 from the New York State Division of Criminal Justice Service, and

WHEREAS, the funds will be used for the purchase and installation of audio and video equipment for custodial interrogation and interviewing;

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to accept the grant from the New York State Division of Criminal Justice Services in the amount of \$8,000.

- d) On motion of TRUSTEE GALLELLI, seconded by TRUSTEE MURTAUGH, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the Town of Cortlandt has entered into an agreement with the County of Westchester Solid Waste District to allow the County to construct a transfer station on property by it on Roa Hook Road; and

WHEREAS, the Town of Cortlandt will enter into an agreements with the Northern Tier municipalities to allow them to utilize said transfer station; and

WHEREAS, the Village's agreement with the Town of Cortlandt for the use of the Northern Tier Transfer Station ,Roa Hook Road facility will commence on March 1, 2007 for a five year period; and

WHEREAS, the fee for this service will be \$590.07 for the period of March 2007 to February 2008, \$606.77 for the period of March 2008 to February 2 009, \$630.37 for the period of March 2009 to February 2010 and \$630.37 plus the cost of living adjustment for the period of March 2010 to February 2011; and

WHEREAS, the Village presently utilizes this facility for its organic yard waste and desires to continue to make use of this site;

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to sign the Intermunicipal Agreement with the Town of Cortlandt for the use of the Northern Tier Transfer Station, Roa Hook Road facility for the period between March 1, 2007 and March 1, 2011.

- e) On motion of TRUSTEE GALLELLI, seconded by TRUSTEE RESTUCCIA, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the Village Board has previously approved the contract with PRM Electric for the Nordica Pump Station Phase I Rehabilitation Project; and

WHEREAS, additional work not included in the contract is required consisting of the installation of wiring and conduit for the alarm system and the installation of a high level float in the dry well; and

WHEREAS, the additional work has been reviewed by the Village Engineer and found to be necessary; and

WHEREAS, the additional cost for this work including material and labor will be \$4,072.85,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to sign Change Order No. 1 of the Nordica Pump Station Phase I Rehabilitation Project in the amount of \$4,072.85.

AND BE IT FURTHER RESOLVED: that this amount should be charged to the Sanitary Sewer account #G8120.4000

- f) On motion of TRUSTEE Gallelli, seconded by TRUSTEE Restuccia, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, Local Laws 2 and 3 of 2009 were amended to allow the use of up to 3 food vendors at Senasqua Park and Croton Landing under certain conditions; and

WHEREAS, Baked by Susan has also applied for a special permit for the sale of food at Senasqua Park during summer nights,

NOW, THEREFORE BE IT RESOLVED: the Village Board hereby authorizes the issuance of a special permit, pending fulfillment of requirements, to Baked by Susan for the sale of food at Senasqua Park.

AND BE IT FURTHER RESOLVED: Baked by Susan will pay a onetime fee of \$150.00 and will adhere to the following requirements:

- Selling hours for Senasqua Park are restricted to 5pm to 10 pm only on concert nights. The remaining concert schedule is as follows:
July 10th, Friday July 17th, Friday, July 24th, and Friday, July 31st.
- The vendor is responsible for providing all necessary equipment. Only prepared food may be sold but heating and assembly of items may occur at the site. All food must be prepared in accordance with Westchester County Health Department guidelines.
- The vendor is be responsible for any kind of clean-up associated with the selling of the food and is responsible for removing all of the garbage and trash associated with the sales of the food.
- All equipment used to heat and sell the food must be portable and must be removed at the end of each day.
- The Village will determine the location of the vendor site(s) within the park.
- The vendor must supply the necessary insurance coverage holding the Village harmless from its operations.

- g) On motion of TRUSTEE MURTAUGH, seconded by TRUSTEE GALLELLI, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS; on May 4, 2009 the Village Board approved a proposal from Saccardi & Schiff to conduct a public outreach meeting, work with the Village Attorney to prepare a local law and begin the SEQRA process for the review of the proposed zoning changes to the Harmon Gateway area of the Village; and

WHEREAS, the initial review of the proposed law has identified the need for an expanded Part 3 of a Full Environmental Assessment Form; and

WHEREAS, Saccardi & Schiff has provided an additional proposal for the preparation of the expanded Part 3; and

WHEREAS, the expanded Part 3 will include a traffic study, review of market factors and an impact analysis; and

WHEREAS, the RBA Group has supplied a separate proposal for the traffic study,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to approve the proposal from Saccardi & Schiff in the amount of \$11,000 for the expanded scope of the SEQRA review of the proposed zoning changes to the Harmon Gateway area of the Village.

