Regular Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, August 2, 2021, in the Georgianna Grant Meeting Room at the Stanley Kellerhouse Municipal Building, Van Wyck Street, Croton-on-Hudson, NY 10520.

The following officials were present:

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| Mayor Pugh | Trustee Gallelli |
| Village Manager King | Trustee Horowitz |
| Village Treasurer Tucker | Trustee Murtaugh |
| Village Attorney Whitehead | Trustee Simon |
| Sec to the Manager Bryan Healy | |

1. *CALL TO ORDER*:

Mayor Pugh called the meeting to order at 7:00pm. Everyone joined in the Pledge of Allegiance.

2. *APPROVAL OF VOUCHERS*

Trustee Horowitz made a motion to approve the following *Fiscal Year* Vouchers. The motion was seconded by Trustee Simon and approved with a 5-0 Vote.

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| General Fund | $40,970.46 |
| Water Fund | $7,863.32 |
| Sewer Fund | $1,511.84 |
| Capital Fund | $6,895.10 |
| Trust Fund | $5,749.00 |

3. *PUBLIC HEARINGS*

Continuation of a Public Hearing on Local Law Introductory #9 of 2021 to delete Chapter 202 of the Village Code entitled "Tattoos".

Geoff Hamilton, 63 Emerson Avenue, Croton on Hudson, stated that New York State Health Codes are very strict on Tattoo Parlors, and we should also be looking at this as an art form and supports repealing this law.

John Ealer, 5 Prickly Pear Hill Road, Croton on Hudson, stated that this is a mild form of expression and supports repealing this law.

Evan Perdomo-Cohen, owner of the Green Growler, 4 Croton Point Avenue, Croton on Hudson, stated that he supports the Board repealing this law.

E-Mail from Marie Considine, 48 Grand Street, Croton on Hudson, asked that the Board leave the law as it stands since the Board has not received a request to open a "Tattoo Parlor" at this time.

Trustee Simon stated that he has looked at New York State's regulations on Tattoo Parlors and they are quite extensive, there is also a Westchester County component, and he is comfortable with the Village repealing this law.

Trustee Murtaugh stated that if someone were interested in putting in a Tattoo Parlor in Croton and saw that our law prohibits them, they might consider going elsewhere and in lieu of New York State and Westchester County regulations he is in support of repealing this.

There being no further comments to come before the Board, a motion to close the Public Hearing was made by Trustee Simon. Motion was seconded by Trustee Gallelli and approved with a 5-0 vote.

**Resolution #121-2021**

On motion of TRUSTEE SIMON, seconded by TRUSTEE HOROWITZ, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a 5-0 vote.

WHEREAS the Village would like to delete Chapter 202 of the Village Code, Tattoos, so as to allow tattooing within the Village of Croton-on-Hudson; and

WHEREAS Local Law Introductory No. 9 of 2021 has been drafted for such purposes, and

WHEREAS a public hearing was opened on July 19, 2021, and closed on August 2, 2021

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby adopts Local Law Introductory No. 9 of 2021 to delete Chapter 202 of the Village Code, Tattoos, to allow tattooing within the Village of Croton-on-Hudson, which upon adoption becomes Local Law No. 8 of 2021.

Motion to open a Public Hearing on the "Special Permit" application from Croton Circle School for a day care center at 118 Maple Street was made by Trustee Murtaugh. Motion was seconded by Trustee Simon and approved with a 4-0 vote. Trustee Horowitz abstained from voting.

Marc Albrecht, 191 Cleveland Drive, questioned the legality of Trustee Horowitz voting to schedule the public hearing while she abstained from the other resolutions regarding this special permit application.

Village Attorney Whitehead stated that the scheduling of the public hearing was not a substantive decision and was permissible.

Spencer Celente, 12 Mt. Airy Rd. Croton on Hudson, stated that he attended the Croton Circle School, it was a great experience for him and gave him and many other students an important academic foundation.

Ralph Croteau, 12 Bank Street, Croton on Hudson, stated that his son attended Croton Circle School, it is a wonderful program and supports issuing them the special permit.

**Resolution #130-2021**

On motion of TRUSTEE GALLELLI, seconded by TRUSTEE SIMON, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a 4-0 vote. Trustee Horowitz abstained.

WHEREAS the Village Board of Trustees has received a special permit application from the Croton Circle School for a day care center to be located at 119 Maple Street, and

WHEREAS the Board of Trustees referred the application to the Planning Board on July 6, 2021, and

WHEREAS the Planning Board reviewed the request and has submitted a memo in support of the application; and

WHEREAS, on August 2, 2021, a public hearing was opened and closed,

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby issues a special use permit to the Croton Circle School for a day care center at 119 Maple Street.

