

Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY, held on Monday, August 28, 2023, 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
Village Manager Bryan Healy	Trustee Horowitz – Via Zoom
Village Attorney Linda Whitehead	Trustee Nicholson
Assistant to the Village Manager Emily Mancini	Trustee Simon

The following official was absent:

Village Treasurer Daniel Tucker

1. CALL TO ORDER

Mayor Pugh called the meeting to order at 7:00pm and led everyone in the Pledge of Allegiance.

2. APPROVAL OF VOUCHERS

Trustee Gallelli made a motion to approve the following *Fiscal Year Vouchers, claims numbered 23241423 through 23241621*. The motion was seconded by Trustee Simon and approved with a 5-0 Vote.

General Fund	\$318,885.59
Water Fund	\$28,731.05
Sewer Fund	\$2,629.89
Capital Fund	\$199,033.04
Trust Fund	\$1,363.26

3. PUBLIC HEARINGS:

- a. A motion to open a Public Hearing on *Local Law Introductory No. 15 of 2023*, to amend Chapter 123, Firearms, of the Village Code was made by Trustee Simon. Motion was seconded by Trustee Nicholson and approved with a 5-0 vote.

Village Manager Healy explained that this Local Law will update our Village Code to be in tandem with the State Law that was recently changed.

<https://play.champds.com/ATT/crotononhudsonny/2023-08/13676b2ff2b00564cfeef94d379bcc7ee4b39960.pdf>

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

5 **Resolution #188 of 2023**

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

10 WHEREAS New York State recently enacted legislation relating to the usage of
11 firearms in historical reenactments, military funeral salutes, and other similar
12 activities, and

13 WHEREAS the Village would like to amend Chapter 123, Firearms, of the Village
14 Code to reflect these changes, and

15 WHEREAS the Village Board of Trustees is considering the adoption of Local Law
16 Introductory No. 15 of 2023, which has been drafted for such purposes, and

17 WHEREAS a Public Hearing on Local Law Introductory No. 15 of 2023 was
18 opened and closed on August 28, 2023,

19 NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby
20 adopts Local Law Introductory No. 15 of 2023 to amend Chapter 123, Firearms,
21 of the Village Code, which upon adoption becomes Local Law No. 15 of 2023.

- 22
23 b. A motion to open a Public Hearing on *Local Law Introductory No. 16*
24 *of 2023*, to codify the source separation and segregation of
25 recyclable or reusable materials was made by Trustee Gallelli.
26 Motion was seconded by Trustee Simon and approved with a 5-0
27 vote.

28 There being no further comments to come before the Board, a
29 motion to close the Public Hearing was made by Trustee Nicholson.
30 Motion was seconded by Trustee Horowitz and approved with a 5-0
31 vote.

1 **Resolution 189 of 2023**

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

5 WHEREAS the Village of Croton-on-Hudson desires to add a new Chapter 185
6 entitled "Recycling" to the Village Code to codify the source separation and
7 segregation of recyclable materials, and

8 WHEREAS the Village Board of Trustees is considering the adoption of Local Law
9 Introductory No. 16 of 2023, which has been drafted for such purposes, and

10 WHEREAS a Public Hearing on Local Law Introductory No. 16 of 2023 was
11 opened and closed on August 28, 2023,

12 NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby
13 adopts Local Law Introductory No. 16 of 2023, codifying the source separation
14 and segregation of recyclable materials, which upon adoption becomes Local
15 Law No. 16 of 2023.

16 4. **RESPONSES TO QUESTIONS SUBMITTED BY EMAIL**

17 E-mail from Fred Tames, 6 Barton Place, Croton on Hudson, dated
18 August 28, 2023, addressing the noise levels from the festival held at
19 Senasqua Park on Sunday, August 27th. Mr. Tames stated that decibel
20 levels were not adhered to.

21 Village Manager Healy explained that at the request of a local business
22 owner, the Village authorized a permit for the August 27th event at
23 Senasqua Park. Village Manager Healy explained that this has been the
24 Village's policy in the past to allow Village businesses to hold events at
25 Senasqua Park, DPW staff and Police officers were brought in on
26 overtime, which was paid by the event organizers. Village Manager
27 Healy stated that the attendance was larger than anticipated, with
28 close to 1,000 people as opposed to the 275-500 people that they
29 originally estimated. Village Manager Healy stated that one of our main
30 issues is that the organizers charged a fee for entry into the park,
31 which is prohibited, and the Village will be seeking to issue some sort
32 of violation, the Police monitored noise levels throughout the day, and

1 the organizers were asked to lower the volume numerous times when
2 it was determined that it was exceeding the noise ordinance. Village
3 Manager Healy advised that the staff along with the Board will be
4 meeting in the near future to go over our policies and procedures and
5 to make necessary improvements to the application process.

