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Village of Croton-on-Hudson

Legislative, Program and Project Priorities

2024

March 2024

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Dear Friends:

The pages which follow summarize the legislative, program and project priorities for the Village of Croton on Hudson for 2024.

They represent the Village's objectives at the state and federal levels in a number of key areas including housing, sustainability, public safety, transportation and economic development.

We look forward to working with you this year towards achieving progress in each of the important subject areas discussed in this document.

Thank you on behalf of all of Croton's residents for your help as we continue to strengthen Croton for the promising years ahead. Please let us know if we can assist you in any way.

Sincerely,

Brian Pugh
Mayor

Len Simon
Deputy Mayor

Nora Nicholson
Trustee

Ian Murtaugh
Trustee

Cara Politi
Trustee

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Priority State Legislation

As the legislative session in Albany gets underway, Croton-on-Hudson has a strong interest in the certain measures being considered, as described below.

The Governor's Pro - Housing Communities Initiative. In 2023 Croton-on-Hudson applauded the Governor's commitment to increased housing throughout the state but recommended that her ambitious goals be achieved by incentives, not mandates. Consistent with that view, Croton was very pleased that in the fall of 2023 the Governor, by Executive Order, established the Pro-Housing Community Program to recognize and reward municipalities actively working to add to their housing supply and encourage others to follow suit. The Village was very pleased that on February 7th Croton was designated as one of the first 20 "Pro-Housing Communities".

The Pro-Housing Communities designation increases Croton's funding opportunities for \$650 million in state discretionary funding including: (1) Downtown Revitalization Initiative; (2) NY Forward; (3) Regional Council Capital Fund (4) New York Main Street; (5) Market New York capital grants; and (6) Mid-Hudson Momentum Fund. Croton-on Hudson urges full funding for these programs in 2024.

Good Cause Eviction and Eviction Prevention Initiatives. Proposed state legislation would prohibit tenant eviction without good cause and places limits on how much a landlord could raise rents each year. In addition, Westchester County funding under the Emergency Rental Assistance Program is now depleted, with no ability to stem the glut of eviction cases or provide legal representation of those seeking relief through these programs.

Croton-on-Hudson supports the principle of a Good Cause Eviction law and would hope to support such legislation should it emerge from negotiations among a number of parties currently underway in Albany. Croton also supports continued funding programs to address the backlog of eviction cases by providing legal representation to those at risk of eviction and development of a long-term eviction prevention program for New York.

New York Health Act. The legislature is considering the New York Health Act (NYHA) which would create a state-sponsored single-payer health program called New York Health that would provide coverage to all residents of the state including all benefits covered by Medicare, Medicaid, Child Health Plus, and those mandated under the Affordable Care Act. According to a study by the Rand Corporation, New York could expand coverage without substantial increases in overall health care spending.

Croton-on-Hudson has strong interest in access to affordable health care for all of its residents. The New York Health Act is currently being negotiated by numerous interests in Albany. The Village thanks all of those currently working hard to strengthen health care access and affordability in our state and looks forward to reviewing the product of these deliberations at that time.

Packaging Reduction and Recycling Infrastructure Act. Introduced by State Senator Pete Harckham, this legislation requires companies with a net annual income of over \$1 million selling, offering for sale, or distributing covered packaging materials and products to reduce consumer packaging and improve recycling and recycling infrastructure. The bill includes supporting reusable and refill infrastructure, financially supporting municipal recycling programs, reducing toxins in packaging and requiring producers of products to take responsibility for end of life solutions to product packaging. It is estimated to save taxpayers in New York State over \$200 million each year and would reduce Village recycling costs.

Croton-on-Hudson strongly supports this legislation as an appropriate solution to the rising cost of recycling of packaged materials, which has substantially grown since the onset of the pandemic in 2020. The Village looks forward to working with Senator Harckham towards enactment of this important initiative.

Parkland Exemption for Renewable Projects. Under current law, municipalities must request an act from the Legislature to repurpose or “alienate” parkland including airspace directly above real property being used for vehicle parking. As New York continues its movement towards renewable energy, interest in solar projects in the airspace above vehicle parking has increased. Through the leadership of Senator Harckham, the State Senate has passed legislation to lift the “alienation” definition for solar projects over parking lots in parks. His bill would allow solar energy projects under 2 megawatts, located directly above real property, which are currently being used for vehicle parking, to bypass the procedure of requesting an act from the Legislature. This would result in certain solar projects being implemented more efficiently, saving time, and reducing the carbon footprint. Assemblywoman Dana Levenberg has introduced companion legislation in the State Assembly.