4. *CONSISTENCY REVIEW:*

Village Board Review of Consistency with the Local Waterfront Revitalization Program for an application from Hudson National Golf Club for an amended "Special Permit" and "Site Plan" approval for modifications to their ancillary storage area

| | | **WAC RESPONSE** | | **VILLAGE BOARD** | | |
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| Policy | DEVELOPMENT POLICIES | Applicable Yes/No | Consistent Yes/No | Applicable Yes/No | Consistent Yes/No | Comments |
| 1 | Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational and other compatible uses | No | | | | |
| 1A | Existing planning and zoning documents should be reviewed and amended where necessary to ensure development within the community is consistent with adopted goals and policies | No | | | | |
| 1B | Redevelop and revitalize Village owned land at the Metro North Train Station, including Village garage and bay area. Encourage integrated development of Village property to assure fulfillment of requirements relating to parking and accessory uses of Metro North Train Station, while facilitating public access to bay area and recreational use. | No | | | | |
| 1C | Every effort should be made by the municipality to encourage the mutual cooperation and exchange of information between governmental agencies involved in clean-up of the Croton landfill and Metro-North lagoon in order to develop commercial use of resources found in the coastal area. | No | | | | |
| 1D | Require restoration of deteriorating structures related to railroad use and assure appropriate maintenance and screening to reduce visual impact. | No | | | | |
| 1E | Develop the old sewage treatment plant site at the intersection of Route 9A and Municipal Place. | No | | | | |
| 2 | Facilitate the siting of water dependent uses and facilities on or adjacent to | No | | | | |

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| | coastal waters | | | | | |
| 2A | Expand restrictions on the use of power boats on the Hudson River and Croton River and Bay by further enforcing the parameters that regulate boat traffic such a speed, turbidity, safety, and mooring and sludge disposal. Such controls will further increase the compatibility of power boat use with other forms of recreation use within the coastal zone area. | No | | | | |
| 3 | The state coastal policy regarding the development of major ports is not applicable to Croton. | No | | | | |
| 4 | The state coastal policy regarding the strengthening of small harbors is not applicable to Croton. | No | | | | |
| 5 | Encourage the location of development in areas where public services and facilities essential to such development are adequate, except when such development has special functional requirements or other characteristics which necessitate its location in other coastal areas. | No | | | | |
| 5A | When feasible, development within the Village should be directed within the current service area of existing water and sewer facilities or in close proximity to areas where distribution lines currently exist. | No | | | | |
| 5B | The extension of water and sewer distribution lines beyond areas currently served should be undertaken cautiously and with prudent regard for Village water resources and the preservation of environmental values in undeveloped areas. | No | | | | |
| 5C | Limit proposed development within those portions of the coastal zone boundary area, where traffic impacts such as site distance and carrying capacity of the roadways are restricted, particularly along Route 9A, Albany Post Road and Route 129. | No | | | | |
| 6 | Expedite permit procedures in order to facilitate the siting of development activities at suitable locations. | No | | | | |
| 6A | To expedite permit procedures, the Village shall coordinate all relevant local laws into | No | | | | |

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| | a development package for applicants and/or make all local laws available to applicants proposing development activities. | | | | | |
| | **FISH & WILDLIFE POLICIES** | | | | | |
| 7 | Significant coastal fish and wildlife habitats will be protected, preserved, and, where practical, restored so as to maintain their viability as habitats. | No | | | | |
| 7A | The quality of the Croton River and Bay significant fish and wildlife habitat and Haverstraw Bay significant fish and wildlife habitat shall be protected and improved for conservation, economic, aesthetic, recreational, and other public uses and values. Its resources shall be protected from the threat of pollution, misuse, and mismanagement. | No | | | | |
| 7B | Materials that can degrade water quality and degrade or destroy the ecological system of the Croton River and Bay significant fish and wildlife habitat and the Haverstraw Bay significant fish and wildlife habitat shall not be disposed of or allowed to drain in, or on land within, the area of influence in the significant fish and wildlife habitats. | Yes | Yes | Yes | Yes | Board Concurred |
| 7C | Storage of materials that can degrade water quality and degrade or destroy the ecological system of the Croton River and Bay significant fish and wildlife habitat or Haverstraw Bay significant fish and wildlife habitat shall not be permitted within the area of influence of the habitat unless best available technology is used to prevent adverse impacts to the habitat. | Yes | Yes | Yes | Yes | Board Concurred |
| 7D | Restoration of degraded ecological elements of the Croton River and Bay and Haverstraw Bay significant fish and wildlife habitats and shore lands shall be included in any programs for cleanup of any adjacent toxic and hazardous waste sites. | No | | | | |
| 7E | Runoff from public and private parking lots and from storm sewer overflows shall be effectively channeled so as to prevent oil, grease, and other contaminants from polluting surface and ground water and impact the significant fish and wildlife habitats. | Yes | Yes | Yes | Yes | Board Concurred |
| 7F | Construction activity of any kind must not cause a measurable increase in erosion or | No | | | | |

