

Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY, held on Monday, December 4, 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 Murtaugh
Village Manager Bryan Healy	Trustee Nicholson
Village Attorney Linda Whitehead	Trustee Politi
Village Treasurer Daniel Tucker	Trustee Simon
Assistant to the Village Manager Emily Mancini	

1. APPROVAL OF VOUCHERS

Trustee Simon made a motion to approve the following *Fiscal Year Vouchers, claims numbered 23243137 through 23243271*. The Motion was seconded by Trustee Murtaugh and approved with a 5-0 Vote.

General Fund	\$107,517.20
Water Fund	\$11,544.61
Sewer Fund	\$197.10
Capital Fund	\$7,923.09

2. RESPONSES TO QUESTIONS SUBMITTED BY EMAIL - none.

3. CORRESPONDENCE:

a. Annual Report from the Arts and Humanities Advisory Council.

<https://play.champds.com/ATT/crotononhudsonny/2023-12/d6afdc21e55d09f729d3d71900e7682e63683288.pdf>

b. Email from John Munson, President/Secretary of the Croton Fire Council, regarding membership changes in the Croton Fire Department.

<https://play.champds.com/ATT/crotononhudsonny/2023-12/d747e9c8e22bcd77839362292ac28706711ba336.pdf>

c. Memorandum from William C. Brady of Nelson Pope Voorhis regarding the Final Scope for the preparation of a Draft Environmental Impact Statement (DEIS) for the current Chair Factory Project in the Village of Haverstraw.

<https://play.champds.com/ATT/crotononhudsonny/2023-11/c56339d767c90bcdd7610bcbcf762f2127500b3c.pdf>

Village Manager Healy explained that the Village of Haverstraw has designated the Village of Croton as an Interested Agency. For more information on the project, you may log onto their website.
<https://voh-ny.com/chair-factory-development/2/>

d. Notice of Retirement from Police Officer Douglas Garrido effective December 17, 2023

<https://play.champds.com/ATT/crotononhudsonny/2023-12/dccf37c21f53aae6fad720f52be94ce616834ca1.pdf>

Resolution

On motion by Trustee Simon and seconded by Trustee Murtaugh, the Board of Trustees of the Village of Croton on Hudson accepted the resignation from Police Officer Douglas Garrido effective December 17, 2023. Motion was approved with a 5-0 vote.

8. **PUBLIC COMMENTS ON AGENDA ITEMS**

Tex Dinkler, 50 Batten Road, Croton on Hudson, congratulated everyone sworn in this evening, and expressed his appreciation to the Croton community for supporting the LOSAP program.

Mr. Dinkler directed the Board to the "Croton Volunteer Fire Department Service Award Program/Summary of Program Provisions," "Service Credit." Mr. Dinkler explained that for the last twenty years, and according to State Law, during the thirty-day period fire-fighters have appealed in writing to the Administrator of the Fire Department, the Administrator would then go through their records and make the necessary corrections, but the attached "Summary of Program Provisions", states that a firefighter must appeal in writing and mail or deliver it to the Village Clerk and that should be corrected to reflect what we have been doing in the past.

Summary of Program Provisions:

<https://play.champds.com/ATT/crotononhudsonny/2023-11/6c24457bad712027cbe2fb1e87a225c66d0c0327.pdf>

Ed Riely, 110 Truesdale Drive, Croton on Hudson, blamed the Democratic party for the increase in the cost of financing housing, would like to see the Village move their elections to March, believes that funding for the arts is

questionable, asked the Village to consider erecting a statue at Croton Point in recognition of "Rifle Jack" Peterson who was a Revolutionary war era patriot of African and Kitchewan descent, the New York State Employees Defined Benefit Retirement Plan should be replaced with a Defined Contribution Plan.