- h) On motion of TRUSTEE RESTUCCIA, seconded by TRUSTEE OLVER, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the initial review of the proposed Harmon Gateway law has identified the need for an expanded Part 3 of a Full Environmental Assessment Form; and

WHEREAS, a component of the expanded Part 3 will include a traffic study; and

WHEREAS, the RBA Group has supplied a proposal for the traffic study in the amount of \$6,400,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to approve the proposal from the RBA Group in the amount of \$6,400 for a traffic study as part of the expanded scope of the SEQRA review of the proposed zoning changes to the Harmon Gateway area of the Village.

- i) On motion of TRUSTEE GALLELLI, seconded by TRUSTEE OLVER, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the Village Board is considering making certain revisions to its Zoning Law to expand the Harmon/South Riverside Gateway area and to modify the regulations for that area to encourage commercial development by facilitating market rate mixed use of properties; and

WHEREAS, the Village Board has caused to be drafted a Local Law to expand the area of, and modify the regulations for the Harmon/South Riverside Gateway area (the "Proposed Action"); and

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

WHEREAS, the Village Board has caused a Coastal Assessment Form to be drafted in connection with the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Village Board hereby determines that the Proposed Action is an Unlisted action.
2. The Village Board hereby declares itself to be the Lead Agency for SEQRA purposes in connection with the Proposed Action.
3. The Village Board hereby issues Parts 1 and 2 of the EAF which it has before it in connection with the Proposed Action.
4. The Village Board hereby directs the consulting firm of Saccardi & Schiff to prepare for the Board's consideration a Part 3 for the EAF in connection with the Proposed Action in order to further assess potential impacts of the items which are described in Part 2 of the EAF as having the potential for large impact.
5. The Village Board hereby issues the Coastal Assessment Form which it has before it in connection with the Proposed Action.
6. The Village Board hereby refers to the Village Planning Board, the draft Local Law and Parts 1 and 2 of the EAF for a report back to the Village Board from the Planning Board in accordance with Village law.
7. The Village Board hereby refers the draft Local Law, the EAF and Parts 1 and 2 and the Coastal Assessment Form to the Village Waterfront Advisory Committee for a recommendation back to the Village Board in accordance with Village Law.
8. The Village Board hereby refers the draft Local Law, and Parts 1 and 2 of the EAF and the Coastal Assessment Form to the Westchester County Planning Board/Planning Department for review in accordance with law.

7. PREVIOUSLY APPROVED RESOLUTIONS:

- a) On motion of TRUSTEE Gallelli, seconded by TRUSTEE Murtaugh, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS; the a Memorandum of Agreement (MOU) between the Village and Metro North was executed on April 1, 2001; and

WHEREAS, the MOU provided for provisions whereby Metro North would abandon the at-grade crossing at Brook Street and build a new road (Elliott Way) from Half Moon Bay Drive in order to provide access to Senasqua Park, the Croton Yacht Club, and Croton Landing; and

WHEREAS, an additional provision was the closing of Senasqua Tunnel to vehicular traffic and leaving it open for pedestrian and bicycle use; and

WHEREAS, under the provisions in the MOU a portion of Elliott Way was designed to be located on Metro North property ; and

WHEREAS, Metro North has granted a license agreement to the Village for the use of the Metro North property,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to execute the License Agreement with Metro North for the portion of Elliott Way that is located on Metro North property.

- b) On motion of TRUSTEE Gallelli, seconded by TRUSTEE Restuccia, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS; in accordance with Chapter 1-12 of the Village Code, any person who shall commit an offense against any provision of the Code of the Village of Croton-on-Hudson shall, upon conviction thereof, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine set by resolution of the Board of Trustees or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment.

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby sets the fine for a violation against any provision of the Village Code as up to \$500.00

- c) On motion of TRUSTEE Gallelli, seconded by TRUSTEE Restuccia, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, Local Laws 2 and 3 of 2009 were amended to allow the use of up to 3 food vendors at Senasqua Park and Croton Landing under certain conditions; and

WHEREAS, on May 15, 2009 the Village Board approved the issuance of a special permit to Harmon Deli to sell food at Senasqua Park during summer concert nights; and

WHEREAS, Tenampa has also applied for a special permit for the sale of food at Senasqua Park during summer nights,

NOW, THEREFORE BE IT RESOLVED: the Village Board hereby authorizes the issuance of a special permit to Tenampa for the sale of food at Senasqua Park,

AND BE IT FURTHER RESOLVED: Tenampa will pay a one time fee of \$350.00 for the year and will adhere to the following requirements:

- Selling hours for Senasqua Park are restricted to 5pm to 10 pm only on concert nights. The remaining concert schedule is as follows:
July 10th, Friday July 17th, Friday, July 24th, and Friday, July 31st.

- The vendor is responsible for providing all necessary equipment. Only prepared food may be sold but heating and assembly of items may occur at the site. All food must be prepared in accordance with Westchester County Health Department guidelines.
- The vendor is be responsible for any kind of clean-up associated with the selling of the food and is responsible for removing all of the garbage and trash associated with the sales of the food.
- All equipment used to heat and sell the food must be portable and must be removed at the end of each day.
- The Village will determine the location of the vendor site(s) within the park.
- The vendor must supply the necessary insurance coverage holding the Village harmless from its operations.

