

Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY, held on Wednesday, January 10, 2024, 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. Mayor Pugh called the meeting to order at 7:00pm and led everyone in the pledge of allegiance.

2. APPROVAL OF VOUCHERS

Trustee Simon made a motion to approve the following *Fiscal Year Vouchers, claims numbered 23243271 through 23243871*. The Motion was seconded by Trustee Politi and approved with a 5-0 Vote.

General Fund	\$409,055.06
Water Fund	\$37,662.16
Sewer Fund	\$30,350.86
Capital Fund	\$28,544.11
Trust Fund	\$659.00

3. PRESENTATION:

A Proclamation and Key to the Village was presented to former Mayor Dr. Greg Schmidt in recognition of his contributions to the Village.

4. TRAFFIC SAFETY PRESENTATION FROM CHIEF OF POLICE JOHN NIKITOPOULOS

<https://nypost.com/2024/01/10/metro/parents-outraged-booted-nyc-students-used-by-city-hall-in-out-of-control-migrant-crisis/>

Trustee Simon asked Police Chief Nikitopoulos what we can expect from the new speed signs, and where are we in terms of DWI summonses.

Police Chief Nikitopoulos stated that the new speed signs collect a lot more data, the speed signs are also equipped with flashing lights, and we have found that people are reacting to them, with respect to DWI's, they have made several arrests this year, and have discussed doing a joint DWI patrol with Ossining, as well as engaging with Westchester County Police.

1 Trustee Murtaugh stated that based on a survey that was sent to residents,
2 traffic concerns were at the top of the list, which is why the Village moved to
3 reduce the speed limit. Trustee Murtaugh commented that he was not aware
4 that the speed detectors collected data and asked what type of data can be
5 generated.

6 Chief Nikitopoulos stated that they track the speed and the volume of cars.

7 Trustee Nicholson asked how many summonses were issued on Route 9 vs.
8 Village streets and is there an obligation from a state perspective that we
9 need to be patrolling Route 9. Trustee Nicholson also addressed the
10 challenge with the speed sign trailers because they take away parking
11 spaces, which is an issue especially on Maple Street.

12 Chief Nikitopoulos stated that we have given out a decent number of
13 summonses on Route 9, but he does not have that data with him this
14 evening, State and County Police also have jurisdiction to issue summonses
15 on Route 9, but when there is a call regarding an incident on Route 9, it is
16 referred to the Croton Police Department. Chief Nikitopoulos stated that he
17 has been in discussion with the Village Manager and the Superintendent of
18 Public Works regarding the placement of these trailers, we currently have
19 one that is taking up one parking space, but we believe Maple Street is a
20 valuable place to have it.

21 Mayor Pugh stated that being below the pre-demic numbers in terms of
22 accidents is a real accomplishment and congratulated Chief Nikitopoulos as
23 well as the work that was done by our Bicycle and Pedestrian Committee
24 that assisted in improving the Village's infrastructure. Mayor Pugh stated
25 that it is not about issuing tickets, but rather about instituting safer behavior
26 and he believes that our Police Department is doing that. Mayor Pugh asked
27 what role license plate readers play in traffic safety.

28 Chief Nikitopoulos stated that the reader recently contributed to the Police
29 Department identifying and charging the person involved in a recent
30 accident.

31 Mayor Pugh said that the streets that currently have silent radar detectors
32 do not seem to have registered a high number of speeders and asked if

1 there is a particular threshold that they use to determine where they are
2 placed.

3 Chief Nikitopoulos stated that we have put these detectors in numerous
4 locations, but if a resident is concerned about a particular area they should
5 reach out to the Police Department so that we can place a detector in that
6 area.

7 Chief Nikitopoulos advised that they received a complaint today from an
8 elderly resident in the Village who was scammed-out of \$15,000. Chief
9 Nikitopoulos urged all residents to be extremely careful not to give out
10 information on the phone, the Police Department will be making another
11 presentation to the senior group very soon.

