

1 DRAFT

2 Regular Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY
3 was held on Monday, April 4, 2022, in the Georgianna Grant Meeting Room at the
4 Stanley Kellerhouse Municipal Building, Van Wyck Street, Croton-on-Hudson, NY
5 10520.

6 The following officials were present:

7

Mayor Pugh	Trustee Gallelli	8
Village Manager Bryan Healy	Trustee Horowitz	9
Village Attorney Whitehead	Trustee Rosales	10
Village Treasurer Tucker	Trustee Simon	11

12

13 1. CALL TO ORDER

14 Deputy Mayor Gallelli called the meeting to order at 7:00pm. Everyone joined
15 in the Pledge of Allegiance.

16 2. APPROVAL OF VOUCHERS

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

General Fund	\$45,602.79
Water Fund	\$2,691.49
Sewer Fund	\$4,450.00
Capital Fund	\$12,046.59
Trust Fund	\$290.25

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20 3. RESPONSES TO QUESTIONS SUBMITTED BY EMAIL - none

21 4. LWRP CONSISTENCY REVIEW – New York State Department of
22 Transportation Bridge Painting Project for the Warren Road Overpass

23

		WAC RESPONSE		BOARD RESPONSE		Comments
Policy	DEVELOPMENT POLICIES	Applicable Yes/No	Consistent Yes/No	Applicable Yes/No	Consistent Yes/No	
1	Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational and other compatible uses	No	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	No			
1B	Redevelop and revitalize Village owned land at the Metro North Train Station, including Village garage and bay area. Encourage integrated development of	No	No			

	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.					
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	No			
1D	Require restoration of deteriorating structures related to railroad use and assure appropriate maintenance and screening to reduce visual impact.	No	No			
1E	Develop the old sewage treatment plant site at the intersection of Route 9A and Municipal Place.	No	No			
2	Facilitate the siting of water dependent uses and facilities on or adjacent to coastal waters	No	No			
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	No			
3	The state coastal policy regarding the development of major ports is not applicable to Croton.	No	No			
4	The state coastal policy regarding the strengthening of small harbors is not applicable to Croton.	No	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	No			
5A	When feasible, development within the Village should be directed within the	No	No			

	current service area of existing water and sewer facilities or in close proximity to areas where distribution lines currently exist.					
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	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	No			
6	Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.	No	No			
6A	To expedite permit procedures, the Village shall coordinate all relevant local laws into a development package for applicants and/or make all local laws available to applicants proposing development activities.	No	No			
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	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	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.	No	No			
7C	Storage of materials that can degrade	No	No			

	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.					
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	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.	No	No			
7F	Construction activity of any kind must not cause a measurable increase in erosion or 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.	No	No			
7G	Such activities must not cause degradation of water quality or impact identified significant fish and wildlife habitats	No	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.	No	No			
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	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,	No	No			

	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					
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	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 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.	No	No			
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	No	No			
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.	No	No			
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	No	No			

	encroachments that could impair their natural protective capacity					
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	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	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	No			
14	Activities and development, including the construction or reconstruction of erosion 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.	No	No			
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	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	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	No	No			

	similar public park on Croton's waterfront.					
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	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	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 safeguards which the state has established to protect valuable coastal resource areas.	No	No			
	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	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	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	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	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	No			
19E	Maintain the trail, which provides access to the Croton River waterfront, in its current undeveloped condition as a pedestrian walkway.	No	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	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 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.	No	No			
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	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	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	No			
24	Prevent impairment of scenic resources of statewide significance as identified on the coastal area map. Impairment shall	No	No			

	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.					
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.	No	No			
25A	Protect local scenic resources by preventing: (i) the irreversible modification of geologic forms, the destruction or removal of vegetation or 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.	No	No			
25B	Secure the designation of the panoramic views from Croton Point as a scenic area of statewide significance.	No	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	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	No			
26	The state coastal policy regarding the	No	No			

	protection of agricultural lands is not applicable to Croton					
	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	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	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	No			
29	The state coastal policy regarding the development of energy resources is not applicable to Croton.	No	No			
	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	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	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	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	No			
31A	Clean water is desired and NYSDEC should continually monitor water quality in the Hudson River and Croton Bay which	No	No			