6 Mayor Pugh praised the diligence of our DPW staff and Police
7 Department for their flexibility in handling the situation very
8 professionally, our Police Chief was there for the entire day and had to
9 make a lot of decisions on the fly based on the information available at
10 the time and given the numbers in attendance it was a relatively safe,
11 family event.

12 Trustee Simon stated that he understands that there may have been
13 some flaws in the process, this was a family gathering and while the
14 crowd was very large, it was great to see families coming together and
15 enjoying the Park.

16 Trustee Gallelli stated that she was in attendance in the early part of
17 the day, this was a family event and thanked our DPW staff and Police
18 Department for doing their job in a very friendly way and assisting the
19 attendees.

20 Trustee Nicholson stated that this was a good learning experience, we
21 want to encourage people to use the park and asked for an overview
22 of the process for renting our parks, and who actually signed the
23 contract between the Village and the Vendor.

24 Village Manager Healy explained that it is not a contract but rather a
25 permit application which is typically approved by the Recreation
26 Department for applicants with a Recreation I.D. card. Village Manager
27 Healy explained that the Village Code grants the Village Manager the
28 authority to regulate entrance and admission to all parks and because
29 this was a business owner, the application was signed by himself.

30 Trustee Horowitz asked if this was the first-time admission was
31 charged at Senasqua.

Village Manager Healy stated that as far as he knows it was but explained that charging admission was not authorized, and they were told that admission was not allowed.

Trustee Nicolson stated that from a marketing perspective there was some criticism that it was not marketed enough to Croton residents and if the poster had been provided to the village, then we may have had a better idea of what was happening.

Village Manager Healy stated that we will be addressing various changes in the application process when we meet to discuss this.

5. Review of the Environment Assessment Form Part II and the Village's Local Waterfront Revitalization Program policies by the Village Board to determine consistency related to Local Law Introductory No. 17 of 2023, to amend and update provisions of the Zoning Code.

SHORT ENVIRONMENTAL ASSESSMENT FORM PART II

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning Regulations?	√	
2. Will the proposed action result in a change in the use or intensity of use of land?	√	
3. Will the proposed action impair the character or quality of the existing community?	√	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	√	
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	√	
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy	√	
7. Will the proposed action impact existing: a. public / private water supplies?	√	
b. public / private wastewater treatment utilities?	√	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	√	

9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	√	
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	√	
11. Will the proposed action create a hazard to environmental resources or human health?	√	

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Local Waterfront Revitalization Program Policies

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Policy	DEVELOPMENT POLICIES	WAC RESPONSE		VILLAGE BOARD		Comments
		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				
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	Yes	Yes	Yes	Yes	Board Concurred
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 coastal waters	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				
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 a development package for applicants and/or make all local laws available to applicants proposing development activities.	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				
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.	No				
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	No				

	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				
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				
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				
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.	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				
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 onshore 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	No				

	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	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				
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 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				
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	No				

	public benefits outweigh the long term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features					
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 safeguards which the state has established to protect valuable coastal resource areas.	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				
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 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				
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.	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	No				

	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				
	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.	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				
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 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				
37	Best Management Practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.	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				
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	No				

	construction.					
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 to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources.	No				
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 assess rail vehicle engines emissions	No				
44	Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.	No				
44A	Wetlands, water bodies and watercourses shall be protected by preventing damage from erosion or	No				

	siltation, minimizing disturbance, preserving natural habitats and protecting against flood and pollution.					
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2 Trustee Gallelli stated that in addition to the change in the definition of "Family"
3 there are a few smaller changes and corrections to various sections that were
4 identified when General Code was reviewing our Code.

5 Trustee Horowitz asked what the problem was with the original definition of
6 family.

7 Village Attorney Whitehead stated that there has been a number of cases in
8 recent years that have addressed the question as to the definition of a family,
9 and this change will bring Croton's Code into consistency with where the Courts
10 have been going. Village Attorney Whitehead explained that a lot of the cases
11 looked at how unrelated individuals are treated and what you can look at to
12 determine whether they are a family or just someone renting a room within a
13 single-family dwelling, and we were concerned that Croton's existing definition
14 could have been challenged.