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| | flooding at the site of such activity, or impact other locations. Construction activity shall be timed so that spawning of anadromous fish species and shellfish will not be adversely affected. | | | | | |
| 7G | Such activities must not cause degradation of water quality or impact identified significant fish and wildlife habitats | No | | | | |
| 8 | Protect fish and wildlife resources in the coastal area from the introduction of hazardous wastes and other pollutants which bio-accumulate in the food chain, or which cause significant sub lethal or lethal effect on those resources. | Yes | Yes | Yes | Yes | Board Concurred |
| 9 | Expand recreational use of fish and wildlife resources in coastal areas by increasing access to existing resources, supplementing existing stocks, and developing new resources. Such efforts shall be made in a manner which ensures the protection of renewable fish and wildlife resources and considers other activities dependent on them. | No | | | | |
| 9A | Ensure continued recreational use and public access to the rivers through Village-owned land adjacent to the Metro-North parking lot, at Croton Point Park and at Senasqua Park, along the Croton River, and at the Croton Yacht Club. Efforts should be made to encourage recreational use of the fish and wildlife resources found in these areas by increasing the opportunities for public access and enjoyment | No | | | | |
| 9B | Encourage passive recreational enjoyment of the wildlife in the designated significant fish and wildlife habitats, on the Audubon Society Sanctuaries, on other public or private lands within the Village, where wildlife habitats are located. Encourage the recreational use of areas where such resources are found, as well as the protection of such resources. | No | | | | |
| 10 | Further develop commercial finfish, shellfish and crustacean resources in the coastal area by encouraging the construction of new or improvement of existing on-shore commercial fishing facilities, increasing marketing of the state's seafood products, maintaining adequate stocks, and expanding | No | | | | |

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| | aquaculture facilities. Such efforts shall be made in a manner which ensures the protection of renewable fish and wildlife resources and considers other activities dependent on them. | | | | | |
| | **FLOODING & EROSION POLICIES** | | | | | |
| 11 | Buildings and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion | Yes | Yes | Yes | Yes | Board Concurred |
| 11A | Erosion and sediment control measures shall be undertaken in order to safeguard persons, protect property, prevent damage to the environment, and promote the public welfare by guiding, regulating and controlling the design, construction, use and maintenance of any development or other activity which disturbs or breaks the topsoil or results in earth movement. | Yes | Yes | Yes | Yes | Board Concurred |
| 12 | Activities or Development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs. Primary dunes will be protected from all encroachments that could impair their natural protective capacity | No | | | | |
| 12A | Every effort should be made to protect Croton Point, a natural protective barrier to Croton Bay from activities or development that would increase erosion of or flooding of the Point | No | | | | |
| 13 | The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs. | No | | | | |
| 13A | Any bulkheads along the Hudson must be maintained in good condition and private landowners should be required to restore and maintain erosion control mechanisms along their river frontage which are designed for long term stability. | No | | | | |
| 14 | Activities and development, including the construction or reconstruction of erosion | Yes | Yes | Yes | Yes | Board Concurred |

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| | protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development, or at other locations. | | | | | |
| 15 | Mining, excavation or dredging in coastal waters shall not significantly interfere with the natural coastal processes which supply beach materials to land adjacent to such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land. | No | | | | |
| 16 | Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features | No | | | | |
| 16A | Public funds shall be appropriated for the yearly maintenance of Senasqua Park until such time that is determined that expenditure of funds outweighs the cost of acquiring, constructing and maintaining a similar public park on Croton's waterfront. | No | | | | |
| 17 | Whenever possible, use non-structural measures to minimize damage to natural resources and property from flooding and erosion. Such measures shall include: (i) the setback of buildings and structures; (ii) the planting of vegetation and the installation of sand fencing and draining; (iii) the reshaping of bluffs; and (iv) the flood-proofing of buildings or their elevation above the base flood level. | No | | | | |
| 17A | Efforts to control erosion along the rivers and on the steep slopes rising from areas inland shall be of a non-structural nature, wherever possible, in consideration of the visual impact of structural measures. The retention or planting of vegetative covers will be preferred to structural measures. | No | | | | |
| 18 | To safeguard the vital economic, social and environmental interests of the state and of its citizens, proposed major actions in the coastal area must give full consideration to those interests, and to the | No | | | | |

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| | safeguards which the state has established to protect valuable coastal resource areas. | | | | | |
| | **PUBLIC ACCESS POLICIES** | | | | | |
| 19 | Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities so that these resources and facilities may be fully utilized in accordance with reasonably anticipated public recreation needs and the protection of historic and natural resources. In providing such access, priority will be given to public beaches, boating facilities, fishing areas and waterfront parks. | No | | | | |
| 19A | Encourage the linkage of open space along the Hudson and Croton Rivers in the form of a trail or walkway system. Such systems should be provided along undeveloped and underutilized land as well as along previously developed land. | No | | | | |
| 19B | Increase physical access to areas that have specific value for their physical and visual access to the Hudson River or Croton River and Bay. | No | | | | |
| 19C | Encourage the expansion of public transportation, when feasible, to areas within the coastal zone area where water dependent and water enhanced recreation activities are located. | No | | | | |
| 19D | Increase access to Croton River and Bay at the Village-owned land south of the Village parking lots at the Croton-Harmon Station. | No | | | | |
| 19E | Maintain the trail, which provides access to the Croton River waterfront, in its current undeveloped condition as a pedestrian walkway. | No | | | | |
| 20 | Access to the publicly-owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly-owned shall be provided and it should be provided in a manner compatible with adjoining uses. Such lands shall be retained in public ownership. | No | | | | |
| 21 | Water dependent and water enhanced recreation will be encouraged and facilitated, and will be given priority over non-water related uses along the coast, provided it is consistent with the preservation and enhancement of other | No | | | | |