	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.					
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	No			
33	Best Management Practices will be used to ensure the control of storm water runoff and combined sewer overflows draining into coastal waters.	No	No			
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 coastal waters	No	No			
33B	Improve existing Village storm water discharge to control flow of pollutants from street and parking areas, etc. directly in the rivers.	No	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	No			
34A	There shall be no discharge from moored structures or marine vessels, due to shape of cove and lack of tidal flushing.	No	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	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 least 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	No			

37	Best Management Practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.	No	No			
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.	No	No			
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	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	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 to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources.	Yes	Yes	Yes	Yes	Board Concurred
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	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	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	No			

41	Land use or development in the coastal area will not cause national or state air quality standards to be violated	No	No			
41A	A NYSDEC point-source air monitoring station should be established within the Village of Croton-on-Hudson.	No	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	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	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	No			
43B	Encourage the use of low sulphur fossil fuels for rail vehicles and encourage the development of a monitoring program to assess rail vehicle engines emissions	No	No			
44	Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.	No	No			
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.	No	No			

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Resolution:

On motion by Trustee Simon and seconded by Trustee Rosales the Board of Trustees concurred with the Waterfront Advisory Committee that #39 was the only applicable item. Motion was approved with a 5-0 vote.

5. CORRESPONDENCE

- a. Letter from the "Arbor Day Foundation" declaring Croton-on-Hudson a 2021 "Tree City USA".
- b. Letter from the New York State Department of State dated March 29, 2022, requesting a "LWRP Consistency Review" for the installation of a generator at "Symphony Knoll" (15 Mount Airy Road).

<https://play.champds.com/ATT/crotononhudsonny/2022-03/76f4f78d10c5d797d11ad18ab763a770066682dd.pdf>

Trustee Simon stated that this is a worthy project and believes that the County is going to do a good job, he is also pleased that "Relief Funds" that have gone to the County are flowing down to our local level.

- c. Memorandum from Daniel O'Connor, Village Engineer, dated March 23, 2022, requesting a Building Permit extension for 22 Wells Avenue.

Resolution:

On motion by Trustee Horowitz and seconded by Trustee Simon the Board of Trustees approved the extension of a Building Permit for 22 Wells Avenue. Motion was approved with a 5-0 vote.

- d. Letter from the New York State Department of Environmental Conservation regarding the issuance of a permit for the Croton Harmon Train Station Solar Canopy Project.

<https://play.champds.com/ATT/crotononhudsonny/2022-04/93207486fc919264857d201f6a01004187cc027b.pdf>

6. PUBLIC COMMENTS ON AGENDA ITEMS:

Susan O'Keefe, co-owner of "Baked by Susan", 379 S. Benedict Avenue, Croton on Hudson addressed Resolution b. regarding requesting a "Home Rule" for a "Residential Parking Permit System" on Benedict Blvd between South Riverside Avenue and Hastings Avenue. Ms. O'Keefe stated that in May of 2019, before the Pandemic and at the height of ridership on Metro North, she had done her own parking study and over a one week period, she found the streets mostly empty. Ms. O'Keefe stated that parking in Harmon is confusing and chaotic with various streets having varying times when one can park and while they have seven spots behind their Bakery and four permits in the small lot at the western end of Benedict, she still needs more places for her employees to park. Ms. O'Keefe believes that the best solution is two hour parking

1 everywhere in the Harmon area, it would eliminate people who are trying
2 to avoid buying a permit at the train station, but it would allow those
3 who frequent the Bakery or any of the other businesses on Riverside a
4 place to park because one hour sometimes is just not enough time. Ms.
5 O'Keefe also asked if employees could be considered for a permit as well.