15 Village Manager Healy explained that, under the current definition, more than
16 five unrelated people in a household would not be considered a family unit, but
17 an unlimited number of related individuals could be considered a family unit.
18 Village Manager Healy stated that we want to prevent what happens in other
19 Westchester communities where people have turned single-family or two-family
20 homes into boarding houses, and it is important that this definition be legally
21 sound.

22 **6. CORRESPONDENCE**

23 a. Letter from the Police Department regarding a request to donate two
24 underutilized bikes to the Yorktown Police Department.

25 [https://play.champds.com/ATT/crotononhudsonny/2023-](https://play.champds.com/ATT/crotononhudsonny/2023-08/996f282f049eda22200817fdd222ba525e4f80c8.pdf)
26 [08/996f282f049eda22200817fdd222ba525e4f80c8.pdf](https://play.champds.com/ATT/crotononhudsonny/2023-08/996f282f049eda22200817fdd222ba525e4f80c8.pdf)

27 **RESOLUTION**

28 On Motion by Trustee Simon and seconded by Trustee Nicholson, the Board
29 of Trustees of the Village of Croton on Hudson approved the request from the

Police Department to donate two underutilized bikes to the Yorktown Police Department. Motion was approved with a 5-0 vote.

b. Letter from Vic Conte, President of the Croton Lions Club, requesting to hold their annual Christmas tree sales fundraiser on South Riverside Avenue across from Shoprite.

<https://play.champds.com/ATT/crotononhudsonny/2023-08/4c7fcad4d2059e66dce75f30bcd20269a2f55b77.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 Croton Lions Club to hold their annual Christmas Tree sale on South Riverside Avenue across from Shoprite. Motion was approved with a 5-0 vote.

7. PUBLIC COMMENTS ON AGENDA ITEMS - none

8. RESOLUTIONS:

Resolution 190 of 2023

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

WHEREAS the Village Board of Trustees has received a special permit application from Ameriland Brook LLC, to add a three-story mixed-use building next to the existing one-story commercial building located at 352 South Riverside Avenue, and

WHEREAS on July 24, 2023, the Village Board of Trustees declared its intent to serve as Lead Agency for SEQRA purposes and directed the staff to circulate its intent to all involved agencies, and

WHEREAS, the Village has received comments back from the Village Planning Board stating that they have no objections to the Village Board of Trustees acting as Lead Agency, and

1 WHEREAS, the 30-day window to send comments regarding the Village's intent
2 to serve as lead agency has now passed,

3 NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby
4 declares itself Lead Agency for SEQRA purposes in connection with the proposed
5 action, and

6 BE IT FURTHER RESOLVED that the Village Board of Trustees hereby refers the
7 special permit application and CAF to the Waterfront Advisory Committee for a
8 recommendation of consistency with the Local Waterfront Revitalization Program
9 (LWRP).

10 **DISCUSSION**

11 Trustee Simon stated that the Planning Board did a very good job reviewing this
12 project, they have made some good suggestions should this get to the next
13 phase of the Site Plan review and looks forward to seeing how the Planning
14 Board and developer work together.

15 Village Manager Healy advised that we have also received some comments from
16 our Fire Department and Westchester County Department of Planning.

17 **Resolution 191 of 2023**

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

21 WHEREAS in 2011, the Village of Croton-on-Hudson agreed to serve as the
22 municipal sponsor with the New York State Department of Transportation
23 (NYSDOT) for the Van Cortlandt Manor Entrance Improvement Project, and

24 WHEREAS under this contract, the Village issued an invitation to bid on June 13,
25 2023, for the project, and

26 WHEREAS five bids were received at the time of the bid opening on August 10,
27 2023, and

28 WHEREAS the five bids received for the project were higher than anticipated,
29 and

1 WHEREAS Historic Hudson Valley has recommended that the bids be rejected,
2 NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of
3 Croton-on-Hudson hereby rejects the bids received on August 10, 2023, for the
4 Van Cortlandt Manor Entrance Improvement Project.

5 **DISCUSSION**

6 Trustee Simon asked what is the process when an entity determines that a bid is
7 too high?

8 Village Manager Healy stated that in the past when the Village had projects that
9 came in over budget, we went back and reviewed the project and removed
10 certain aspects of the project to reduce costs.