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| | coastal resources and takes into account demand for such facilities. In facilitating such activities, priority shall be given to areas where access to the recreation opportunities of the coast can be provided by new or existing public transportation services and to those areas where the use of the shore is severely restricted by existing development. | | | | | |
| 21A | Boating activities should be encouraged provided that they do not restrict other recreational opportunities and are undertaken in a manner compatible with existing water- dependent uses. | No | | | | |
| 22 | Development when located adjacent to the shore will provide for water-related recreation, as a multiple use, whenever such recreational use is appropriate in light reasonably anticipated demand for such activities and the primary purpose of the development | No | | | | |
| 23 | Protect, enhance and restore structures, districts, in areas of sites that are of significance in the history, architecture, archaeology or culture of the state, its communities or the nation. | No | | | | |
| 24 | Prevent impairment of scenic resources of statewide significance as identified on the coastal area map. Impairment shall include: (i) the irreversible modification of geologic forms, the destruction or removal of vegetation, the destruction, or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resource; and (ii) the addition of structures which because of siting or scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource. | No | | | | |
| 25 | Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the coastal area. | Yes | Yes | Yes | Yes | Board Concurred |
| 25A | Protect local scenic resources by preventing: (i) the irreversible modification of geologic forms, the destruction or removal of vegetation or | No | | | | |

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| | wetlands, the destruction, or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resources; and (ii) the addition of structures which because of siting scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource. | | | | | |
| 25B | Secure the designation of the panoramic views from Croton Point as a scenic area of statewide significance. | No | | | | |
| 25C | Secure the designation of Routes 9 and 129 within the Croton boundaries as a scenic road. Ensure developments on or adjacent to Route 9 do not impair scenic resources or views of or from the Hudson and Croton Rivers | No | | | | |
| 25D | Establish and protect identified view-sheds which provide visual access to the Hudson River, including but not limited to the views of the Hudson River from the western shoreline of the Village, and from Prickly Pear Hill, Lounsbury Hill, and River Landing. In addition, protect view-sheds to and of the Croton River and Gorge. | No | | | | |
| 26 | The state coastal policy regarding the protection of agricultural lands is not applicable to Croton | No | | | | |
| | **ENERGY AND ICE MANAGEMENT POLICIES** | | | | | |
| 27 | Decisions on the siting and construction of major energy facilities in the coastal area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need for a shorefront location. | No | | | | |
| 28 | Ice management practices shall not damage significant fish and wildlife and their habitats, increase shoreline erosion or flooding, or interfere with the production of hydroelectric power. | No | | | | |
| 28A | Ice management practices must consider short and long term impacts on the Croton River and Bay and Haverstraw Bay significant fish and wildlife habitats. | No | | | | |
| 29 | The state coastal policy regarding the development of energy resources is not applicable to Croton. | No | | | | |

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| | **WATER AND AIR RESOURCES POLICIES** | | | | | |
| 30 | Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, into coastal waters will conform to state and national water quality standards. | No | | | | |
| 30A | Existing rail services and transportation-related facilities shall not dispose any materials in coastal waters until such materials have been tested by the state for conformance with water quality standards. | No | | | | |
| 30B | Storage and disposal of all materials shall be monitored by the state to assure there will be no discharge or leaching of materials into coastal waters. | No | | | | |
| 31 | State coastal area policies and purposes of approved local waterfront revitalization programs will be considered while reviewing coastal water classifications and while modifying water quality standards; however, those waters already over-burdened with contaminants will be recognized as being a development constraint. | No | | | | |
| 31A | Clean water is desired and NYSDEC should continually monitor water quality in the Hudson River and Croton Bay which have already been overburdened with pollutants. Recommendations for mitigation and upgrading water quality classifications cannot be determined without continual monitoring and testing of the waters. | No | | | | |
| 32 | Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high, given the size of the existing tax base of these communities. | No | | | | |
| 33 | Best Management Practices will be used to ensure the control of storm water runoff and combined sewer overflows draining into coastal waters. | Yes | Yes | Yes | Yes | Board Concurred |
| 33A | Encourage new developments to retain storm water runoff on site so as to not increase flows within the existing system or to improve existing storm water runoff systems to that runoff from such developments does not adversely impact | No | | | | |

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| | coastal waters | | | | | |
| 33B | Improve existing Village storm water discharge to control flow of pollutants from street and parking areas, etc. directly in the rivers. | No | | | | |
| 34 | Discharge of waste into coastal waters from vessels will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas. | No | | | | |
| 34A | There shall be no discharge from moored structures or marine vessels, due to shape of cove and lack of tidal flushing. | No | | | | |
| 35 | Dredging and dredge spoil disposal in coastal waters will be undertaken in a manner that meets existing state dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands. | No | | | | |
| 36 | Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at lease minimize spills into coastal waters; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur. | No | | | | |
| 37 | Best Management Practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters. | Yes | Yes | Yes | Yes | Board Concurred |
| 37A | Standards and specifications for the control of non-point source discharge as set forth in Westchester County's Best Management Practice Manual or other recognized reference shall be utilized during development of any site. | Yes | Yes | Yes | Yes | Board Concurred |
| 37B | Control of the development of hilltops, and steep slopes should be exerted in order to prevent erosion and minimize runoff and flooding from new construction. | No | | | | |
| 38 | The quality and quantity of surface water and ground water supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply. | No | | | | |
| 39 | The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within coastal areas will be conducted in such a manner so as | No | | | | |