6 Francine Mormile, owner of Salon M, 379 S. Riverside Avenue, Croton on
7 Hudson, stated that she has the same concerns as stated by Ms. O'Keefe,
8 eliminating parking on Benedict Blvd. would be a problem for her elderly
9 clients, because of the Salon's location they do not have parking in front
10 of the Salon, she also supports businesses being allowed to apply for a
11 permit.

12 Chris, employee of Baked by Susan, stated that every day it is a hassle
13 to park, and he is concerned where he is going to be able to park.

14 Trustee Gallelli stated that tonight the Board is only addressing a
15 Resolution that requests the "New York State Legislature" to consider
16 allowing the Village to institute a "Residential Parking Permit System."
17 Trustee Gallelli explained that if the Legislature approves it, the Board is
18 not required to move forward, it only gives the Village permission to do
19 so and emphasized that if the Board decides to move in that direction,
20 the Board will then get down to the "nitty gritty" of what the rules and
21 regulations will be.

22 Trustee Rosales stated that the point that was made about businesses
23 spending the same amount of time in their business environment as
24 residents do in their homes is a good point and something to consider in
25 future deliberations regarding any decisions that we make.

26 Chris O'Keefe, (co-owner of Baked by Susan) 36 Farrington Road, Croton
27 on Hudson, stated that if the survey shows there isn't a problem, why
28 are we asking for this request, if these spaces are taken away, the Board
29 will have eliminated fifty potential spots to anyone what wants to have a
30 business on Riverside or any of these other areas, you can't have
31 expansion of businesses without parking and his business is threatened if
32 any parking is restricted and asked the Board to rescind this request.

1 Robert Anderson, 3 Oak Place, Croton on Hudson, asked the Board to
2 table the resolution asking for a "Residential Parking Permit System"
3 along the Croton River, much of what that has been said applies to the
4 concept of making a decision before something has happened, he is also
5 concerned about establishing exclusivity in certain areas and is not sure
6 that this would be a solution to everyday problems especially down there
7 where we have a recreation facility that should be made available to as
8 many people as possible, there has not been a problem since 2019 and
9 asked the Board to reconsider and let issues be managed by the Park
10 Rangers.

11 Ed Riely, 110 Truesdale Drive, Croton on Hudson, asked the Board to
12 take into consideration the needs of our small businesses and consider
13 issuing them parking permits, he supports anything that brings back
14 control of our streets because the State does not seem to have the
15 ability to control anything. Mr. Riely stated that the Village should not be
16 purchasing trees but rather we should encourage people to donate them
17 as well as flowers and stressed that the Village should not be purchasing
18 solar panels that are made in China.

19 Written Comments:

20 E-Mail from Jan Klier 33 Young Avenue, Croton on Hudson, dated April 4,
21 2022, states that if there are regulations on Benedict Blvd it may push
22 parking elsewhere and may make it worse in other places such as Young
23 Avenue which would be the only unrestricted block and she and her
24 immediate neighbors could be greatly impacted.

25 7. RESOLUTIONS:

26 **Resolution #36 of 2022**

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

1 WHEREAS in 1872, J. Sterling Morton proposed to the Nebraska Board of
2 Agriculture that a special day be set aside for the planting of trees, and

3 WHEREAS Arbor Day is now observed throughout the nation and the world, and

4 WHEREAS this observance of Arbor Day holds significant meaning as the 150th
5 anniversary of the first observance, and

6 WHEREAS trees provide an abundance of environmental and aesthetic advantages
7 to citizens and wildlife, wherever they are found, and

8 WHEREAS trees in our Village increase property values, enhance the economic
9 vitality of business areas, and beautify our community, and

10 WHEREAS the Village of Croton-on-Hudson has been recognized as a **Tree City**
11 **USA** by the *National Arbor Day Foundation* since 1984 and desires to continue its
12 tree-planting program,

13 NOW THEREFORE BE IT RESOLVED that the Village of Croton-on-Hudson, on behalf
14 of the Village Board of Trustees, does hereby proclaim April 29, 2022, as "Arbor
15 Day", and

16 BE IT FURTHER RESOLVED that all residents of the Village of Croton-on-Hudson are
17 urged to support efforts to preserve our urban forests, cool our streets, clean our
18 air, reduce our carbon footprint and improve our overall state of wellbeing.