11 **Resolution 192 of 2023**

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

15 WHEREAS the Village would like to amend and update provisions of Chapter
16 230, Zoning, of the Code of the Village of Croton-on-Hudson, and

17 WHEREAS the Village Board is considering taking an action to adopt Local Law
18 Introductory No. 17 of 2023 which has been drafted for such purposes, and

19 WHEREAS on August 14, 2023, the Village Board declared itself to be Lead
20 Agency for SEQRA purposes in connection with the Proposed Action, and referred
21 the Proposed Action to the Village Planning Board, Waterfront Advisory
22 Committee and Westchester County Planning Board for comment in accordance
23 with law, and

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

27 NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby
28 schedules a Public Hearing on Tuesday, September 12, 2023, at 6 PM, in the
29 Georgianna Grant Meeting Room of the Stanley H. Kellerhouse Municipal
30 Building, 1 Van Wyck Street, Croton-on-Hudson, New York 10520, to consider

Local Law Introductory No. 17 of 2023, amending and updating provisions of Chapter 230, Zoning, of the Code of the Village of Croton-on-Hudson.

Resolution 193 of 2023

On motion of TRUSTEE SIMON seconded by TRUSTEE NICHOLSON, 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 has made a number of personnel changes in recent weeks, and

WHEREAS certain budgetary accounts need to have funding reallocated as a result of these changes,

NOW THEREFORE BE IT RESOLVED that the Village Board authorizes the Village Treasurer to make the following budget transfers in the General Fund:

A1110.1000 – Justice Court Personnel - increase by \$34,030.11.

A1980.4000 – MTA Payroll Tax - decrease by \$13,271.74.

A1680.1000 – Central Data Processing Personnel - decrease by \$20,758.37.

Resolution 194 of 2023

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

WHEREAS the Department of Public Works bought, prepared, and sold food and drink items at three of the Summer Concerts at Senasqua Park, and

WHEREAS these expenses were not budgeted for in the 2023-2024 General Fund Budget, and

WHEREAS the Department collected \$1,186.81 from the sale of food and drink items, and

WHEREAS the Superintendent of Public Works has requested these funds to be transferred into the Department's operating account,

NOW THEREFORE BE IT RESOLVED that the Village Treasurer is authorized to make the following budget amendment to the 2023-2024 General Fund budget as follows:

GENERAL EXPENSES

Increase

A7110.4200 – Recreation – Supplies \$ 1,186.81

GENERAL REVENUES

Increase

A7020.2001 – Parks & Recreation Fees \$ 1,186.81

Resolution 195 of 2023

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

WHEREAS due to an error in the chart of accounts a revenue of \$18,000 was budgeted two times, and

WHEREAS the Village has experienced more revenue in Interest and Earnings than anticipated in the Adopted Budget for Fiscal Year 2023-2024, and

WHEREAS the Village Manager and the Village Treasurer recommend amending the 2023-2024 General Fund budget to account for these factors,

NOW THEREFORE BE IT RESOLVED that the Village Treasurer is authorized to make the following budget amendment to the 2023-2024 General Fund budget as follows:

GENERAL REVENUES

Increase

A1000.2401 – Interest & Earnings \$18,000

Decrease

A1440.2550 – Public Safety Permits \$18,000

9. PUBLIC COMMENTS ON NON-AGENDA ITEMS

1 Fred Tames, 6 Barton Place, Croton on Hudson, stated that the rear of
2 his property is approximately a half mile from the Senasqua bandstand,
3 and he has always enjoyed listening to summer concerts from his deck.
4 Mr. Tames stated that what occurred this past Saturday was not music,
5 but rather a music attack, and suggested, in the future, Village staff be
6 equipped with a decibel meter to monitor the sound.

7 Mayor Pugh stated that Police were on the scene, and they intervened
8 when the noise exceeded acceptable levels.

9 Kate Malone, 19 Young Avenue, Croton on Hudson, encouraged the
10 Board to keep Croton a small community and does not want to see our
11 zoning changed that would increase density.

12 Tony Granger, Half Moon Bay, Croton on Hudson, stated that because
13 of the Senasqua event this past Saturday, people were parking at the
14 Marina, and attempting to park at Half Moon Bay, and he does not
15 understand why, on the last weekend of the summer, when residents
16 should have had exclusive access to the park, the Village allowed non-
17 residents access.

18 Mayor Pugh stated that the number of people certainly exceeded our
19 expectations which created parking issues, it is the first time that
20 something like this happened but our Police and DPW managed as best
21 as they could, and we will certainly be making our taxpayers whole for
22 any expenses the Village incurred.

23 Trustee Simon stated that the parking issue will be part of our de-
24 briefing.

25 Colleen Beyrer, 19 Wells Avenue, Croton on Hudson, stated that if
26 there were flyers with links to purchase tickets on-line and thousands
27 of people knew about, how is it that the Village did not know.