12 5. PUBLIC HEARINGS:

13 ***Public Hearing to consider Local Law Introductory No. 23 of 2023 to***
14 ***amend Chapter 179, Property Maintenance of the Village Code to***
15 ***provide for the removal of weeds, brush, and rubbish, as well as the***
16 ***registration and maintenance of vacant commercial buildings.***

17 A motion was made by Trustee Murtaugh and seconded by Trustee
18 Nicholson to open a Public Hearing on *Local Law Introductory No. 23 of 2023*
19 *to amend Chapter 179, Property Maintenance of the Village Code (Article 1)*
20 *to provide for the removal of weeds, brush, and rubbish, and (Article 2) the*
21 *registration and maintenance of vacant commercial buildings.* Motion was
22 approved with a 5-0 vote.

23 [https://play.champds.com/ATT/crotononhudsonny/2024-](https://play.champds.com/ATT/crotononhudsonny/2024-01/bba1b2ac4924a7a86a3492cdb08733cb205c3418.pdf)
24 [01/bba1b2ac4924a7a86a3492cdb08733cb205c3418.pdf](https://play.champds.com/ATT/crotononhudsonny/2024-01/bba1b2ac4924a7a86a3492cdb08733cb205c3418.pdf)

25 Village Manager Healy advised that this law brings the language in Article 1
26 more in line with the State's "Property Maintenance Code", Article 2 is a new
27 article which will require vacant commercial buildings to register with the
28 Engineering Department if the building is vacant for more than six months.
29 Village Manager Healy advised that the Village Engineer has forwarded
30 additional language he would like included in both articles.

1 Based upon the recommendation of the Village Attorney, the Board agreed
2 that it would be best to close the Public Hearing and re-notice it with the
3 additional language.

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

7 ***Public Hearing to consider the adoption of the official map of the***
8 ***Village of Croton on Hudson, New York.***

9 [https://play.champds.com/ATT/crotononhudsonny/2024-](https://play.champds.com/ATT/crotononhudsonny/2024-01/744d823eb90af5baa93b1436c2e3d7c1f4b394ef.pdf)
10 [01/744d823eb90af5baa93b1436c2e3d7c1f4b394ef.pdf](https://play.champds.com/ATT/crotononhudsonny/2024-01/744d823eb90af5baa93b1436c2e3d7c1f4b394ef.pdf)

11 A motion was made by Trustee Murtaugh and seconded by Trustee Simon
12 to open a Public Hearing to consider the adoption of the official map of the
13 Village of Croton on Hudson. Motion was approved with a 5-0 vote.

14 Village Manager Healy advised that he has received a number of comments
15 from the Planning Board that he and the Village Attorney have not had a
16 chance to fully research and recommended that we leave the Public Hearing
17 open so that they can review their comments.

18 **DISCUSSION:**

19 Lewis Montana, 5 Ackerman Court, Croton on Hudson, stated that streets
20 that are designated for emergency use only should be included on the
21 Official Map so that people understand where the emergency use only
22 streets are.

23 Trustee Nicholson stated that the emergency use only street next to
24 Ackerman Court is noted on the Planning Board map.

25 Ron Sanchez, 114 Truesdale Drive, Croton on Hudson, referred to a piece of
26 property that is not on the official map, but where a group wanted to cut a
27 new path from the DEC property.

28 Village Manager Healy advised that the piece of property Mr. Sanchez is
29 referring to is across the Croton River from Silver Lake, and while it is
30 owned by the Village the property is located within the Town of Cortlandt
31 and would not appear on the Village's Official Map.

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

6. REVIEW OF THE VILLAGE'S LOCAL WATERFRONT REVITALIZATION PROGRAM POLICIES BY THE VILLAGE BOARD RELATED TO THE WESTCHESTER COUNTY PARKS DEPARTMENT CROTON POINT PARK BULKHEAD WALL COPING REPLACEMENT PROJECT BEING DONE AT CROTON POINT PARK.