19 **Resolution #37 of 2022**

20 On motion of TRUSTEE HOROWITZ, seconded by TRUSTEE ROSALES, the following
21 resolution was brought forth for adoption:

22 WHEREAS on July 6, 2020, the Village Board of Trustees adopted a resolution
23 affirming its support for a residential parking permit system in the Harmon
24 neighborhood on the following streets: Hastings Avenue and Young Avenue, and

25 WHEREAS on October 7, 2020, the legislation was signed into law by the Governor
26 of the State of New York, and

1 WHEREAS the Village Board adopted Local Law 15 of 2021 on December 20, 2021,
2 which established a residential parking permit system on portions of the
3 aforementioned streets, and

4 WHEREAS the Village Board is desirous of requesting permission to extend the
5 residential parking permit system onto a portion of Benedict Boulevard, and

6 WHEREAS the Village's elected state representatives, Assemblywoman Sandra Galef
7 and State Senator Peter Harckham have introduced companion bills in the state
8 legislature to extend the residential parking permit system onto a portion of
9 Benedict Boulevard, and

10 WHEREAS the Village is required to formally submit a home rule request to the
11 legislature,

12 NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby
13 requests a residential parking permit system be enacted in the Village of Croton-on-
14 Hudson under the state's home rule authority, and

15 BE IT FURTHER RESOLVED that a copy of this home rule request be sent to State
16 Assemblywoman Sandra Galef and State Senator Peter Harckham.

17 DISCUSSION:

18 Village Manager Healy stated that back in 2019, when the Board originally
19 requested the "Residential Permit Parking System" for Hastings Avenue and Young
20 Avenue, a survey of the neighborhood was done at that time and the consensus of
21 the neighbors was that they wanted a change, what was in affect previously was a
22 two hour parking prohibition from 8:00am to 10:00am on weekdays. Village
23 Manager Healy stated that with those survey results we brought it to the
24 Legislature, and we received permission to implement the program, but between
25 the time it was requested and the time it was signed into law, Covid happened and
26 based on that we re-did the survey because we wanted to see if residents' feelings
27 had changed, but for the most part we found that the results were the same and
28 there was still support for the program. Village Manager Healy explained that once
29 it was put on the agenda, the Board received more comments, some opposed and
30 some in favor and upon reviewing those results it showed that all the neighbors on

1 the southern part of Young Avenue were opposed to the system, and all the
2 neighbors in the middle of Hastings Avenue where there were no previous
3 restrictions were opposed as well, but the middle of the block on Young Avenue and
4 the southern portion of Hastings Avenue, where there had been restrictions, were
5 strongly in favor and we decided at that point to implement the program for those
6 two blocks. Village Manager Healy stated that fourteen months after the Legislation
7 was adopted and after multiple work sessions the permits were issued to residents
8 and went into effect the beginning of February 2022. Village Manager Healy stated
9 that he has not received any complaints from residents where the system has been
10 implemented but there has been a few complaints from residents in the southern
11 part of Young Avenue because there has been an increase in parking.

12 Trustee Simon stated that he believes that everything that has been said this
13 evening is accurate, but he also believes that we have two businesses that have
14 described their problems on a day to day basis and he would like to be able to sit
15 down with both of those businesses to see if there are any solutions before we
16 move forward, while we have tried to improve the situation with the additional
17 spots in the Benedict Avenue lot, it has not helped completely, and he would like to
18 see if there is more that we can do.

19 Trustee Horowitz stated that just recently "Happy Hearts" opened and "Capriocio's
20 Restaurant has moved to the area, and these are places that a lot of people are
21 going to and if we really want to be a business friendly community, a parking plan
22 is essential.

