

Regular Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, August 15, 2022, 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:

Mayor Pugh	Trustee Gallelli	7
Village Manager Bryan Healy	Trustee Simon	8
Village Treasurer Tucker		9
Village Attorney Linda Whitehead		10

11

The following officials were absent:

Trustee Horowitz
Trustee Rosales

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 Simon made a motion to approve the following *Fiscal Year Vouchers, claims numbered 22230381 through 22230708 and 22230827 through 22230830*. The motion was seconded by Trustee Gallelli and approved with a 3-0 Vote.

General Fund	\$299,322.09
Water Fund	\$19,473.96
Sewer Fund	\$9,042.80
Capital Fund	\$17,612.11
Trust Fund	\$12,924.80

3. PUBLIC HEARING

A motion was made by Trustee Gallelli to open a Public Hearing to consider the issuance of a "Special Permit" for a twenty-nine-unit multi-family development located at 1380 Albany Post Road. Motion was seconded by Trustee Simon and approved with a 3-0 Vote.

Kory Salomone, from the Law Firm of Zarin and Steinmetz stated that they believe the project is fully compliant with the new "Gateway District Regulations" that were adopted in Local Law #3 of 2022, the plan calls for the demolition of the existing building, replacing it with a 33,400

1 square foot building that will contain twenty-nine residential units
2 (eighteen one-bedroom apartments, eleven two bedroom apartments,
3 and forty-four at-grade parking spaces), some of the amenities include a
4 roof-top deck and lounge, a fitness center, a community event room, EV
5 charging stations, barbeque area, and bocce court. Mr. Salomone stated
6 that as outlined in his letter, they believe that this project complies with
7 all of the "Special Permit" criteria.

8 [https://play.champds.com/ATT/crotononhudsonny/2021-](https://play.champds.com/ATT/crotononhudsonny/2021-10/202a5f89ed6e60847c278adf8ccc75693b502ada.pdf)
9 [10/202a5f89ed6e60847c278adf8ccc75693b502ada.pdf](https://play.champds.com/ATT/crotononhudsonny/2021-10/202a5f89ed6e60847c278adf8ccc75693b502ada.pdf)

10 Trustee Gallelli stated that she and Trustee Simon as members of the
11 Waterfront Advisory Committee and liaisons to the Planning Board have
12 watched this application progress to this point and she believes that this
13 project not only complies but is in the spirit of what we want to see in
14 the North End Gateway Overlay Zoning District and is supportive of this
15 application.

16 Trustee Simon stated that as we enter Croton from the north end it is
17 going to be an important development for Croton and represents good
18 planning and decision making on the part of the developer. Trustee
19 Simon commended the developer for their decision to forego retail in
20 favor of additional housing units and while we support retail, our Housing
21 Task Force reported that we have a real need for additional housing
22 opportunities in Croton and supports this application.

23 There being no further comments to come before the Board, a motion to
24 close the Public Hearing was made by Trustee Gallelli. Motion was
25 seconded by Trustee Simon and approved with a 3-0 vote.

26 **Resolution #122 of 2022**

27 On motion of TRUSTEE SIMON seconded by TRUSTEE GALLELLI, the
28 following resolution was adopted by the Board of Trustees of the Village of Croton-
29 on- Hudson, New York with a 3-0 vote.

1 WHEREAS the Village Board of Trustees has received a special permit application
2 from the Matra Group for a 29-unit multi-family development at 1380 Albany Post
3 Road, and

4 WHEREAS the project is located within the 0-1 Limited Office and North End
5 Gateway Overlay Zoning Districts of the Village, where multi-family developments
6 are allowed by special permit, and

7 WHEREAS the Board of Trustees issued a negative declaration under SEQRA and a
8 statement of consistency with the Village's LWRP in connection to this project on
9 March 7, 2022, and

10 WHEREAS the Board of Trustees referred the application to the Planning Board on
11 July 5, 2022, and

12 WHEREAS the Planning Board reviewed the request and has submitted a memo in
13 support of the application, and

14 WHEREAS ten percent of the dwelling units will be affordable as required by Section
15 230-48 of Chapter 230 of the Village Code which will result in three units, two (2)
16 one bedroom and one (1) two-bedroom apartments; and