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

	development activities.					
	FISH & WILDLIFE POLICIES					
7	Significant coastal fish and wildlife habitats will be protected, preserved, and, where practical, restored so as to maintain their viability as habitats.	Yes	Yes	Yes	Yes	This project will restore the pre-storm (Hurricane Ida) access to the County Park. These repairs will also help to preserve the park for future years to come. Board Concurred
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 habitat.	No				
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	No				

	aquaculture facilities. Such efforts shall be made in a manner which ensures the protection of renewable fish and wildlife resources and considers other activities dependent on them.					
	FLOODING & EROSION POLICIES					
11	Buildings and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion	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	No				

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

	the safeguards which the state has established to protect valuable coastal resource areas.					
	PUBLIC ACCESS POLICIES					
19	Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities so that these resources and facilities may be fully utilized in accordance with reasonably anticipated public recreation needs and the protection of historic and natural resources. In providing such access, priority will be given to public beaches, boating facilities, fishing areas and waterfront parks.	Yes	Yes	Yes	Yes	This project will restore the pre-storm (Hurricane Ida) access to the County Park. These repairs will also help to preserve the park for future years to come. Board Concurred.
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.	Yes	Yes			Board Concurred
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	No				

	be given to areas where access to the recreation opportunities of the coast can be provided by new or existing public transportation services and to those areas where the use of the shore is severely restricted by existing development.					
21A	Boating activities should be encouraged provided that they do not restrict other recreational opportunities and are undertaken in a manner compatible with existing water- dependent uses.	No				
22	Development when located adjacent to the shore will provide for water-related recreation, as a multiple use, whenever such recreational use is appropriate in light reasonably anticipated demand for such activities and the primary purpose of the development	No				
23	Protect, enhance and restore structures, districts, in areas of sites that are of significance in the history, architecture, archaeology or culture of the state, its communities or the nation.	Yes	Yes	Yes	Yes	The main purpose of this project is to restore existing structures that are an integral part of the Bulkhead wall along Croton Point Park. Repair will replace damaged elements and reinstate the structures to their original function and appearance. Access to other areas of the historic park will once again be restored when the repairs are complete. Board Concurred.
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	No				

	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				
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				
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	No				

	erosion or flooding, or interfere with the production of hydroelectric power.					
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 overburdened 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	No				

	used to ensure the control of storm water runoff and combined sewer overflows draining into coastal waters.					
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 construction.	No				

38	The quality and quantity of surface water and ground water supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.	No				
39	The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within coastal areas will be conducted in such a manner so as 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 siltation, minimizing disturbance, preserving natural habitats and protecting against flood and pollution.	No				

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7. RESPONSE TO QUESTIONS SUBMITTED BY EMAIL:

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Email from Doug Simmons, 1 Finney Farm Road, Croton on Hudson dated January 9, 2024, stating that he is in support of the Accessory Dwelling Law, ADU's are seen by experts on aging as a tool to increase suitable housing for older Americans and the Washington Post reported that the "AARP" has been promoting this type of housing as well.

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8. CORRESPONDENCE:

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- a. Email from John Munson, Fire Council Secretary, regarding membership changes in the Croton Fire Department.

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<https://play.champds.com/ATT/crotononhudsonny/2024-01/eadcd83574641c06fb0085ccc2fe61399600b080.pdf>

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- b. Report from Camilo Rubio of New York Blood Center summarizing the 2023 Croton Community Blood Program.

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<https://play.champds.com/ATT/crotononhudsonny/2023-12/ecf3085401551e5c6313b7f6f532f28bb3baaeb5.pdf>

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- c. Notice from the Metropolitan Transportation Authority (MTA) regarding the Congestion Pricing Public Review Process.

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<https://play.champds.com/ATT/crotononhudsonny/2023-12/0e475a86c0c7ae0e980ec5c95ba74c94b7130384.pdf>

8. PUBLIC COMMENTS ON AGENDA ITEMS:

Nance Shatzkin, 132 Old Post Road North, Croton on Hudson, stated that housing shortages are probably one of the greatest challenges we face, she is in favor of the changes to the Accessory Apartment Law and commended the process which has enabled thoughtful consideration of the original draft language which has strengthened the proposed law.