23 Village Manager Healy reminded everyone that Benedict Blvd. is a residential area,
24 it is not commercial.

25 Trustee Simon stated that a parking plan in Harmon is a good point but right now
26 he would like to see how we can resolve the Baked by Susan and Salon M issues
27 and believes that we should hold off on this resolution as a matter of good faith to
28 look into the issues of their employees.

29 Village Manager Healy stated that he is happy to put this off, but what he has heard
30 this evening is that they are asking for two-hour limits on Benedict Blvd which is
31 what we would be looking to implement if we were to adopt this program.

1 Mayor Pugh stated that he is all for having a conversation, but we have a ticking
2 clock, and it is entirely possible that we can delay this for a couple of weeks and the
3 Legislature will adopt this, but it is also possible that we will be at the back of the
4 line, and it won't happen. Mayor Pugh emphasized that passing a "Home Rule
5 Request" is not adopting any particular system it is only requesting that the Village
6 be given the power to make our own rules and he does not see any reason to hold
7 off on this request.

8 Trustee Rosales stated that he would like to see this request go through to Albany,
9 would like to harmonize our parking rules because it seems quite byzantine right
10 now and would like to see business permits for employees and believes we can do
11 all of the above.

12 Trustee Gallelli stated that the problems that were raised tonight are real, and we
13 need to figure them out and solve them in a way that will allow our businesses to
14 continue to grow, but emphasized that what we are asking the State only gives us
15 permission to choose to do something down the road, if that is a decision the Board
16 comes to, we would do a survey, hold public hearings and get input from everyone
17 involved. Trustee Gallelli stated that the earlier that we get our request to the
18 State Legislature, the more likely we will get a decision, we can put it off, but the
19 end result is that we still want to have our own ability to makes these decisions.

20 Mayor Pugh stated that the businesses that have had personal conversations with
21 him are aware of his comments that we need to move past the patchwork quilt
22 system that we currently have in Harmon and have a comprehensive, rational, fair
23 and consistent approach, but we also need to make sure that we have the
24 legislation to do that and to make sure that we have the authority that we need so
25 that we can adopt whatever system we think is appropriate.

26 Resolution was not adopted and will be brought back to the April 18th meeting.

27 **Resolution #38 of 2022**

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

1 WHEREAS on January 4, 2022, the Village Board of Trustees adopted a resolution
2 affirming its support for a residential parking permit system in areas near the
3 Croton River: Truesdale Drive, Nordica Drive and Cedar Lane, as well as Old Post
4 Road South from Truesdale Drive to Morningside Drive, and

5 WHEREAS this permit system has been deemed necessary due to the large number
6 of individuals who park along these roadways and attempt to access the Croton
7 River and Croton Gorge Unique Area through private property, and

8 WHEREAS the Village's elected state representatives, Assemblywoman Sandra Galef
9 and State Senator Peter Harckham, have introduced companion bills in the state
10 legislature to establish a residential parking permit system in this area, and

11 WHEREAS the Village is required to formally submit a home rule request to the
12 legislature,

13 NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby
14 requests a residential parking permit system be enacted in the Village of Croton-on-
15 Hudson under the state's home rule authority, and

16 BE IT FURTHER RESOLVED that a copy of this home rule request be sent to State
17 Assemblywoman Sandra Galef and State Senator Peter Harckham.

18 DISCUSSION:

19 Trustee Simon stated that the Board had a very extensive conversation about this,
20 and looks further to having an extensive dialogue with the neighbors.

21 Village Manager Healy explained that since the Board did not have the authority to
22 institute a "Residential Parking Permit System" in this area, the Village prohibited
23 parking on the street for everyone on Saturdays and Sundays and while it may
24 seem that we are being more restrictive, in actuality we are trying to implement
25 something that will make it more open to people while also helping the residents.