17 WHEREAS on August 15, 2022, a public hearing on granting a special use permit to
18 the Matra Group was opened and closed,

19 NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby
20 issues a special use permit to the Matra Group for a 29-unit multi-family
21 development at 1380 Albany Post Road subject to the following conditions:

- 22 1. That an application for site plan approval and subdivision approval
23 (consolidation) be submitted to the Planning Board.
- 24 2. That project amenities be included and detailed further in site and
25 architectural plans.
- 26 3. That a reasonable number of charging stations for electric vehicles and
27 bicycles be incorporated into the project.
- 28 4. That the applicant work with the Planning board and NYSDOT to provide
29 reasonable pedestrian facilities which may include use of the bike and
30 walking trail on the West Wind HOA property in addition to other facilities.

4. RESPONSES TO QUESTIONS SUBMITTED BY EMAIL – none

5. CORRESPONDENCE

- a. Letter from Cynthia Lippolis, Hudson Valley Gateway Chamber of Commerce Board Member, dated August 5, 2022, requesting to conduct a Scarecrow Contest in the Village during the last week of September and through the month of October.

<https://play.champds.com/ATT/crotononhudsonny/2022-08/4e88d139e207bf07f55972e6b2e6fc7ce2beb8c2.pdf>

Resolution:

On motion by Trustee Simon and seconded by Trustee Gallelli the Board of Trustees of the Village of Croton on Hudson approved the request from the Hudson Valley Gateway Chamber of Commerce to conduct a Scarecrow Contest as detailed in their letter dated August 5, 2022. Motion was approved with a 3-0 vote.

- b. Email from Joshua Karpoff, 1st Assistant Chief of the Croton on Hudson Volunteer Fire Department dated August 2, 2022, regarding their Annual Fire Fair.

<https://play.champds.com/ATT/crotononhudsonny/2022-08/6fb242e8108a12ce0a42cae60eee1520bbedbcaf.pdf>

Resolution:

On motion by Trustee Gallelli and seconded by Trustee Simon the Board of Trustees of the Village of Croton on Hudson approved the request from the Croton on Hudson Volunteer Fire Department to hold their Annual Fire Fair as detailed in their email dated August 2, 2022. Motion was approved from the 3-0 vote.

- c. Memorandum from Daniel O'Connor, Village Engineer dated August 3, 2022, requesting a Building Permit extension for 7 Lexington Drive.

<https://play.champds.com/ATT/crotononhudsonny/2022-08/139e1649a8d97dc5a5d7be40706782ad1db4c3ed.pdf>

Resolution:

On motion by Trustee Gallelli and seconded by Trustee Simon the Board of Trustees of the Village of Croton on Hudson approved the request for a Building Permit extension for the property located at 7 Lexington Drive. Motion was approved from the 3-0 vote.

- d. Memorandum from Daniel O'Connor, Village Engineer dated August 1, 2022, requesting a Building Permit extension for 3 Mount Airy Road.

<https://play.champds.com/ATT/crotononhudsonny/2022-08/7e85fbc7915e14049385a3960f6863ca370f7b11.pdf>

Resolution:

On motion by Trustee Gallelli and seconded by Trustee Simon the Board of Trustees of the Village of Croton on Hudson approved the request for a Building Permit extension for the property located at 3 Mount Airy Road. Motion was approved from the 3-0 vote.

6. PUBLIC COMMENTS ON AGENDA ITEMS

Ed Riely, 110 Truesdale Drive, Croton on Hudson stated that he does not support the urbanization of Croton and emphasized that there should be a height limitation of three stories rather than five stories for any new housing projects, continued to urge the Board to put pressure on the three largest landholders which are all public entities (MTA, County of Westchester and the School District) to give back to Croton.

Mayor Pugh stated that while greater height limits are being considered as part of the Transit Oriented Development District, which is narrowly centered around Croton Point Avenue, no amendment to the Code has been adopted at this time.