Ethan Lewis, Glengary Road, Croton on Hudson, stated that Accessory Cottages promote multi-generational living and offer affordable housing solutions, and supports the proposed Accessory Apartment Law which addresses the growing demands for flexible housing options without compromising neighborhood integrity.

Ed Riely, 110 Truesdale Drive, Croton on Hudson, blamed the Democratic party for creating the housing crises in New York, suggested fixing up the Gouveia house that could house two families, believes that Croton Point Park would be a perfect place to house some of the illegal immigrants, objected to the Village putting housing with six units under the "Rent Guidelines Board", the Village should be tougher with the MTA, State and County with respect to their properties within the Village, hopes that our Fire Department receives an apology from School Board member Joshua Diamond and does not believe that we should be naming every street in the Village after every Mayor.

Maureen Fitzpatrick, 7 Ackerman Court, Croton on Hudson, stated that the gate to the restricted emergency use only passageway that goes from Lower N. Highland Place to Upper N. Highland Place has been left open over the last several weeks, cars have been speeding through this restricted roadway creating a very dangerous situation for those residents who walk in that area and would like the emergency passage closed and to find a rational way to provide both safety to the residents and a means of access for emergency vehicles.

Mary Beth Powers, 3 Ackerman Court, Croton on Hudson, stated that she is also concerned about the safety issue at this location, her driveway comes in

front of that gate, there are walking trails and asked that some remedy be made for the safety of everyone.

Lewis Montana, 5 Ackerman Court, Croton on Hudson stated that by keeping the gate open this passageway has become a dangerous thoroughfare and believes there could be an easy fix by installing a break away chain and additional signage and implored the Village to take some action soon.

Maggie Pepperney, 9 Ackerman Court, Croton, stated that there are no sidewalks in that area, and it has become extremely dangerous for those of us who walk there, the current signage is poor and needs to be addressed as well.

John Powers, 3 Ackerman Court, Croton on Hudson, suggested putting a police patrol car in that area from time to time to issue either a summons or warning for people using this street illegally.

Kelly Thomann, 2 Ackerman Court, Croton on Hudson, stated that she walks there all the time and having the gate open is an accident waiting to happen and it needs to be addressed.

Regina Montana, 5 Ackerman Court, Croton on Hudson, stated that people should not be using this emergency street as a thoroughfare because many kids walk up and down that hill and it has become extremely dangerous.

Village Manager Healy explained that the gate had been opened due to safety concerns because of the Synagogue in that area and the need for Police to have faster access should something occur. Village Manager Healy advised that we have been looking into an electronic gate, and our Superintendent of Public Works Frank Balbi estimates that it could cost around \$30,000.

Mayor Pugh thanked residents for sharing these important safety issues, he does not want to go much further into Police Department operations and would like to hold this discussion with the Police Chief in an Executive Session.

9. RESOLUTIONS:

Resolution #3-2024

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 vote of 5-0 vote.

WHEREAS the Village of Croton-on-Hudson has received a request from the New York Department of State Coastal Consistency Unit to conduct a Local Waterfront Revitalization Program (LWRP) Consistency review for the Westchester County Parks Department Croton Point Park Bulkhead Wall Coping Replacement Project (NYS Project 2023-0878), and

WHEREAS the Village Board has referred the assessment form and permit application to the Waterfront Advisory Committee for review, and

WHEREAS, the Village Board has received a recommendation of consistency from the Waterfront Advisory Committee with the Village's Local Waterfront Revitalization Program, and

NOW THEREFORE, BE IT RESOLVED as follows: The Village Board of Trustees makes the following findings regarding the applicability of the LWRP policies and the consistency of the Proposed Action with those policies and conditions of the LWRP which it found applicable:

POLICY 7: Significant coastal fish and wildlife habitats will be protected, preserved, and, where practical, restored so as to maintain their viability as habitats.