26 Trustee Rosales stated that he agrees with getting some of our autonomy back
27 from the State of New York by taking the reins and being able to decide what is
28 appropriate and what isn't, but he is not a fan of indiscriminately blocking it off and
29 making it an exclusive area or a private area and is supportive of seeing more

1 managed traffic into the Village and to make the beauty available to people who
2 don't live here and looks forward to being able to balance everyone's needs.

3 Village Manager Healy explained that there is no non-resident access to the River
4 along the entire strip of Truesdale and Nordica Drives, these are all private homes,
5 Silver Lake, at the end of Truesdale, is for Village and School District residents only
6 and then towards the end of Nordica is Mayo's Landing which is also for Village and
7 School District residents, and licensed fisherman, we are not trying to entice
8 visitors to come to this specific location but rather encourage non-residents to
9 access the River from Croton Point Park or from the Canoe Launch.

10 Mayor Pugh stated that Trustee Rosales' comments are a larger policy question and
11 to the Manager's point that this is a highly regulated access area to the Croton
12 River, it stands to reason that there should be some parking regulations, if you are
13 going to have regulated access then you need regulated parking, if you do not want
14 regulated access to the River that is a larger policy conversation and quite
15 controversial but the status quo right now is regulated access which is more cost
16 effective and a less confrontational system for enforcing rules. Mayor Pugh stated
17 that when you have situations where people are gaining access either by
18 trespassing on private property, the question of law enforcement arises and do we
19 want law enforcement or our Park Rangers to confront an individual on a hillside or
20 possibly in the River which is not an ideal situation, while he understands that we
21 don't want this to be a gated community and while we cannot totally prevent non-
22 resident parking we do have to regulate parking in an intelligent way so that we
23 harmonize it with some of our other policies in terms of River access and he is very
24 glad to hear that the situation is more orderly and peaceful in the last few years
25 than it was in the summer of 2019.

26 **Resolution #39 of 2022**

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

30 WHEREAS on May 18, 2020, the Village Board of Trustees awarded Bid #2-2020 for
31 lawn maintenance services to La Teja Contractors and Landscaping, Inc., of
32 Ossining, New York, and

1 WHEREAS La Teja has submitted a request to extend the bid for the period of June
2 1, 2022, through May 31, 2023, as permitted, and

3 WHEREAS Frank Balbi, Superintendent of Public Works, has recommended that the
4 bid be extended for the above period,

5 NOW THEREFORE BE IT RESOLVED that the Village Manager is hereby authorized to
6 execute an extension with La Teja Contractors and Landscaping, Inc., for the
7 Village's lawn maintenance program, and

8 BE IT FURTHER RESOLVED that all pricing and conditions as submitted in Bid #2-
9 2020 shall remain the same for the upcoming extension period.

10 **Resolution #40 of 2022**

11 Resolution tabled.

12 **Resolution #41 of 2022**

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

16 WHEREAS the Village would like to amend Chapter 230 of the Village Code, Zoning,
17 to add provisions related to cannabis shops, and

18 WHEREAS the Village Board of Trustees is considering the adoption of Local Law
19 Introductory No. 5 of 2022, which has been drafted for such purposes, and

20 WHEREAS on March 21, 2022, the Village Board declared itself to be Lead Agency
21 for SEQRA purposes in connection with the Proposed Action, and referred the
22 Proposed Action to the Village Planning Board, Waterfront Advisory Committee and
23 Westchester County Planning Board for comment in accordance with law, and

24 WHEREAS the Village Board has received comments back from the Village Planning
25 Board, Waterfront Advisory Committee and Westchester County Planning Board
26 regarding the Proposed Action,

1 NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby calls
2 for a Public Hearing on April 18, 2022, at 7 PM to consider Local Law Introductory
3 No. 5 of 2022 to amend Chapter 230 of the Village Code, Zoning, to add provisions
4 related to cannabis shops, and

5 BE IT FURTHER RESOLVED that such Public Hearing shall be held in the Georgianna
6 Grant Meeting Room of the Stanley H. Kellerhouse Municipal Building, 1 Van Wyck
7 Street, Croton-on-Hudson, New York 10520.