8. CITIZEN PARTICIPATION (non-agenda items):

- a) Phyllis Morrow, 61 Nordica Dr., asked the Board to contain sprawl in the community; this is a unique village; boundaries are set and can only go up; regarding the consultants presentation, she questioned their integrity for making such blunders.
- b) Anthony Gagliotti stated that when he was in the Village Office, he was asked to do a survey and report on the impact of Scenic Ridge joining Cortlandt; we advise consultants to adhere to what we want.
- c) Leonard Amicola, 119 Grand St., stated that on Croton Point Ave. & South Riverside there is the Exxon gas station and did we not get into a law suit, which we lost, about erecting a canopy over the gas pumps; he asked what has changed since then. Trustee Murtaugh replied that the current existing zoning is 35 feet and is not being changed. Mr. Amicola replied that people do not want to see a wall of buildings and have their view blocked out; he has commercial property in the Upper Village; shopping centers were put in that killed the Upper Village; money has been wasted there and it should have buried the utility poles; the bridge over Rt. 9 was built which was a mistake.
- d) Don Daubney, 45 Bungalow Rd., a lifelong home gardener, stated that he realizes the Village wants to save money for the taxpayers; a community garden is small potatoes beside what is being spoken about tonight; he has reservations about a community garden; most people who want a garden in Croton can put it in their own yard; the \$5,600 subsidizes 12 people. Mayor Wiegman replied that the money was from the previous administration for green space use; only the starter load of soil will be provided, after which it will have to be compost provided by the gardeners; they hope it becomes a public outreach program to teach people about gardening and also allow apartment dwellers to have a garden. Mr. Daubney asked if there will be a faucet. Trustee Restuccia replied that the garden will have a meter with costs divided among about 20 gardeners; the plot dimensions are about 42x50. Mr. Daubney added that Silver Lake has been a place for vandalism and is remote; he considers water to be

another subsidy. Trustee Restuccia stated that there will be a meter and all gardeners will pay for the water. Mayor Wiegman added that perhaps this will become a sharing garden between those who do not garden with those who have no space.

- e) Leonard Amicola stated that he noticed street cleaners do not come until 8 am and cars are there already. Village Manager Zambrano responded that this is because of a personnel issue that is being resolved. Mr. Amicola stated that the police said they were told to not enforce the 2-hour parking in the Upper Village. Village Manager Zambrano stated that he will talk to the chief tomorrow.
- f) Mike Mamone, 19 Young Ave., stated that spending has to stop; he is self employed and must make do for himself; the Green House should not have been purchase; they are taking money out of taxpayers mouths; the Board should help developers by lowering property taxes.

9. APPROVAL OF MINUTES:

Trustee Gallelli made a motion to approve the minutes of the Board Meeting held on June 15, 2009. Trustee Restuccia seconded the motion. The Board voted unanimous approval.

Trustee Restuccia made a motion to approve the minutes of the Work Session Meeting held on July 6, 2009. Trustee Murtaugh seconded the motion; approved unanimously.

10. REPORTS:

Village Manager Zambrano: none

Village Treasurer Bullock: none

Trustee Olver: none

Trustee Restuccia reported that the community garden lottery is ending on Friday and winners will be announced on Saturday. She thanked everyone who came out tonight.

Trustee Gallelli stated that she also appreciates the high attendance tonight from the people who are for, against or in the middle and she assures the Board will follow through with the appropriate studies. Trustee Gallelli congratulated the Arboretum for a successful garden tour yesterday. Trustee Gallelli corrected an error in the Newsletter that Silver Lake is being closed the last 2 weeks of August; it will actually be closed on Aug. 31st for repair of the Dam. Trustee Gallelli stated that 193 composting bins were sold and the average four-person household could have about 700 lbs of organic material per year which comes to 67 ½ tons of waste material that is taken out of the waste stream for which the Village will not have to pay tipping fees.

Trustee Murtaugh reported that at tonight's meeting, a lot of people expressed various opinions; the Board's goal is to enhance the Village but at the same time protect homes, the way of life and the school system; although there is no direct impact on the education process, there is an impact on the number of students who enter the school system; he added

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that he believes they are taking the right steps and looks forward to hearing constructive criticism.

Mayor Wiegman stated that he has a fairly large kitchen compost bin which is filled every few days. He thanked everyone who spoke tonight and stated that comments about the Harmon plan can be submitted in writing to the Board.

Trustee Olver made a motion to adjourn. Trustee Restuccia seconded the motion; approved unanimously. The meeting was adjourned at 11 pm.

Respectfully submitted,

Phyllis A. Bradbury _____

Phyllis A. Bradbury, Secretary

Village Clerk