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| | to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources. | | | | | |
| 39A | Require transporters, producers and storers of hazardous material to inform the public or allow public access to records involving the transport, storage, treatment and disposal of hazardous materials. This is of particular concern with respect to rail transport of such materials, storage of identified materials on railroad property and uses in the waterfront area involved in the treatment, storage and disposal of such materials. | No | | | | |
| 39B | In accordance with Title III, Section 302, Emergency Planning and Community Right-to- Know of the 1986 Superfund Reauthorization Act, the local emergency planning committee and the Croton Fire Department shall be notified if hazardous substances exceed the established threshold planning quantity | No | | | | |
| 40 | Effluent discharged from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to state water quality standards. | No | | | | |
| 41 | Land use or development in the coastal area will not cause national or state air quality standards to be violated | No | | | | |
| 41A | A NYSDEC point-source air monitoring station should be established within the Village of Croton-on-Hudson. | No | | | | |
| 42 | Coastal management policies will be considered if the state reclassifies land areas pursuant to the prevention of significant deterioration regulations of the Federal Clean Air Act. | No | | | | |
| 43 | Land use or development in the coastal area must not cause the generation of significant amounts of the acid rain precursors: nitrates and sulfates. | No | | | | |
| 43A | Encourage the use of shuttle bus service to the train station, thereby decreasing dependency on the automobile use and reduce the generation of acid rain precursors | No | | | | |
| 43B | Encourage the use of low sulphur fossil fuels for rail vehicles and encourage the development of a monitoring program to | No | | | | |

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| | assess rail vehicle engines emissions | | | | | |
| 44 | Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas. | Yes | Yes | Yes | Yes | Board Concurred |
| 44A | Wetlands, water bodies and watercourses shall be protected by preventing damage from erosion or siltation, minimizing disturbance, preserving natural habitats and protecting against flood and pollution. | Yes | Yes | Yes | Yes | Board Concurred |

5. *QUESTIONS/COMMENTS SUBMITTED BY E-MAIL* - none

6. *CORRESPONDENCE*

   a. Letter and Petition from Croton merchants dated July 27, 2021, in support of Oktoberfest 2021.

      https://play.champds.com/ATT/crotononhudsonny/2021-07/a3ff830f50a02b8446ab8bf69c455a16414da1d6.pdf

   b. Memo from Police Chief, John Nikitopoulos, dated July 30, 2021, regarding the new police patch implementation plan.

      https://play.champds.com/ATT/crotononhudsonny/2021-07/01d6f8601f68097a8e4bfeed3b784dd199627108.pdf

   c. Letter from Merrily Besvinick of the "Croton Arboretum", dated July 31, 2021, requesting an exemption from wetlands activity fees.

      https://play.champds.com/ATT/crotononhudsonny/2021-07/0428c393455c02699c47482807d0f2bde375dd55.pdf

      **Resolution**

      On motion by Trustee Gallelli, and seconded by Trustee Simon, the Board of Trustees hereby approves the request from the "Croton Arboretum" to waive wetlands activity fees. Motion was approved with a 5-0 vote.

d. Letter from Cynthia Lippolis of "Hudson Valley Gateway Chamber of Commerce" dated July 16, 2021, asking for approval to conduct a "Scarecrow Contest".

https://play.champds.com/ATT/crotononhudsonny/2021-07/6c8b1a0467bf4fd53e6f56496e5ac1d5c9d5f6dc.pdf

**Resolution**

On motion by Trustee Simon, and seconded by Trustee Horowitz, the Board of Trustees hereby approves the request from the "Hudson Valley Gateway Chamber" to conduct a "Scarecrow Contest". Motion was approved with a 5-0 vote.

e. Letter from John Clark of "Hudson River Recreation", dated July 26, 2021, regarding the renewal of his agreement at "Echo Canoe and Kayak Launch".

https://play.champds.com/ATT/crotononhudsonny/2021-07/179470bee26f58f8ec6847a575460750da3c021c.pdf

7. *PUBLIC COMMENTS ON AGENDA ITEMS*

Geoff Hamilton, 63 Emerson Avenue, Croton on Hudson, stated that he has had the opportunity to kayak the Croton River and there is a misconception that the problems on the river are coming from kayakers; but rather the problems are coming from people partying along the trail. Mr. Hamilton stated that Mr. Clark does a lot to clean up the area and he supports renewing his contract.

Dave Tuttle, 94 Grand Street, Croton on Hudson, stated that the river is in crises and is overcrowded, and while it is not the kayaking company that is causing the problem, the river just cannot handle the increased traffic of a rental facility and asked that there be further discussion before the Board renews the contract.

Ellen Brecher, owner of the Croton Running Company, Evan Perdomo-Cohen, owner of The Green Growler, Ralph Croteau, 12 Bank Street and

employee of 105-Twenty Restaurant, and Tracy Shea, owner of the Croton Tapsmith, spoke in support of the letter and petition submitted by the Croton Merchants regarding the proposed Oktoberfest in the Upper Village.