8 **Resolution #42 of 2022**

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

12 WHEREAS the Village received a request for consistency review with the Local
13 Waterfront Revitalization Program (LWRP) from the New York State Department of
14 Transportation regarding the painting of the Warren Road Overpass, and

15 WHEREAS on March 21, 2022, the Village Board referred the request to the
16 Waterfront Advisory Committee, and

17 WHEREAS the Village Board has received a recommendation of consistency from
18 the Waterfront Advisory Committee, and

19 WHEREAS the Village Board must make its own determination of consistency with
20 the LWRP policy standards and conditions, and

21 WHEREAS on April 4, 2022, the Village Board reviewed the LWRP policy standards
22 and conditions,

23 NOW THEREFORE BE IT FURTHER RESOLVED as follows:

24 The Village Board of Trustees found the following LWRP policies to be applicable and
25 finds the Proposed Action to be consistent with each of these applicable policies:

26 POLICY 39: The transport, storage, treatment and disposal of solid wastes,
27 particularly hazardous wastes, within coastal areas will be conducted in such
28 a manner so as to protect groundwater and surface water supplies,

significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources.

The remaining policies and conditions of the LWRP not specifically discussed above were reviewed and found not to be applicable.

Resolution #43 of 2022

On motion of TRUSTEE HOROWITZ, 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 solicited proposals for consultant planning services for potential zoning changes in and around the Harmon Gateway zoning district in early 2021, and

WHEREAS on June 7, 2021, the Village Board selected AKRF of White Plains, New York, to serve as its planning consultant for this project, and

WHEREAS the Village and AKRF have been developing conceptual designs regarding the potential zoning changes in and around the Harmon Gateway zoning district, and

WHEREAS this preliminary work has determined that the preliminary trip generation numbers in the project area exceed the one-hundred vehicle-trip thresholds for any given peak hour, and

WHEREAS in accordance with SEQRA requirements, AKRF is requesting to conduct a Traffic Impact Study in the project area, and

WHEREAS AKRF has provided an additional proposal in the not-to-exceed amount of \$19,450 to cover this work,

NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby accepts the proposal from AKRF in an amount not to exceed \$19,450, and

BE IT FURTHER RESOLVED that the Village Treasurer is authorized to transfer \$19,450 from Contingent Account A1990.4000 to H8020.2107.22398, and

BE IT FURTHER RESOLVED that the payment of \$19,450 shall be charged to H8020.2107.22398: Planning Studies – Harmon Area Rezoning.

Resolution #44 of 2022

On motion of TRUSTEE HOROWITZ, 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 receives performance bonds from contractors performing street openings in accordance with Chapter 197, Streets and Sidewalks, of the Village Code, and

WHEREAS these bonds are forfeited to the Village when work is not completed to the Village's satisfaction, and

WHEREAS two bonds have recently been forfeited where the work was not completed satisfactorily and efforts to have the conditions addressed failed,

NOW THEREFORE BE IT RESOLVED that the Village Treasurer is authorized to make the following budget amendment to the 2021/22 General Fund budget as follows:

GENERAL FUND
Increase Revenue

Dept	Item	Description	Amount
A1000	2620	Forfeiture of Deposits	\$6,020
Total Increases			\$6,020

GENERAL FUND
Increase Expenses

Dept	Item	Description	Amount
A5110	4200	Street Maint. - Supplies	\$6,020
Total Increases			\$6,020

Resolution #45 of 2022

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 Con Edison, PCI Industries and Altice requested police services for road restoration efforts during this fiscal year, and

WHEREAS Westchester County has provided grant funds to cover special details, and

WHEREAS police officers are assigned to these details to conduct traffic control, as well as to ensure safety for residents and visitors to the Village, and

WHEREAS the aforementioned organizations have agreed to pay the cost of the overtime for these officers,