POLICY 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.

POLICY 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.

POLICY 23: Protect, enhance and restore structures, districts, areas of sites that are of significance in the history, architecture, archaeology or culture of the state, its communities or the nation.

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

3 NOW THEREFORE BE IT RESOLVED that based upon the above, the Village Board of
4 Trustees confirms its determination that the Proposed Action, the Westchester County
5 Parks Department Croton Point Park Bulkhead Wall Coping Replacement Project (NYS
6 Project 2023-0878), complies with the policy standards and conditions set forth in the
7 Village's LWRP.

8 **Resolution #4-2024**

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

12 WHEREAS on April 4, 2016, the Village Board of Trustees issued a special permit renewal
13 for ShopRite Supermarkets, Inc. to operate a retail store at 460 South Riverside Avenue,
14 and

15 WHEREAS this permit has expired and must be renewed in accordance with the Zoning
16 Chapter of the Village Code, and

17 WHEREAS the Village Board of Trustees has received an application from ShopRite
18 Supermarkets, Inc. to renew the special permit to operate a retail store at 460 South
19 Riverside Avenue, and

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

22 NOW THEREFORE BE IT RESOLVED that the Village Board hereby refers the special
23 permit application to the Village Planning Board in accordance with Village law, and

24 BE IT FURTHER RESOLVED that the Village Board of Trustees hereby schedules a Public
25 Hearing on January 24, 2024, at 7:00 PM in the Georgianna Grant Meeting Room of the
26 Stanley H. Kellerhouse Municipal Building to consider the application from ShopRite
27 Supermarkets, Inc. to renew the special permit to operate a retail store at 460 South
28 Riverside Avenue.

29 **DISCUSSION:**

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1 Trustee Nicholson stated that a recent traffic study performed in conjunction with the
2 possible marijuana dispensary indicated that there are some issues with traffic flow in the
3 shopping center.

4 P. Daniel Hollis, from the law firm of Hollis, Laidlaw and Simon, and representing Shoprite
5 stated that this is just a renewal of their existing Special Permit and believes that the
6 traffic problem is an issue for the marijuana dispensary that they need to resolve.

7 Trustee Nicholson stated that, as noted in the Police Chief's presentation, there is a traffic
8 problem at Shoprite that precedes the marijuana dispensary, and the Chief's report
9 indicates that the top location for accidents occurs in this shopping center and is why
10 there is renewed interest in having that parking lot looked at with respect to improving
11 crosswalks and signage.

12 Village Manager Healy stated that Shoprite is a lessee and one of the conditions of the
13 site plan approval in 2016, was that a parking lot maintenance agreement be undertaken
14 with the landlord and the Village, but for unknown reasons that agreement did not come
15 into being. Village Manager Healy advised that Village Attorney Whitehead and Mr. Hollis
16 have been in communication about drafting some sort of an agreement that will hopefully
17 address the spirit of what the Planning Board wanted and the concerns that Trustee
18 Nicholson noted. Village Manager Healy added that the original Special Permit was issued
19 with a five-year term and the applicant has requested that the Special Permit be issued
20 on a permanent basis, he noted that the Planning Board will be giving the Village Board
21 their recommendation.

22 P. Daniel Hollis reminded everyone that having a permanent Special Permit does not
23 mean it is permanent without any recourse, if there is a violation of the Special Permit, it
24 can be revoked and brought back before the Village Board.