**8. *RESOLUTIONS*:**

***Resolution #127 of 2021***

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

WHEREAS Local Law No. 3 of 2003 was approved at a regular Village Board Meeting held on October 7, 2003; and

WHEREAS this Local Law called for the setting of Village Fees through Board Resolutions; and

WHEREAS the Village wishes to set the vendor registration fees for Fall Festival to help cover some of the costs of the event,

NOW THEREFORE BE IT RESOLVED: that the Board of Trustees approves the below fees for Fall Festival vendor registration to be added to the fee schedule:

| | **Early Bird** (until September 1) | **Regular** (after September 1) |
|---|---|---|
| General Vendor | $75 | $100 |
| Food/Beverage Vendor | $125 | $175 |
| Non-Profit/Civic Vendor | $50 | $65 |

*DISCUSSION*

Bryan Healy stated that DPW Superintendent Frank Balbi put together a layout for the Fall Festival and he is confident that we can add more spaces if needed; based on the costs the proposed budget is approximately $5,000. Mr. Healy stated that

they have reached out to all the food service providers in Croton encouraging them to participate and we have received positive feedback.

Trustee Gallelli stated that the loss of Summerfest has left a gap, and rather than waiting till next June, she believes it is prudent to hold this new version to see if we can start new things in the village.

***Resolution #128 of 2021***

On motion of TRUSTEE SIMON, 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 the Village of Croton-on-Hudson has received American Rescue Plan Act funds in the amount of $413,438.99; and

WHEREAS this payment represents the first of two payments the Village will receive under this legislative act,

NOW THEREFORE BE IT RESOLVED: that the Village Treasurer is authorized to make the following budget amendment to the 2021-2022 General Fund budget as follows:

*GENERAL REVENUE*

| | | |
|---|---|---|
| Increase A1000.4089 | FEDERAL AID, OTHER | $413,438.99 |

*GENERAL EXPENSES:*

| | | |
|---|---|---|
| Increase A1990.4000 | CONTINGENCY | $413,438.99 |

***Resolution #129 of 2021***

On motion of TRUSTEE HOROWTIZ, seconded by TRUSTEE SIMON, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a 5-0 vote.

WHEREAS Village Law § 4-412 provides that the Board of Trustees may determine its own rules of procedure:

NOW THEREFORE BE IT RESOLVED: that the following rules of procedure are adopted pursuant to Village Law § 4-412:

I. REGULAR MEETINGS: The Board of Trustees conducts Regular Meetings on the first and third Mondays of each month at 7 p.m. in the Georgianna Grant Meeting Room at the Stanley H. Kellerhouse Municipal Building. Meeting dates that fall on holidays will be moved to the next day.

II. The Board of Trustees conducts Work Sessions as needed on the second and fourth Mondays of each month at 7 p.m. in the Georgianna Grant Meeting Room at the Stanley H. Kellerhouse Municipal Building. Work sessions do not follow the same meeting procedures as Regular Meetings and are held for the purpose of discussion amongst the members of the Board. The presiding officer, at his or her discretion, may invite a member of the public in attendance to offer comment on an agenda topic, but is not compelled to do so.

III. SPECIAL MEETINGS: Special meetings of the Board of Trustees are all Board meetings other than Regular Meetings. The Mayor or Village Manager may call a Special Meeting upon notice to the entire Board.

IV. QUORUM: A quorum of the Board must be physically present to conduct business. A quorum of the five-member Board of Trustees is three, regardless of vacancies.

V. EXECUTIVE SESSIONS: The Board must hold Executive sessions in accordance with NYS Public Officers Law § 105. All executive sessions must be entered into by a motion made from a properly noticed and conducted open meeting.

VI. AGENDAS: The Clerk and Manager will prepare the agenda at the direction of the Mayor. The Village will publish Agendas for both Regular and Work Session Meetings as notice to the public the Friday before the meeting. However, the Mayor, the Village Manager, or a majority of the Board of Trustees may add items at any time. If necessary, a supplemental agenda may be distributed at the beginning of the meeting.

a. Any two members of the Board of Trustees may, by motion at a regular meeting, place an item on the agenda for a subsequent meeting.

VII. VOTING: Pursuant to the New York State Village Law and General Construction Law, each member of the Board has one vote. The Mayor may vote on any matter but must vote in case of a tie. A majority of the totally authorized voting power (3 or more) is necessary to pass a matter unless otherwise specified by State law. For example, bond resolutions require a majority of four or more. A vote upon any question must be taken by ayes and noes, and the names of the members present, and their votes must be entered in the minutes.

VIII. GENERAL RULES OF PROCEDURE:

a. The Mayor presides at the meeting. In the Mayor's absence, the Deputy Mayor presides at meetings of the Board. The presiding officer may debate, move and take any action that may be taken by other members of the Board.

b. Each board member must be given the opportunity to speak on every issue. Board members are not required to rise, but in the interests of orderly discussion must be recognized by the presiding officer before making motions and speaking.

c. Every motion must be seconded before being put to a vote; all motions must be recorded in their entirety in the Board's minutes.

d. Once recognized, a member may not be interrupted when speaking

unless it is to call the member to order. If a member is called to order, the member must stop speaking until the question of order is determined, and, if in order, the member must be permitted to proceed. There is no limit to the number of times a member may speak on a question. Motions to close or limit debate may be entertained and require a two-thirds vote to pass.

e. Reports: Each Board member is required to report on the committee or board he or she is liaison to during the report section of the agenda.