9. RESOLUTIONS:

Resolution #262 of 2023

On motion of TRUSTEE MURTAUGH, 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 arts and humanities have long been a significant and vibrant part of the character of the Village; and are intrinsic to community quality of life, and

WHEREAS the Village is committed to continuing and increasing and supporting the presence of artists, writers, performers, and musicians in the community, and the access of the whole community to arts and humanities, and

WHEREAS on May 20, 2019, a permanent advisory council to the Village Board of Trustees, titled the Arts & Humanities Advisory Council (AHAC), was established with the intent to support increased public awareness and appreciation for the arts, the integration of art into our public spaces, and to recognize and celebrate the achievements of our local arts community, and

WHEREAS in pursuit of this intent, the Village Board desires to increase the membership capacity of the Arts & Humanities Advisory Council,

NOW THEREFORE BE IT RESOLVED that the membership capacity for the Arts & Humanities Advisory Council is hereby increased from no more than nine members to no more than eleven members.

Resolution #263 of 2023

Following comments made by Tex Dinkler, the Board tabled Resolution #263 of 2023, adopting the Volunteer Fire Department Length of Service Award Program until the next meeting.

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Trustee Murtaugh stated that Croton has a very dedicated Fire Department, and the length of service of some of the members is remarkable, Tex Dinkler is an example, serving our community for fifty-five years.

Resolution #264 of 2023

On motion of TRUSTEE SIMON seconded by TRUSTEE MURTAUGH, 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 owns a certain parcel of parkland known as Vassallo Park, and

WHEREAS LEAP F.C., located at 124 Grand Street, wishes to conduct recreational activities for their participants at Vassallo Park, and

WHEREAS LEAP F.C. has received Planning Board approval for their change of use, with the understanding that use of the park would be negotiated between the Village and the owner-operators, and

WHEREAS the Village would like to formalize an agreement with LEAP F.C. regarding the use of the park, and set a monthly license fee in the amount of \$50 per month, and

WHEREAS the term of the license agreement shall be through May 31, 2024, and subject to renewal at the discretion of the Village,

NOW THEREFORE BE IT RESOLVED that the Village Manager is hereby authorized to execute the License Agreement with LEAP F.C. of Croton-on-Hudson, NY to conduct certain recreational activities at Vassallo Park.

Resolution 265 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 Westchester County Clerk maintains a system called Westchester Records Online (WRO) that enables municipalities to remotely access the County Clerk's land records and other legal files, and

1 WHEREAS in order to continue accessing this system, Westchester County requires
2 municipalities to sign a Memorandum of Understanding annually,

3 NOW THEREFORE BE IT RESOLVED that the Village Manager is hereby authorized to
4 execute the Memorandum of Understanding with Westchester County to renew access to
5 the Westchester Records Online (WRO) for the period beginning January 1, 2024,
6 through December 31, 2024.

7 **Resolution 266 of 2023**

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

11 WHEREAS on November 16, 2020, the Village Board of Trustees issued a special permit
12 to M & J Auto Repair Corp. to operate a motor vehicle repair garage at 485 S. Riverside
13 Avenue, and

14 WHEREAS the special permit for M & J Auto Repair Corp. was set to expire on November
15 15, 2023, and

16 WHEREAS the Village Board of Trustees received an application from Marco Ordonez of M
17 & J Auto Repair Corp. to renew the special permit to operate a motor vehicle repair
18 garage and modify the special permit to include an existing 6' x 12' shed to store various
19 equipment and supplies, and

20 WHEREAS renewal and modification of the special permit is a Type II action under the
21 New York State Environmental Quality Review Act, which does not require an
22 environmental review, and

23 WHEREAS the Village Planning Board has reviewed the application and has submitted a
24 recommendation to renew the Special Permit for a period of 18 months, and

25 WHEREAS a Public Hearing on the application was opened and closed on November 13,
26 2023, and

27 WHEREAS the Village Board of Trustees extended the permit issued on November 16,
28 2020, for a period of 30 days, in order to further investigate concerns raised at the public
29 hearing, and

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WHEREAS the applicant submitted an application to the Planning Board for amended site plan approval, and a public hearing on the application is scheduled for December 5, 2023,

NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby issues a special permit to M & J Auto Repair Corp., 485 S. Riverside Avenue, to operate a motor vehicle repair garage with the following conditions:

1. *That the special permit be granted for a period of 18 months, from December 15, 2023, until June 15, 2025, and that the applicant submit a renewal application at least 45 days in advance of the expiration date.*
2. *That site improvements addressing the potential conflict between pedestrians entering and exiting the Straddles business and vehicles entering and exiting the M & J Auto Repair business be incorporated into the amended site plan. The Planning Board shall consider the relocation of the entrance to the M & J Auto Repair business to a location north of the current gate opening in addition to other improvements deemed appropriate by the Planning Board. The Planning Board as part of their amended site plan approval shall establish a reasonable time frame for the completion of the site improvements.*
3. *That the applicant, after receiving amended site plan approval from the Planning Board shall apply to the Building Department no later than 30 days after Planning Board approval, for a building permit and certificate of occupancy for the existing shed.*

DISCUSSION:

Trustee Simon stated that while we are still concerned with the conditions of the retaining walls, it looks like progress is being made with M&J with respect to the issues we addressed with them.

Village Manager Healy stated that the Notice of Violation has been issued to the property owner and the property owner has until the middle of December to address them.

Trustee Murtaugh stated that he did a site visit and witnessed the traffic issues first-hand and is pleased that M&J and Straddles Gymnastics agree with the proposed changes that will make it safer for everyone. Trustee Murtaugh explained that prior to M&J moving into this location it was a static supply area for the owner of the property and there was no activity going in and out of that gate, which had changed when M&J was permitted to open and that is when the conflicts started.

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1 Trustee Nicholson asked who would be responsible for the changes.

2 Trustee Murtaugh stated that it is the owner's responsibility to address the gate issue.

3 Village Manager Healy stated that we are hoping that the landlord would see the benefit
4 of making this change and as part of the amended Site Plan approval, the Village Board
5 is asking the Planning Board to consider the relocation of the gate during their review.

6 **Resolution 267 of 2023**

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

10 WHEREAS the Village has received inquiries about purchasing village-owned property,
11 and

12 WHEREAS an appraisal of the parcels is required to determine the fair market value of
13 these parcels, and

14 WHEREAS the cost of the appraisals is \$4,050, and

15 WHEREAS funding for this expense was not included in the 2023-2024 General Fund
16 budget,

17 NOW THEREFORE BE IT RESOLVED that the Village Board hereby authorizes the Village
18 Treasurer to transfer \$4,050 from Contingency Account #A1990.4000 to the following
19 accounts:

20 A1940.4000 – Purchase of Land – Contractual \$4,050

21 **Resolution 268 of 2023**

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

25 WHEREAS the Department of Public Works has been working to restore Village roadways
26 that have been excavated for the purpose of repairing water leaks, and

WHEREAS due to an unanticipated increase in the cost in materials, the Department of Public Works Superintendent Frank Balbi requests \$6,000 to cover the expenses for the remainder of the repairs, and

WHEREAS funding for this expense was not included in the 2023-2024 Water Fund budget,

NOW THEREFORE BE IT RESOLVED that the Village Board hereby authorizes the Village Treasurer to transfer \$6,000 from Contingency Account F1990.4000 to the following accounts:

F8340.4170 – Distribution – Pavement Restoration: \$6,000

Resolution 269 of 2023

On motion of TRUSTEE SIMON seconded by TRUSTEE POLITI, 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 pursuant to Village Law § 5-526, the Board of Trustees may, by resolution, establish a revolving petty cash account for any administrative unit or officer in such amount as is deemed necessary, and

WHEREAS petty cash accounts shall be used strictly in accordance with other adopted policies, such as the Village's Procurement Policy, and

WHEREAS the Village Board established a petty cash account for the Police Department on December 12, 1968, by resolution, and

WHEREAS the Village wishes to formalize petty cash accounts for other Village departments,

NOW THEREFORE BE IT RESOLVED that the Village Treasurer is authorized to draw and issue a check in the amount(s) necessary to establish petty cash accounts as outlined below:

<i>Business Office:</i>	<i>\$500.00</i>
<i>Treasurer's Office:</i>	<i>\$250.00</i>
<i>Recreation Dept.:</i>	<i>\$200.00</i>
<i>Engineering Dept.:</i>	<i>\$50.00</i>
<i>Police Dept.:</i>	<i><u>\$500.00</u></i>

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Total: *\$1,500.00*

10. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Ed Riely, 110 Truesdale Drive, Croton on Hudson, expressed his concerns with the BLM organization, stated that the US poverty rate saw its largest one-year increase in its history, addressed his concerns regarding the 1619 Project, believes that some groups were not included in the Village's Statement of Inclusion, concerned about development along our waterfront, concerned about what is happening in Ukraine, and does not believe Croton should be a member of the International Council for Local Environmental Initiatives.

11. APPROVAL OF MINUTES:

Motion to approve the minutes as amended of the Regular Meeting held on November 27, 2023, was made by Trustee Murtaugh. The motion was seconded by Trustee Nicholson and approved with a 5-0 vote.

12. REPORTS

Trustee Nicholson thanked the Recreation Department and Department of Public Works for helping to make our tree and Menorah lighting a huge success, thanked the 125th Anniversary Committee for putting on an outstanding jazz concert, it has been a very special year for Croton with so many wonderful events celebrating our 125th Anniversary and thanked the Committee for all their hard work.

Trustee Simon echoed Trustee Nicholson's comments on the recent jazz concert and thanked conductor Andy Farber who helped arrange this along with our 125th Anniversary Committee. Trustee Simon advised that he sat in on a conference call with County Executive George Latimer highlighting Legislative activities, they have wrapped up their budget and is pleased to advise that there will be no new tax levies on property taxes, the Coast Guard has retracted their proposal with respect to barges in the Hudson River, attended the Sustainability Committee meeting where we learned about some of their proposed projects that could amount to \$82,000 in State funding that we can use towards future projects, attended the Fire Council meeting last week, the tree and Menorah lighting ceremony was a huge success, the Telecommunications Advisory Committee met today and they are continuing to work on our Code, this Friday the Marketing Working Group, of

1 our larger Business Group will meet on Friday morning to continue discussions on
2 how the business community and the Village can work together.

3 Trustee Murtaugh thanked Trustee Horowitz for her years of dedicated service to
4 the Village and welcomed Trustee Cara Politi, thanked retiring Police Douglas
5 Garrido for his dedicated service to the Village, announced that the annual toy
6 drive, sponsored by the Croton Caring Committee and the Croton Police
7 Department will take place at the Municipal Building this Sunday from 11am-3pm,
8 thanked Dan Reily of Truesdale Drive for his suggestion that a monument at
9 Croton Point be erected in recognition of the contributions of our local patriots.

10 Trustee Politi thanked everyone for welcoming her to the Board, and to Mayor
11 Pugh for her committee appointments and looks forward to working with these
12 committees.

13 Mayor Pugh advised that the long, awaited Repair Café, will be held this Saturday,
14 from 11am-3pm at the Municipal Building.

15 Village Manager Healy advised that the "Dummy Light" is in the process of being
16 repaired, our Department of Public Works is trying to locate bricks that would more
17 closely match the original bricks and we will be analyzing the costs associated with
18 this repair. Village Manager Healy stated that in the near future we will be
19 revisiting the traffic study in this area, and we may not want to expend a large
20 amount of funds if we are going to redo this area. Village Manager Healy advised
21 that our Police Department has been able to identify the person who caused the
22 damage, and we will be seeking restitution.

23 There being no further business to come before the Board a motion to close the
24 meeting was made by Trustee Simon. The motion was seconded by Trustee
25 Murtaugh and approved with a 5-0 vote. The meeting was adjourned at 8:41pm.

26 Respectfully submitted,

27 Judy Weintraub, Board Secretary

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29 Paula DiSanto, Village Clerk

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