7. RESOLUTIONS:

1 **Resolution #123 of 2022**

2 On motion of TRUSTEE SIMON, seconded by TRUSTEE GALLELLI, the following
3 resolution was adopted by the Board of Trustees of the Village of Croton- on-
4 Hudson, New York with a 3-0 vote.

5 WHEREAS the Water Department uses handheld water meter readings to obtain
6 accurate data on water usage; and

7 WHEREAS the premium support contract with the software company, Rio Supply,
8 expired on June 30, 2022; and

9 WHEREAS an updated support contract has been drafted for the period of July 1,
10 2022, through June 30, 2023, at a cost of \$5,550,

11 NOW THEREFORE BE IT RESOLVED that the Village Manager is hereby authorized to
12 execute the contract with Rio Supply for the period of July 1, 2022, through June
13 30, 2023, at a cost of \$5,550; and

14 BE IT FURTHER RESOLVED that funding is available for this contract in the following
15 account: F8310.4000 (Water Administration – Contractual).

16 **Resolution #124 of 2022**

17 On motion of TRUSTEE SIMON, seconded by TRUSTEE GALLELLI, the following
18 resolution was adopted by the Board of Trustees of the Village of Croton- on-
19 Hudson, New York with a 3-0 vote.

20 WHEREAS all dogs in the Village of Croton-on-Hudson four months of age or older,
21 unless otherwise exempted, are required to be licensed, and

22 WHEREAS the Village utilizes the Clerk I Software by Edmunds GovTech of Northfield,
23 New Jersey to process, store, and renew dog licenses, and

24 WHEREAS the Village desires to add a third user license to this software and

25 WHEREAS the Village has received a quote from Edmunds GovTech for an additional
26 Software License for \$1,60, and

1 WHEREAS funding for this expense was not included in the 2022-2023 General
2 Fund Budget,

3 NOW THEREFORE BE IT RESOLVED that the Village Board hereby authorizes the
4 Village Treasurer to transfer \$1,600 from A1410.1100 to the following account:
5 A3510.4000: \$1,600

6 **Resolution #125 of 2022**

7 On the motion of TRUSTEE GALLELLI, seconded by TRUSTEE SIMON, the following
8 resolution was adopted by the Board of Trustees of the Village of Croton-
9 on-Hudson, New York with the following 3-0 vote.

10 WHEREAS the aluminum railings along Elliott Way have been damaged and are a
11 safety concern for residents walking along the river, and

12 WHEREAS the railings will need to be removed and replaced in four phases in order
13 to completely stabilize the entire railing system, and

14 WHEREAS the Village has received a quote from Mancon, LLC of Yorktown Heights
15 for a total of \$12,960 for the removal and replacement of the railings, and

16 WHEREAS the Village has received a quote from Santella Welding of Putnam Valley
17 for a total of \$4,800 for welding of the new railings, and

18 WHEREAS the Village has received a quote from Reliable Plating Corp. of
19 Bridgeport, Connecticut for a total of \$1,704 for final anodizing of the railings and

20 WHEREAS funding for this expense was not included in the 2022-2023 General
21 Fund Budget,

22 NOW THEREFORE BE IT RESOLVED that the Village Board authorizes the Village
23 Treasurer to transfer \$19,464 from Contingency Account #A1990.4000 to the
24 following account: A7110.4140: \$19,464

25 **DISCUSSION:**

26 Village Manager Healy explained that these railings are between the elevated
27 walkway and Senasqua Park, we have been in discussions with our insurance

1 company to have this covered but we have not been successful thus far, in the
2 meantime, until this is resolved with our insurance company it is necessary to make
3 the repairs to make it safe for people to traverse this area.

4 **Resolution #126 of 2022**

5 On the motion of TRUSTEE SIMON, seconded by TRUSTEE GALLELLI, the following
6 resolution was adopted by the Board of Trustees of the Village of Croton-
7 on-Hudson, New York with a 3-0 vote.