Croton-on-Hudson has sought for several years to install solar canopies in the Croton Landing parking lot but this effort has been stalled by New York’s “alienation of parkland” law which makes no exception for solar on parking lots. We applaud Senator Harckham’s sensible approach to this problem and are grateful his bill was passed in the Senate. We thank Assemblywoman Levenberg for her efforts towards passage in the Assembly. We urge the Assembly to pass her bill, and the Governor to sign the finalized version.

Funding Key State Programs to Assist the Village. The state Aid and Incentives for Municipalities (AIM) program, which provides great benefit to Croton, has not been increased in funding for 15 years, contributing to municipal tax burdens and in some cases unmet needs at the local level. Given the challenges of rising inflation, it is critical that the State provide cities and villages with the long-overdue AIM assistance they need and deserve. The Governor’s Budget also eliminates the additional amounts that the State Legislature added in the current year’s state budget to the Consolidated Local Street and Highway Improvement Program (CHIPS) program (\$60 million), a program which has greatly assisted in maintaining Croton’s road infrastructure.

The New York Conference of Mayors and Municipal Officials (NYCOM) has asked for additional funding for AIM and CHIPS. NYCOM has also proposed a “CHIPS for water and sewer” - an annual funding stream for municipalities that could be used to supplement

both their water and sewer infrastructure preventive maintenance costs as well as new capital projects. Croton-on-Hudson supports these NYCOM proposals. In addition, the Construction Industry of Westchester & Hudson Valley, Inc. believes that at least \$400 Million should be added to the 2024-25 budget for core highway construction to help NYS DOT catch up with the lost purchasing power eroded by inflation in this region and that \$150 million be added to the CHIPS funding line to help our local communities such as Croton maintain their level of effort eroded by inflation as well. The Village concurs in those proposals as well.

Opposing Cuts to Clean Water and Hudson River Funding. Since 2017, programs under the Clean Water Infrastructure Act have been funded at \$500 million a year. This funding has supported critical wastewater and drinking water projects that reduce pollution into our waterways, protect drinking water quality, fight climate change and help protect the Hudson River. The Governor's proposed budget reduces these programs to \$250 million despite statewide needs which stand at well over \$80 billion over the next 20 years.

Croton-on-Hudson urges the Legislature to restore Clean Water Act funding to at least its historic level \$500 million annually.

Health Care Services for Immigrants Ineligible for Federal Participation. Provides for coverage for health care services under the basic health program for individuals whose immigration status renders them ineligible for federal financial participation and who meet additional requirements (S.2237, A.3020).

Croton on Hudson supports this proposed legislation and urges its enactment.

Additional Tax Exemptions for Two Veterans Living in the Same Household. This legislation provides additional tax exemptions on qualifying residential real property where two or more qualified veterans live in the same household (A.74).

Croton on Hudson supports this proposed legislation and urges its enactment.

Improving Public Sector Compensation. Public sector salaries cannot keep pace with the private sector. The most cost-effective, universal way to positively impact public sector hiring and retention is to improve the Tier 6 pension plan. The Tier 6 pension plan, enacted in 2012, significantly increase contributions and reduced benefits for all public employees in New York hired since then. The pension plan has a higher minimum age of 63 for public sector workers to receive full retirement benefits. This is particularly unfair for those that work in physically demanding jobs.

Croton-on-Hudson supports a fiscally responsible fix to Tier 6 that will enable the public sector to compete effectively with private firms for talent and better serve residents.

Legislation Jointly Supporting with Westchester County. Croton is pleased to join County Executive George Latimer and the County Board of Legislators, in supporting these important legislative initiatives at the state level, each of which will benefit our County and the Village:

1. Extend the Electric Generation Facility Cessation Mitigation Program.

Westchester requests that the July 1, 2025 sunset of the Electric Generation Facility Cessation Mitigation Program be lifted, and the 7 year eligibility period be waived so that the County and additional local entities impacted by the closure of Indian Point can continue to rely on this funding until the fund is depleted.

2. Amend the State Transportation Operating Assistance Formula. Westchester County requests that the State Operating Assistance (STOA) Formula be amended to provide Westchester County financial parity with Nassau County's transit assistance.

3. Extend School Bus Stop Arm Camera Authorization. In order to continue supporting the safety of Westchester's school- age population, Westchester asks that the Counties' authority to implement school bus stop arm cameras be extended.

4. Support the Expansion and Enhancement of Emergency Medical Services.

Westchester County urges the adoption of legislation that relates to emergency medical services (EMS) and includes the establishment of an EMS quality and sustainability assurance program, a statewide comprehensive EMS plan, and an EMS training program.