28 Village Manager Healy stated that the event organizer disregarded our
29 directive that they could not charge entrance fees for the event, and we
30 will be going after them for a violation of our Code.

31 Ed Riely, 110 Truesdale Drive, Croton on Hudson, commended Village
32 staff for their excellent responses during the recent heavy rainstorms,

1 the access to Mayo's Landing is not accessible to anyone with a
2 disability and drastic improvements need to be made, concerned with
3 increased large scale housing projects in Croton, and the current
4 housing crises which he believes is caused by illegal immigration.

5 Debbie Braddick, 9 Young Avenue, Croton on Hudson, asked that the
6 Village look into adding a stop sign on the roadway entering CET.

7 Village Manager Healy advised that new stop signs require an
8 engineering study, and it is a little more involved than just putting up a
9 stop sign.

10 Trustee Simon stated that the Bicycle and Pedestrian Committee has
11 got their eyes on that intersection to try to come up with a better
12 solution.

13 10.APPROVAL OF MINUTES:

14 Motion to approve the minutes as amended of the Regular Meeting held
15 on August 14, 2023, was made by Trustee Gallelli. The motion was
16 seconded by Trustee Simon and approved with a 5-0 vote.

17 Motion to approve the minutes of the Executive Session held on August
18 21, 2023, was made by Trustee Horowitz. The motion was seconded by
19 Trustee Gallelli and approved with a 5-0 vote.

20 Motion to approve the minutes of the Work Session held on August 21,
21 2023, was made by Trustee Horowitz. The motion was seconded by
22 Trustee Simon and approved with a 5-0 vote.

23 11.REPORTS

24 Trustee Nicholson proposed making zoom meetings available all the
25 time, the Hudson River Arts and Crafts festival will be held this
26 Saturday at Senasqua Park from 11-5pm, and thanked DPW staff and
27 the Croton Police Department for all their hard work handling this past
28 Saturday's event at Senasqua Park.

29 Trustee Simon thanked the 125th Anniversary Committee for putting
30 together the boat flotilla, the 125th Anniversary Committee will also be
31 putting together a yearbook highlighting all the activities that have

1 taken place this past year, the Telecommunications Advisory
2 Committee held their 2nd meeting on August 21st wherein they met
3 with the company that is drafting a Master Plan and welcomed Little
4 Sprouts boutique to the Village.

5 Trustee Gallelli stated that the zoom meeting worked well this evening
6 and thanked Assistant to the Village Manager Emily Mancini for putting
7 this together for us, the Telecommunications Committee's next step
8 will be to review surveys that the company has done in other
9 communities so that they can tailor a survey that will fit the needs for
10 Croton, Hudson River Day will be held at the Croton Yacht Club next
11 Saturday, the Village of Croton along with the Village of Buchanan and
12 the Town of Cortlandt will be holding a 9-11 ceremony at Croton
13 Landing, and thanked our DPW staff for the beautiful new plantings
14 along the path and at the 9-11 memorial.

15 Mayor Pugh addressed concerns raised regarding increased housing in
16 the Village and explained that while the details of housing in the
17 Village have changed over time, the strategy and direction has not and
18 referred everyone to the 2003 Comprehensive Plan. Mayor Pugh
19 stated that the Comprehensive Plan talks about how sub-divisions
20 created over the last twenty years has provided needed additional
21 housing, with the exception of Half Moon Bay these developments
22 have provided only single-family homes best suited for families but the
23 demand for appropriately sized affordable housing for aging Croton
24 residents, young couples without children and Village personnel is
25 growing. Mayor Pugh stated that the Village has worked with the
26 Croton Housing Network to provide housing that will meet the needs of
27 the Village, and the Village should continue to examine ways to
28 approach lower cost, smaller size, single and multi-family dwellings in
29 order to maintain the demographic diversity of the Village. Mayor
30 Pugh stated that the Village Code must be in conformance with our
31 adopted Comprehensive Plan, and we are working diligently towards
32 that.

33 Mayor Pugh thanked DPW staff and our first responders for the
34 management of the event that took place this past weekend at
35 Senasqua Park.

1 Village Manager Healy advised that starting this Saturday food service
2 establishments will be prohibited from providing plastic cutlery unless
3 requested.

4 There being no further business to come before the Board a motion to
5 close the meeting was made by Trustee Simon. The motion was seconded
6 by Trustee Nicholson and approved with a 5-0 vote. The meeting was
7 adjourned at 8:28pm

8 Respectfully submitted,

9 Judy Weintraub, Board Secretary

10 _____
11 Paula DiSanto, Village Clerk