IX. GUIDELINES FOR PUBLIC COMMENT:

a. The public may speak only during the Public Comment periods of the meeting or at such other time as a majority of the Board allows.
b. Speakers must step to the front of the room.
c. Speakers must give their name, address and the identity of their organization, if applicable.
d. Speakers must be recognized by the presiding officer.
e. Speakers must limit their remarks to five minutes per public comment period. Depending on the number of people who wish to speak on a specific subject, at the discretion of the Mayor, time limits of three minutes per person, or other similar time frame, may be applied to each speaker.
f. Speakers may not yield any remaining time they may have to another speaker.
g. Board members may, with the permission of the Mayor, or presiding officer, interrupt a speaker during their remarks, but only for the purpose of clarification or information.
h. All remarks must be addressed to the Board as a body and not to specific members thereof or the audience.
i. Speakers must observe the commonly accepted rules of courtesy, decorum, dignity and good taste.
j. Interested parties or their representatives may address the Board by written communication. For public hearings, written communications

submitted in advance are considered at the hearings and provided as backup material. Written communication shall be submitted by 4 p.m. on the day of the meeting for inclusion in the backup material of the meeting.

k. During the comment period, speakers may address the Board on issues affecting the Village. The Board will respond to specific questions if the information is immediately available during the Report section of the meeting; if not, as soon as it is practical.

l. The aforementioned public comment guidelines apply to all regular meetings. However, during public hearings, the Mayor or presiding officer may recognize questions from the floor.

X. MINUTES:

a. The Clerk or Clerk's designated representative is responsible for taking the minutes of the Board. Minutes must consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon. Minutes must be taken at executive session of any action that is taken by formal vote. Executive session minutes must consist of a record or summary of the final determination of such action, and the date and vote thereon; provided, however, that such summary need not include any matter which is not required to be made public by the NYS Freedom of Information Law (FOIL). Minutes are not recorded for work sessions unless an action is taken by the Board at that meeting.

b. Minutes must also include the following:
   1. Name of the Board
   2. Date, place and time of meeting
   3. Notation of the presence or absence of Board members and time of arrival or departure if different from time of call to order and adjournment
   4. Name and title of other village officials and employees participating in the meeting and the names of audience members that have signed a voluntary sign-in sheet

5. A summary of communications presented to the Board
6. Record of reports made by Board or other village personnel
7. Time of adjournment; and signature of Clerk or person who took the minutes if not the Clerk.

c. The Clerk or Clerk's designated representative is responsible for creating a draft of the minutes within the timeframe provided for under the New York State Open Meetings Law. The Board of Trustees approves the minutes at the next board meeting. Amendments to the minutes require approval of the Board of Trustee by a majority vote.

XI. GUIDELINES FOR USE OF RECORDING EQUIPMENT: All regular and work session meetings of the Board are webcast and televised to the extent possible. All members of the public and all public officials are allowed to tape or video record public meetings. Recording is not allowed during executive sessions. Recording should be done in a manner that does not interfere with the meeting. The Mayor, or presiding officer, may determine whether the recording is being done in an intrusive manner taking into consideration, but not limited to, brightness of lights, distance from the deliberations of the Board, size of the equipment, and the ability of the public to participate in the meeting. If the recording is determined to be intrusive and interferes with the meeting, the Mayor, or presiding officer, may direct that the recording be stopped or undertaken in a different manner or location.

XII. ADJOURNMENT: Meetings shall be adjourned by motion.

XIII. AMENDMENTS TO THE RULES OF PROCEDURE: The Board of Trustees may amend the foregoing procedures by a majority vote.

**(resolution #130-2021 was adopted following the Public Hearing)**

***Resolution #131 of 2021***

On motion of Trustee Horowitz and seconded by Trustee Simon, the following resolution was adopted 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 has been working with Sol Systems of Washington, DC for the installation of solar canopies at the Croton-Harmon Train Station parking lot; and

WHEREAS on March 3, 2021, the Village entered into a lease agreement with Sol Systems for the use of the Train Station Parking Lot in order to install solar canopies; and

WHEREAS the Village Board of Trustees has now received a special permit application from Sol Systems for the installation of solar canopies at the Croton-Harmon Train Station parking lot; and

WHEREAS the application requires a setback variance from the Village's Zoning Board of Appeals,

NOW, THEREFORE BE IT RESOLVED: that the Village Board hereby determines that the proposed action is a Type II Action under SEQRA, not requiring any further action,

AND BE IT FURTHER RESOLVED: that the Village Board hereby refers the special permit application to the Village Planning Board in accordance with Village law,

AND BE IT FURTHER RESOLVED: that the Village Board hereby refers the special permit application to the Zoning Board of Appeals and directs the applicant to make a formal application to the ZBA,

AND BE IT FURTHER RESOLVED: that the Village Board hereby requests that the Zoning Board of Appeals convene a special meeting to review the application as soon as feasible,

AND BE IT FURTHER RESOLVED: that the Village Board of Trustees hereby schedules a Public Hearing on Monday, August 16, 2021, at 7 p.m. in the

Georgianna Grant Meeting Room of the Stanley H. Kellerhouse Municipal Building to consider the issuance of a special permit for the installation of solar canopies at the Croton-Harmon Train Station parking lot.