5. Prohibit Termination of Tenancy for Seniors and Disabled Tenants. Westchester County supports legislation to require court approval before the termination of, or failure to renew, a lease for tenants in rental buildings where substantially all of the lessees or tenants occupying such units are sixty-five years of age or older and/or are persons with disabilities.

6. Remove Discriminatory Language in Restrictive Covenants. Westchester County urges passage of legislation mandating the removal of discriminatory language in restrictive housing covenants. Westchester has many properties which retain racially discriminatory housing covenants. Although unenforceable, the legacy of racism and discrimination is still with us today. Mandating the removal of this language sends a clear message to members of our diverse communities that they are accepted in Westchester, and in New York State.

7. Develop Preventative and Mitigative Strategies to Respond to Flooding. Flooding has become more frequent and severe in Westchester County and across New York as a result of climate change. New York State currently relies on a variety of task forces, commissions and other state-level entities dedicated to specific aspects of flooding. A more direct response is necessary in order to keep our communities safe. Westchester supports initiatives by Senators Mayer and Harckham to address this problem by creating a centralizing entity to tackle the challenges of flooding on a comprehensive basis, and the development of a fund dedicated to supporting and protecting critical infrastructure put at risk by flooding.

8. Strengthening Utility Storm Response. Westchester County supports legislation strengthening utility storm response and compliance . It would incentivize better regulatory compliance by utilities through increased flexibility for the Public Service Commission to

assess penalties on utilities for violations of the public service law, and to expand emergency response plan requirements. S4882 (Mayer) / A2877 (Otis)

9. Utility Financial Standards. Westchester County supports requiring electric, gas, steam and water-works corporations to adopt the common equity ratio and rate of return on equity authorized by the public service commission unless such utility can successfully demonstrate that such authorized rates do not meet their capital and/or operating needs. S6557A (Mayer) / A7502 (Barrett)

10. First Responder Peer Support Program. This legislation establishes the "first responder peer support program act" which supplies peer-to-peer mental health programs to first responders. S7079A (Harckham) / A7552A (Burdick)

11. State and Local Clean Energy Partnership. Westchester County supports legislation directing the Public Service Commission to establish a standard New York state community choice aggregation program for all utility service territory S6899 (Harckham) / A7371 (Thiele).

12. Climate Change Property Tax Assessment Relief Act. Westchester County supports enactment of legislation to provide assessment relief to property owners within eligible municipalities based on payments of real property tax refunds and credits as a result of participating in the climate change property tax assessment relief act. S7515 (Stewart-Cousins) / A7748 (Shimsky).

Legislation Jointly Supporting with the New York Conference of Mayors and Municipal Officials

1. Remove the Tax Cap's Disincentives for Economic Growth. NYCOM recommends that the tax cap be amended to: (1) exclude municipal expenditures on public infrastructure from the tax cap calculation, just as school districts currently do; and (2) exclude the self-imposed levies of Business Improvement Districts (BIDs) from the tax cap calculation (A.1269 – McDonald/S.1019 – Cooney). These changes will increase tax cap compliance and maximize investment in economic growth and community development.

2. Enhance Tools to Address Vacant, Distressed and Abandoned property. NYCOM supports: (a) Strengthen Enforcement of the New York State Uniform Fire Prevention and Building Code; (b) Increase State Support for Local Code Enforcement; (c) Authorize Administrative Adjudication of Local Code Violations; (d) Authorize Administrative Adjudication of Local Code Violations; (e) Allow Municipalities to Pierce the Corporate Veil of Shell Corporations that Abandon Properties use; and (f) Improve New York's Zombie Properties Law, mortgage-delinquent properties that have been abandoned by the owner.

3. Create Financial Incentives to Revitalize Properties. NYCOM supports the following legislative proposals that would facilitate the remediation and revitalization of properties:

(a) Authorize a Local Option Property Tax Exemption to Facilitate Renovation and Redevelopment of Properties; (b) Strengthen New York's Tax Increment Financing Law.

4. Strengthen Vehicle and Traffic Regulation and Enforcement. NYCOM supports amendments to state traffic laws to: (a) Eliminate the Study and Certification Requirement for 25 MPH Speed Limits; and (b) Expand the Use of Red Light and Speed Cameras.

5. Provide Funding for Water Contamination Testing and Source Water Protection. NYCOM supports the State assisting local governments in developing resources and programs to keep drinking water sources free from contamination. Additional mandates must be predicated on state funding made available to help cover the expense of both the testing and installation of required remedial systems, including costs associated with the EPA's latest Lead and Copper Rule.