NOW THEREFORE BE IT RESOLVED that the Village Treasurer is authorized to amend the General Fund 2021-2022 budget in the amount of \$20,352.42:

General Fund

Increase Revenue

Dept	Item-Description	Amount
A31201520	Police Fees	\$18,829.82
A10003089	State Aid – Other	\$ 1,522.60

General Fund

Increase Expense

Dept	Item-Description	Amount
A31201200	Personnel Services OT	\$20,352.42

8. PUBLIC COMMENTS ON NON AGENDA ITEMS

Ed Riely, 110 Truesdale Drive, Croton on Hudson, stated that residential buildings in South Riverside Avenue area should not be higher than two

1 to three stories. The balance of Mr. Riely's comments can be heard by
2 logging onto the following:

3 <https://play.champds.com/crotononhudsonny/event/756>

4 9. APPROVAL OF MINUTES:

5 Motion to approve the minutes as amended of the Regular Meeting held
6 on March 21, 2022, was made by Trustee Simon. Motion was seconded
7 by Trustee Horowitz and approved with a 5-0 vote.

8 Motion to approve the minutes of the Public Hearing on the Tentative
9 2023/24 Budget held on March 28, 2022, was made by Trustee Simon.
10 Motion was seconded by Trustee Rosales and approved with a 5-0 vote.

11 10. REPORTS:

12 Trustee Rosales stated that he met with the Co-Chairs of the Diversity
13 and Inclusion Committee on Friday, and he is interested on how we can
14 involve this Committee with some of our other initiatives including the
15 Police Advisory Committee, welcomed new business Orchid and Elm to
16 Croton, and on Friday he will be meeting with the Seniors.

17 Trustee Simon advised that on March 22nd the Planning Board spent time
18 talking about the "Stretch Code" which is the Sustainability Committee's
19 project for the Village to consider adopting Building Codes from New York
20 State that bring about greater energy efficiency, began working with
21 Congressman Jones' office on the Half Moon Bay bridge project, the
22 Rotary will be holding a candlelight vigil for Ukraine on Thursday, May
23 19, 6:00pm at Vassallo Park, welcomed Orchid and Elms to Croton,
24 attended the Vietnam Veterans Recognition Day, attended the Fire
25 Council meeting on March 29th, and on April 1st attended the Scouts
26 "Arrow of Life" ceremony.

27 Trustee Horowitz advised that the Little League parade will be held this
28 Saturday, Earth Day is scheduled for April 30th at Senasqua Park, an
29 Earth Day Identification Walk will be held at the Arboretum on Sunday,

1 April 24th from 12pm-2pm, tomorrow evening the Diversity and Inclusion
2 Committee will hold their second group discussion on the "1619" book.

3 Trustee Gallelli stated that the first Vietnam Veterans Day ceremony held
4 on March 29th at the Harmon Firehouse was a wonderful event and
5 congratulated American Legion Post Fox-Eklof for a job well done,
6 attended the opening of Orchid & Elm, "Hello Spring" is this Friday night
7 at Vassallo Park at 6:00pm, more information can be found on the
8 Village's Web Site, and the Westchester County Mobile Shredder will be
9 in Croton on April 12th from 10am-1:00pm in Parking Lot A of the train
10 station.

11 Mayor Pugh welcomed Orchid and Elm to Croton, and congratulated
12 those scouts that have made the transition from Cub Scouts to Boy
13 Scouts.

14 Village Manager Healy advised that registration for Spring Recreation
15 programs is now open, the Westchester County Shredder will also be at
16 the FDR Park on April 23rd, and reminded everyone that Village Offices
17 will be closed on April 15th for Good Friday.

18 There being no further business to come before the Board, a motion to close
19 the meeting was made by Trustee Simon. Motion was seconded by Trustee
20 Rosales and approved with a 5-0 vote. Meeting adjourned at 8:54.

21 Respectfully submitted,

22 Judy Weintraub, Board Secretary

23 _____
24 Paula DiSanto, Village Clerk