9. PUBLIC COMMENTS ON NON-AGENDA ITEMS:

Geoff Hamilton, 63 Emerson Avenue, Croton on Hudson thanked Village Manager King for her service to the Village and wished her the best on her retirement. Mr. Hamilton stated that he is glad that Trustee Simon and Trustee Murtaugh will be working closely with the fire departments. Mr. Hamilton stated that he is also concerned that the area for the Fall Festival is very tight and asked that emergency services take a look at the area being considered.

Dave Tuttle, 94 Grand Street, stated that the Village has hosted Summerfest and could also host Oktoberfest

Toni Senecal, co-owner of the Croton Tapsmith, voiced her disappointment with the decision of the Board to not permit Oktoberfest and that the decision would hurt local businesses.

Ellen Brecher, owner of the Croton Running Company, stated that she agreed with the comments by Toni Senecal.

Alexis Agosta, owner of the Grandstand, stated that she supports the Fall Festival at Vassallo Park, she had legal issues which arose from Oktoberfest in 2019 and would not like to see those repeated and appreciates any event being held to help support local business.

Tracy Shea, co-owner of the Croton Tapsmith, expressed his frustration with the decision to not put the Oktoberfest decision to a vote.

10. *APPROVAL OF MINUTES:*

Motion to approve the minutes of the Regular Meeting held on July 19, 2021, was made by Trustee Horowitz. Motion was seconded by Trustee Simon and approved with a 4-0 vote. Trustee Gallelli abstained.

*11. REPORTS:*

Trustee Murtaugh thanked Village Manager Janine King for her long service to the village and welcomed Treasurer Daniel Tucker. Trustee Murtaugh stated that he supports the merchants who would like to see Oktoberfest this year, but he believes that we should move forward with the Fall Festival to see how it goes and suggested allowing and waiving fees for street service for Grand Street merchants who are upset that we are proceeding with the Fall Festival.

Trustee Simon advised that he attended last Tuesday's Planning Board meeting; the Regan company held productive negotiations with the neighbors on Wells Avenue and they have resolved many of their concerns; he attended the Bicycle-Pedestrian Committee meeting on July 29th; they discussed working to extend the "Slow Down Croton" campaign as well as commenting on the draft "Regional Transportation Plan", he attended meetings of the "Water Control Commission" and the "Waterfront Advisory Council", he attended the "Fire Council" meeting on July 29th with Mayor Pugh where important organization and safety issues were discussed, he met with the "Rotary" last week where they discussed the car show and parade scheduled for September 26th, he met last week with the "Croton Caring Committee" President and Executive Director to talk about their priorities, he joined the Mayor and Deputy Mayor at the "Croton Point Avenue project ribbon cutting, and participated in a White House briefing where HUD Secretary Marcia Fudge spoke. Trustee Simon thanked Village Manager Janine King for her dedicated work over the last 26 years and read a quote from "Teddy Roosevelt", *Far and away, the best prize life offers is the chance to work hard at work worth doing",* and that is what she has done here for which we are all grateful.

Trustee Gallelli stated that the Planning Board continues to work on the Katz property and 25 South Riverside in addition to the many other projects before them. Trustee Gallelli advised that Westchester County has allocated a million dollars towards senior exercise equipment in County parks, and asked that we reach out to the Westchester County

Parks Department to advocate that some of that equipment be put in the Croton Point Park.

Trustee Horowitz thanked Village Manager Janine King for all she did in helping her to get through the first few months on the Board and wished her well on her retirement.

Mayor Pugh stated that he had the great honor of being part of the Board that appointed Janine King as Village Manager and appreciates everything she has done for the Village and wished her all the best on her retirement. Mayor Pugh congratulated Bryan Healy on his appointment as Village Manager and welcomed new Treasurer Daniel Tucker.

Mayor Pugh advised that he attended the Croton Point Avenue ribbon cutting ceremony, the decisions to move forward with these improvements is going to be a legacy for the Village that will be with us for years to come. Mayor Pugh advised that he attended the Fire Council meeting with Trustee Simon, we had a good discussion and appreciates their flexibility.

Village Manager King thanked the Board for their nice comments, these past six years have been extremely challenging, we did get a lot done, and knows that she is leaving the Village in great hands.

Bryan Healy thanked Village Manager King for everything that she has done for the Village and for the staff and hoped that she will not be a stranger to the Village.

Bryan Healy advised that the office will be closed tomorrow for employee appreciation day. Mr. Healy stated that he looks forward to working with the businesses to make Fall Festival a successful event. Mr. Healy stated that he had a meeting with representatives of the New York State Department of Transportation to discuss repaving Route 129 and we are hopeful that it will be put on their plan, we also discussed a number of issues regarding drainage and repairing of fences along Route 9.

Village Attorney Whitehead stated that it has been a pleasure to work with Village Manager Janine King.

There being no further business to come before the Board, a Motion to close the meeting was made by Trustee Simon. Motion was seconded by Trustee Horowitz and approved with a 5-0 vote. Meeting adjourned at 8:50pm.

Respectfully submitted,

Judy Weintraub, Board Secretary

_____
Paula DiSanto, Village Clerk