8 WHEREAS the Village of Croton-on-Hudson wishes to resurface various roadways
9 located within the Village limits, and

10 WHEREAS on July 14, 2022, the Village advertised for invitations to bid on these
11 improvements (Bid #02-2022); and

12 WHEREAS six sealed bids were received at the bid opening held on August 9, 2022,
13 and

14 WHEREAS the lowest responsible bid was submitted by ELQ Industries, Inc. of New
15 Rochelle in the amount of \$448,737, and

16 WHEREAS because a work history does not exist with the Village, staff has
17 contacted the references provided by ELQ Industries, Inc. in the bid packet, and

18 WHEREAS all references provided positive feedback regarding past projects
19 completed by ELQ Industries, Inc., and

20 WHEREAS after reviewing the bids received, the recommendation to award the bid
21 to the lowest bidder, ELQ Industries, Inc. of New Rochelle, New York, has been
22 made by Frank Balbi, Superintendent of Public Works,

23 NOW THEREFORE BE IT RESOLVED that the Village Board authorizes the Village
24 Manager to award the contract to ELQ Industries, Inc. in the amount of \$448,737,
25 and

26 BE IT FURTHER RESOLVED that the Village Treasurer is authorized to charge this
27 amount to the following Capital Accounts: H5110.2106.23437: \$448,737

1 **DISCUSSION:**

2 Village Manager Healy stated that funds from various State programs should cover
3 the costs.

4 **Resolution #127 of 2022**

5 On motion of TRUSTEE SIMON and seconded by TRUSTEE GALLELLI, the
6 following resolution was adopted by the Board of Trustees of the Village of
7 Croton-on-Hudson, New York with a 3-0 vote.

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

10 WHEREAS this Local Law called for the setting of Village Fees through Board
11 Resolutions, and

12 WHEREAS the Village Board approved vendor registration fees for the 2022 Fall
13 Festival / Oktoberfest to help cover some of the costs of the event at a regular
14 Village Board Meeting held on August 1, 2022, and

15 WHEREAS after receiving feedback from local businesses, the Village desires to
16 revise the vendor registration fees for the 2022 Fall Festival / Oktoberfest,

17 NOW THEREFORE BE IT RESOLVED that the Board of Trustees approves the below
18 revised fees for the 2022 Fall Festival / Oktoberfest:

	Early Bird (until August 26)	Regular (after August 26)
General Veor	\$150	\$175
Non-Profit/Civic	\$50	\$60
Food Vendor	\$250	\$275
Alcohol Vendor	\$300	\$325
Food & Alcohol Vendor	\$550	\$600

19

20 **8. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

21 Rolf Lamar, 228 Hessian Hills Road, Croton on Hudson, stated that he
22 opposes the proposed Homeland cell tower, he believes that any claim that

1 the tower will improve emergency communications for the community is
2 misleading, it is his understanding that no one has done a basic analysis to
3 ascertain if there will be any benefit to the Fire Department, Police
4 Department or the DPW Department, Fire and Police Department
5 communication frequencies are different than wireless carriers and to
6 improve these communications the very first step is to test the entire
7 coverage area to identity the existence, locations as well as geographic
8 boundaries that may have gaps and only if this information is determined
9 then you can begin the process to figure out the best location to install a
10 tower. Mr. Lamar stated that it does not make sense to build a new tower
11 and move over antennas in the hopes that it will improve emergency services
12 communications because no one has made the effort to figure out the UHF
13 and VHF coverage status and by not determining these factors it will be
14 detrimental to the Village because we will end up with more towers than we
15 actually need.

16 Signe Bergstrom, 228 Hessian Hills Road, Croton on Hudson, stated that this
17 proposal appears to be based on an anecdotal assessment, as far as she can
18 tell no comprehensive assessment has been done to determine gaps in our
19 Village, when asked at a meeting to see that data, the Board was told that
20 they did not have that information on hand, when the assessment was done
21 why wasn't the findings not present in the proposal and why have they not
22 been shared with the public, without a real assessment of the scope of the
23 problem, Croton residents will be subject to a hodgepodge leaving an
24 irresponsible approach to selecting sites, the construction of a tower of this
25 size will require a crane on a large flat bed truck, the roads to this site are
26 extremely narrow, lined with trees making it very difficult to get to, trees will
27 most likely have to be taken down on both Glengary and Hessian Hills Roads,
28 she knows that the Village owns this land and can break any of its Zoning
29 Codes but the chances of a private resident building such a tower on the
30 property line of their neighbors would be very low, Homeland specifically
31 targets municipalities that have not enacted codes governing communication
32 towers and while the FCC grants municipalities the right to enact their own
33 codes, Croton which has sparse codes must operate using the FCC codes
34 which limit municipal government controls, the installation of the Homeland