25 **Resolution #5-2024**

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

29 WHEREAS the Village Board wishes to amend Chapter 230, Zoning, of the Village Code to
30 update regulations related to accessory apartments and permit accessory cottages in
31 residential districts, and

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1 WHEREAS Local Law Introductory No. 21 of 2023 has been drafted for such purposes,
2 and

3 WHEREAS the Village has completed Part I of a Short Environmental Assessment Form
4 (EAF) and a Coastal Assessment Form (CAF), and

5 WHEREAS the Village Board has referred the draft law and other documentation to the
6 Village Planning Board, Waterfront Advisory Committee, and Westchester County
7 Planning Board in accordance with Village and County Law, and

8 WHEREAS the Village Board has received comments from the Westchester County
9 Planning Board, Village Planning Board, and Waterfront Advisory Committee, and has
10 taken these comments into consideration, and

11 WHEREAS the Village Board held a public hearing to consider Local Law Introductory No.
12 21 of 2023, which was opened and closed on December 20, 2023, and

13 WHEREAS the Village Board has received a recommendation of consistency from the
14 Waterfront Advisory Committee with the Village's Local Waterfront Revitalization
15 Program, and

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

18 WHEREAS, on December 20, 2023, the Village Board reviewed the Environment
19 Assessment Form Part II and the Village's Local Waterfront Revitalization Program
20 policies by the Village Board to determine consistency related to the adoption of Local
21 Law Introductory No. 21 of 2023,

22 NOW THEREFORE, BE IT RESOLVED as follows The Village Board of Trustees makes the
23 following findings regarding the applicability of the LWRP policies and the consistency of
24 the Proposed Action with those policies and conditions of the LWRP which it found
25 applicable:

26 *POLICY 1A: Existing planning and zoning documents should be reviewed and amended*
27 *where necessary to ensure development within the community is consistent with adopted*
28 *goals and policies.*

29 *POLICY 5: Encourage the location of development in areas where public services and*
30 *facilities essential to such development are adequate, except when such development has*

.

1 *special functional requirements or other characteristics which necessitate its location in*
2 *other coastal areas.*

3 *POLICY 5A: When feasible, development within the Village should be directed within the*
4 *current service area of existing water and sewer facilities or in close proximity to areas*
5 *where distribution lines currently exist.*

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

8 BE IT FURTHER RESOLVED that based upon the above, the Village Board of Trustees
9 confirms its determination that the Proposed Action, the adoption of a local law to amend
10 the provisions related to accessory apartments and permit accessory cottages in
11 residential districts, complies with the policy standards and conditions set forth in the
12 Village's LWRP, and

13 BE IT FURTHER RESOLVED that the Village Board of Trustees hereby issues and adopts
14 the EAF Parts II and III Determination of Significance attached hereto and adopts a
15 Negative Declaration in connection with this action, and

16 BE IT FURTHER RESOLVED that the Village Board of Trustees hereby adopts Local Law
17 Introductory No. 21 of 2023, to amend Chapter 230, Zoning, of the Village Code to
18 update regulations related to accessory apartments and permit accessory cottages in
19 residential districts, which upon adoption becomes Local Law No. 2 of 2024.

20 **DISCUSSION:**

21 Mayor Pugh stated that our Comprehensive Plan identified an insufficient supply of
22 affordable housing as well as long term goals for our community and it has been a long
23 and ongoing process to address the housing needs in our community. Mayor Pugh stated
24 that there will be a period of amnesty for those accessory apartments that do not have a
25 permit, as well as enhanced enforcement and looks forward to getting grey market
26 apartments on the books so that we can determine that they are safe to inhabit.

27 Village Manager Healy advised that based on discussions with the Board, he will have a
28 resolution for the next meeting to waive penalties for the next four months.

29 **Resolution #6-2024**

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 experienced a high volume of rain and consequent water leaks this year, and

WHEREAS this resulted in increased costs for roadway 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 \$5,000 from Contingency Account F1990.4000 to the following accounts: F8340.4170 – Distribution –Contractual: \$5,000

Resolution #7 of 2024

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 Westchester County Board of Elections (“the BOE”) uses various educational, municipal and non-profit buildings each year for primary and general elections, and

WHEREAS the Village agreed to let the Harmon Firehouse and the Stanley H. Kellerhouse Municipal Building Community Room be used as a polling site for the November 2023 General Election, and