Legislation Jointly Supporting with the Westchester Municipal Officials Association

1. **Fees for Services to Tax Exempt Property.** WMOA supports legislation that provides a local option to charge tax exempt properties for the cost of services such as police protection, fire protection, street and highway construction and maintenance of lighting, sanitary, and water systems.

2. **MTA Station Maintenance Fee.** WMOA supports legislation to review the annual \$19 million tax levy for station maintenance collected by the county to determine whether the taxes raised exceed the likely cost of the services communities receive.

Local Projects Requiring State Assistance

In the year ahead, as Croton seeks to advance its economic development, sustainability and public safety objectives, it will seek the assistance of the Village's state delegation on a number of key priorities. Among these will be:

New York Forward. Governor Hochul announced the creation of the NY Forward program to invigorate and enliven downtowns in New York's smaller communities - the type of downtowns, specifically those found in villages, hamlets and other small, neighborhood-scale municipal centers. NY Forward builds on the success of the Downtown Revitalization Initiative (DRI) by adopting the same "Plan-then-Act" strategy as the DRI. Now that Croton has been designated as a "Pro-Housing Community" the Village will likely be submitting a New York Forward grant application and will look to our Albany leaders for their help in advocating for its approval.

State Discretionary Aid for Transportation Safety and Mobility Improvements. Croton has a number of projects which have been identified by our Department of Public Works, Bicycle and Pedestrian Committee and Board of Trustees as important for future mobility and safety in the Village. Funding is required to implement these projects in a timely fashion. Some of this can be funded by the "Transportation Alternatives Project" grant

recently submitted to NYDOT which would undertake sidewalk and safety improvements along Cleveland Drive. The Village will continue to seek state discretionary funding for engineering and construction of Croton's priority bicycle, pedestrian and street safety projects.

NY SWIMS. Recognizing that drowning is the leading cause of death for children ages 1-4 and that climate change will increase extreme heat events, Governor Hochul announced NY SWIMS as part of the State FY 2025 Executive Budget. NY SWIMS will promote initiatives to help more New Yorkers swim safely by building out municipal pools in high-need areas, connecting New Yorkers to the State's rivers and lakes, deploying pools in the urban environments, addressing the statewide lifeguard shortage, increasing swimming instruction, and increasing amenities at pools and beaches. Croton-on-Hudson applauds Governor Hochul for the NYSWIMS initiative and urges that the Legislature enact it this year. Should funding become available, Croton looks forward to considering submission of a project, including the possibility of doing so with regional partners.

Federal Projects and Priorities

Projects. Direct federal funding to Croton can be made available in a number of ways, including through Community Project Funding (CPF), the Bipartisan Infrastructure Law (BIL) the Inflation Reduction Act (IRA) and through various other congressional authorization measures.

After a 10-year suspension, Congress has resumed the practice in 2021 of including funding for community projects in its annual appropriations bills. Through the leadership of Rep. Mondaire Jones in 2022, Croton received \$1.5 million for reconstruction of the Half Moon Bay Bridge under the CPF category of funding. This year, the Village is seeking the assistance of Rep. Mike Lawler in the forthcoming Water Resources Development Act for feasibility studies intended to lead to Army Corps of Engineers funding to strengthen the flood resilience of Croton's waterfront, from the Train Station to Croton Landing. The Village will also seek appropriations funds for specific projects from Rep. Lawler and Senator Kirsten Gillibrand.

Firefighter Training. In February, the Federal Occupational Safety and Health Administration (OSHA) proposed significant changes to the OSHA Fire Brigade Standard (1910.156). The Firefighters Association of the State of New York (FASNY) has expressed concerns about the impact of the proposed changes could hamper recruitment and retention efforts and even cause many current firefighters to leave the service, potentially undermining rather than strengthening the safety of firefighters and the communities they serve. OSHA should review these reservations carefully. If these changes are ultimately enacted, New York State's Public Employee Safety and Health Bureau (PESH) should proceed deliberately on incorporating them into New York State regulations and take into consideration the effect that they may have on volunteer fire departments. If PESH amends its own standards for the fire service, appropriate support, including grants, need to be made available to local volunteer departments to facilitate implementation.

Next Steps

The Village of Croton on Hudson appreciates the opportunity to forward these legislative, program and project priorities and thanks you for your time in reviewing them. We look forward to working with you to achieve progress on all of these areas in the year ahead.

Please contact Village Manager Bryan Healy at bhealy@crotononhudson-ny.gov or 914-271-4848 with any questions or suggestions.