1 cell tower at the train station was deemed successful and positive and
2 suspects that this feedback is based on the fact that it is not in a residential
3 area. Ms. Bergstrom said that anyone can google Homeland Towers and see
4 scores of pending lawsuits and legal maneuvers between Homeland Towers
5 and municipalities in Westchester, residents need to understand that
6 Homeland reached out to Croton and because of that the site selection was
7 made by them, not the Village and no alternative locations or co-locations
8 were discussed, there is no doubt that Croton should improve its cell service,
9 but decisions must be made by our Board who understand the needs of our
10 community.

11 Ed Riely, 110 Truesdale Drive, Croton on Hudson, addressed environmental
12 issues, the New York pension system and suggested that the Board reach out
13 to the three largest landowners in Croton requesting special privileges for
14 Croton residents, as well as land givebacks, payment in lieu of taxes, urged
15 the County Legislature to meet in public, and addressed issues with the
16 County's Sewer Plant and Playland.

17 9. APPROVAL OF MINUTES:

18 Motion to approve the minutes as amended of the Regular Meeting held
19 on August 1, 2022, was made by Trustee Simon. Motion was seconded by
20 Trustee Rosales and approved with a 3-0 vote.

21 10. REPORTS:

22 Trustee Simon advised that on August 3rd he attended a webinar sponsored
23 by an organization called Elected Officials to Protect America, the
24 organization is looking to pull together local officials in New York State to
25 support New York State's Climate Action Plan, on August 6th he met with
26 neighbors and users of the Black Rock Dog Park and good suggestions were
27 discussed, August 10th he attended the Planning Board meeting where they
28 reviewed the landscaping plan for 23 Nordica Drive, they did not approve the
29 plan and another presentation will be made at the next Planning Board
30 meeting, sat in on meetings regarding the Fall Festival, attended the first
31 meeting of the "125 Anniversary" committee last Thursday, this afternoon he

1 listened in on another webinar of the Cannabis Board and effective August
2 25th they will begin to take applications for retail dispensaries.

3 Trustee Gallelli stated that the first meeting of the 125 Anniversary
4 Committee gave members the opportunity meet each other and address their
5 objectives and what they would like to see happen as part of the year's
6 events, last Friday Croton seniors were invited to attend a picnic at Senasqua
7 Park and thanked Shoprite for providing all the food and DPW who did all the
8 cooking, reminded everyone that the Westchester County Bee Line busses
9 are still free until September 5th, the Yacht Club will be holding their River
10 Day on September 10th, September 11th the Tri-Municipal 9-11 Ceremony will
11 be held at Croton Landing, Village-wide tag sale will be held on September
12 17th, Fall Festival on October 1st and the Fire Fair on October 2nd.

13 Information about these events can be found by logging onto to the Croton
14 Calendar: <https://www.crotononhudson-ny.gov/calendar/month/2022-10>

15 Mayor Pugh advised that this past Friday he had the great honor of attending
16 the "Eagle Scout Honor Court" and congratulated Conner Cadarino on
17 achieving that status and attended the Ecuadorian Festival at Croton Point
18 Park.

19 Village Manager Healy reminded residents that it is time to renew or
20 purchase quarterly train station parking permits, we continue to see modest
21 increases each month, we are 25% higher than last year and we hope to
22 continue to see these numbers go up.

23 There being no further business to come before the Board, a motion to close
24 the meeting was made by Trustee Simon. Motion was seconded by Trustee
25 Gallelli and approved with a 3-0 vote. Meeting adjourned at 8:00pm

26 Respectfully submitted,

27 Judy Weintraub, Board Secretary

28 _____
29 Paula DiSanto, Village Clerk