WHEREAS the Village also agreed to let the Stanley H. Kellerhouse Municipal Building Community Room be used as an Early Voting site for the November 2023 General Election, and

WHEREAS the Village incurs costs related to overtime for opening and closing the building for the poll workers, and

WHEREAS the BOE has submitted payment to the Village in the amount of \$1,167.60 for staff overtime,

NOW, THEREFORE BE IT RESOLVED that the Village Treasurer is authorized to amend the 2023-2024 General Fund Budget as follows:

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1 GENERAL EXPENSES

2 Increase

A1410.1200 Clerk-Personnel Srvcs OT \$1,167.60

4 GENERAL REVENUES

5 Increase

A5110.1710 Public Works Charges \$1,167.60

6 10. PUBLIC COMMENTS ON NON-AGENDA ITEMS:

7 Tony Granger, Half Moon Bay, expressed his concern that the owner of the 1
8 Half Moon property along with potential buyers have been meeting and
9 discussing the possibility of re-zoning the property with Village officials and
10 is concerned that residents were not informed of these discussions, and
11 wants to know how the Village will keep the community informed.

12 Ed Riely, 110 Truesdale Drive, Croton on Hudson, expressed his opinions
13 regarding abortion and the potential of allowing for assisted suicides, hopes
14 that the new management of the Black Cow discontinues Drag Queen story
15 hours, emphasized that residents should be allowed to sit in on meetings of
16 various boards, committees or advisory groups when they meet at the Black
17 Cow, and believes that the Statement of Inclusion does not extend to all
18 different groups and viewpoints

19 11. APPROVAL OF MINUTES

20 Motion to approve the minutes as amended of the Regular Meeting held on
21 December 20, 2023, was made by Trustee Simon. The motion was seconded
22 by Trustee Politi and approved with a 5-0 vote.

23 12. REPORTS

24 Trustee Nicholson advised that she attended the Fire Department's induction
25 ceremony and thanked outgoing Chief John Munson for his years of service
26 and congratulated the officers, Chief Josuha Karpoff, Assistant Chief Chris
27 Columbo and 2nd Assistant Chief Chris Caterino, the Recreation Advisory
28 Council met and discussed possible day camp locations, the Gouveia
29 Working Group continues to talk about some of the proposals for the
30 property. Trustee Nicholson stated that she believes the flooding at our

1 train station and other train stations in the County is a regional issue and
2 asked that we communicate with both the MTA and our State
3 representatives to request their assistance in resolving this problem.

4 Trustee Simon thanked Chief Munson for his years of services and
5 congratulated all of the incoming officers, on January 4th the Hudson Valley
6 Gateway Chamber of Commerce received a briefing from Clear Path
7 regarding a transmission line from Delaware County to Queens, New York,
8 ([https://www.tdworld.com/distributed-energy-resources/article/21175876/clean-path-new-](https://www.tdworld.com/distributed-energy-resources/article/21175876/clean-path-new-york-transmission-project-selected-for-renewable-energy-award)
9 [york-transmission-project-selected-for-renewable-energy-award](https://www.tdworld.com/distributed-energy-resources/article/21175876/clean-path-new-york-transmission-project-selected-for-renewable-energy-award)), on January 2nd the
10 Planning Board met and discussed signage for Metro Physical and Maple
11 Commons as well as reviewing the draft battery storage statute, on January
12 4th the Waterfront Advisory Committee met and discussed the Croton Point
13 Bulkhead project as well as the draft battery storage statute, on January 5th
14 he attended the Seniors meeting and thanked Director of Senior Recreation
15 Joanna Straub for a great job coordinating these programs, attended a
16 Webinar on an ADU (Accessory Dwelling Unit) program the State is running,
17 attended a Zoom meeting hosted by Congressman Mike Lawler that talked
18 about how smaller communities can get transportation and environmental
19 funding, and directed everyone to the recent River Journal where they gave
20 profiles of three Croton residents.

21 Trustee Murtaugh thanked residents from the Ackerman Court area for
22 bringing the gate issue to the Board's attention and looks forward to
23 continuing this discussion with our Police Chief, thanked Mr. Granger for
24 speaking about his concerns regarding the 1 Half Moon Bay property and
25 stressed that communication and meetings between current property
26 owners and prospective property owners and the Village are very common,
27 most times it is just a fact finding exercise on the part of those parties, and
28 stressed that nothing more should be read into those discussions and
29 reminded everyone that the Village has the absolute right to deny any
30 Zoning change request, this Friday the High School will be honoring Steve
31 (Iggy) Aguado for his long-time support of athletics at Croton Harmon High
32 School.

33 Trustee Politi congratulated our new Fire Department officers and thanked
34 residents for coming out this evening addressing their concerns, advised
35 that the Diversity and Inclusion Committee will be requesting a name
36 change, they also talked about their involvement in the job description for a

1 new communications hire, mentioned a program called "Project Open Arms"
2 that are assisting people seeking asylum ([https://www.nyc.gov/office-of-the-](https://www.nyc.gov/office-of-the-mayor/news/607-22/adams-administration-project-open-arms-comprehensive-support-plan-meet-educational)
3 [mayor/news/607-22/adams-administration-project-open-arms-comprehensive-support-plan-](https://www.nyc.gov/office-of-the-mayor/news/607-22/adams-administration-project-open-arms-comprehensive-support-plan-meet-educational)
4 [meet-educational](https://www.nyc.gov/office-of-the-mayor/news/607-22/adams-administration-project-open-arms-comprehensive-support-plan-meet-educational)), directed everyone to the Croton Library website for
5 upcoming programs (<https://www.crotonfreelibrary.org/>), and advised that
6 the School District's variety show is next Friday.

7 Mayor Pugh made the following statement that was part of an article in the
8 Croton Chronicle: *"As you may know Village Manager Healy made a report*
9 *to the Board of Trustees regarding the 1 Half Moon Bay purchase, we noted*
10 *that the new owner has met with Village officials which is a process that*
11 *often occurs when properties change hands, as explained in the Manager's*
12 *memo, there were some uses that are permitted for that parcel as "of right"*
13 *under the existing Zoning, others such as multi-family housing would*
14 *require a Zoning amendment adopted by the Board of Trustees which as*
15 *stated is a discretionary decision on the part of the Board, in my view a tire*
16 *warehouse is not the worse use of the property but he is open to all*
17 *alternatives, any decision regarding a potential application should be made*
18 *based on the facts following an analysis and discussion of the pros and cons,*
19 *in the meantime a decision about whether such a proposal is made is in the*
20 *hands of the property owners subject to their own business judgement,*
21 *there is currently a tenant with a lease occupying the property, an*
22 *application could be filed tomorrow, within a year, or never".*

23 Mayor Pugh thanked outgoing Fire Chief Munson for his leadership and
24 welcomed new officers of both our Fire Department and Croton Ambulance
25 Corps. Mayor Pugh advised that he attended the Fire Council meeting where
26 they discussed coordinating with Metro North to reduce the amount of
27 emergency calls, under the State Public Authority Law, Metro North is
28 exempt from taxation by the Village, but we are obligated to provide
29 emergency services to them and making sure that we respond to calls that
30 are truly essential is advantage to both sides.

31 Village Manager Healy advised that we did have another round of flooding at
32 the train station, we did get the word out and Section I was largely empty
33 this morning, we are trying to do the best we can with the weather forecasts
34 that we receive, and we will continue to watch future forecasts very closely.
35 Village Manager Healy thanked our DPW crew who were on standby.

1 There being no further business to come before the Board a motion to close the
2 meeting was made by Trustee Simon. The motion was seconded by Trustee Politi
3 and approved with a 5-0 vote. The meeting was adjourned at 9:30pm.

4 Respectfully submitted,

5 Judy Weintraub, Board Secretary

6 _____
7 Paula DiSanto, Village Clerk

8