

Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY, held on Wednesday, August 21, 2024, in the Georgianna Grant Meeting Room at the Stanley Kellerhouse Municipal Building, Van Wyck Street, Croton-on-Hudson, NY 10520.

Prior to the regular meeting, a motion to enter into an Executive Session to discuss the employment history of a particular individual was made by Trustee Simon. Motion was seconded by Trustee Politi and approved with a 5-0 vote.

The following officials were present:

Mayor Pugh	Trustee Politi
Village Manager Bryan Healy	Trustee Murtaugh
Village Attorney Linda Whitehead	Trustee Nicholson
Village Treasurer Daniel Tucker	Trustee Simon

The following official was absent:

Assistant to the Village Manager Emily Mancini

1. Mayor Pugh called the meeting to order at 7:01pm 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 24250745-24251032*. The Motion was seconded by Trustee Nicholson and approved with a 5-0 Vote.

General Fund	174,914.47
Water Fund	19,207.53
Sewer Fund	1,398.39
Capital Fund	\$201,142.98
Trust Fund	\$5,800.00

3. Overview of AKRF's memo dated August 19, 2024, on the proposed 1 Croton Point Avenue development by Aaron Werner from AKRF. To view the memo, you may log onto the following:

<https://play.champds.com/ATT/crotononhudsonny/2024-08/e79970d90dece95fafddc61b1c872449e3bcf945.pdf>

Village Attorney Whitehead explained that two years ago the Village Board adopted Zoning amendments which allows for a TOD (Transit Oriented Development) of multi-family units in the LI (Light Industrial) District provided that it is within a certain distance from the train station, as well as some dimensional requirements which were put into the Code for this specific use. Village Attorney Whitehead

1 advised that the applicant has submitted a Special Permit application to the Village
2 Board, the Village Board, as per the procedures set forth in the Village Code, has
3 referred it to the Planning Board, and after their review, will be reporting back to
4 the Village Board. Village Attorney Whitehead stated that in addition to the Special
5 Permit review, the application will undergo a review under the State Environmental
6 Quality Review Act (SEQRA), the Village has declared their intent to be Lead
7 Agency for that review, the notice was also forwarded to the Westchester County
8 Planning Board, the New York State Department of Transportation, the New York
9 State Department of Environmental Conservation as well as a number of other
10 agencies, if there are no objections, then the Board can proceed as the Lead
11 Agency for that review. Village Attorney Whitehead advised that the application
12 will also go before the Waterfront Advisory Committee for their review and
13 recommendation with consistency with the Village's Local Waterfront Revitalization
14 Program (LWRP), and at the applicant's expense, the Village has hired AKRF as
15 their technical consultants to assist the Board in the review process.

16 Trustee Simon stated that the Board has requested more information with respect
17 to traffic, view-shed renderings, school analysis, public amenities, noise,
18 environmental issues, as well as fiscal and economic impacts.

19 Trustee Nicholson stated that since we do not know the status of these units we
20 should get a fiscal analysis of the different scenarios from a tax revenue
21 perspective that includes costs, if any, for additional emergency services. Trustee
22 Nicholson stated that the idling rules for Metro North are different in the winter and
23 encouraged them to do a study in the winter as opposed to the summer especially
24 when they are choosing materials for the project.

25 Mayor Pugh stated that he appreciates AKRF's hypo-local study with respect to
26 school children and not just relying on the Rutgers data, and since Maple
27 Commons will begin to be occupied by the end of the month, we should also look
28 at the number of school children generated from that development.

29 Trustee Politi stated that it would also be interesting to see the number of school
30 children generated from the Bari Manor and Grand Street Apartments.

31 Mayor Pugh stated that we need to also take into consideration that any additional
32 students could be incrementally distributed across the District's three schools and
33 asked for that data as well. Mayor Pugh indicated that school data will change
34 depending on whether or not a commercial component is included in this
35 development. Mayor Pugh also stated that a Balloon Test would be helpful and
36 asked that this be arranged.

Village Attorney Whitehead stated that the noise issue is not as much an environmental impact since it is not an impact on the community, but rather what the developer needs to do for their future residents.

A motion to amend the Rules of Procedure to allow Mr. Bainlardi to address the Board was made by Trustee Simon. Motion was seconded by Trustee Nicholson and approved with a 5-0 vote.

John Bainlardi of WBP Development stated that a Storm Water Pollution Plan was submitted to the Village Engineer which was reviewed and amended based on the Engineer's comments, a Geotechnical investigation was conducted, they did not hit any rock to a depth of 50 feet, nor water to a depth of 35 feet, they conducted a Phase I and Phase II Environmental Assessment for both the Village parcel and the adjoining parcel, the Phase II Environment Assessment concluded that there were no soil exceedances, they performed a noise study, that study was conducted over 72 hours, and they concluded that with proper windows and exterior construction materials, interior sound levels could be brought down to the standards that are required by code. Mr. Bainlardi advised that they are prepared to do an additional traffic study, an analysis is being done with respect to the circulation of vehicles, and they are also preparing an enrollment analysis and a fiscal impact study and will have those available at the time of the Public Hearing.

Trustee Murtaugh recommended using the Fire Department's ladder truck as part of the elevation study and encouraged WBP to perform a balloon test to satisfy the concerns of residents. Trustee Murtaugh asked if WBP has had any luck with the New York State Department of Transportation coordinating with them to adjust traffic signal timing.

Mr. Bainlardi stated that they have been able to work with the NYSDOT.

4. RESPONSE TO QUESTIONS SUBMITTED BY EMAIL – None

5. CORRESPONDENCE

- a. Letter from Karen Kuchnicki requesting the removal of the property at 36 Lounsbury Road from the Ossining Sanitary Sewer District.

<https://play.champds.com/ATT/crotononhudsonny/2024-08/f0e9df5a56e9cf9abebb685b74fe7e1d5d3c648d.pdf>

Based on the support of the Board, Village Manager Healy will prepare a resolution formalizing the Board's support.

b. Letter from Mike Grayeb, Director of the Harry Chapin Memorial Run Against Hunger regarding plans for the 2024 race.

<https://play.champds.com/ATT/crotononhudsonny/2024-08/a1f170f4476c91c42913eaf475164655a46a0152.pdf>

Resolution:

On motion by Trustee Simon and seconded by Trustee Nicholson the Board of Trustees approved foregoing fees for the Harry Chapin Memorial Run Against Hunger. Motion was approved with a 5-0 vote.

6. PUBLIC COMMENTS ON AGENDA ITEMS:

Tony Granger, 217 Half Moon Bay Drive, Croton on Hudson, presented the Board with a Petition with 1,086 signatures from residents of "CROTON FOR RESPONSIBLE GROWTH" demanding the Board to put a pause on all new large-scale developments. Mr. Granger stated that before the Board moves on any new development we need to see the effects on our Village from Maple Commons, 25 S. Riverside Avenue, 1380 Albany Post Road and 352 S. Riverside. Mr. Granger stated that he is concerned that we are pushing our volunteer Boards to the limits and asked the Board to turn these developments down, let them continue to do their homework and come back to the Village when the dust settles.

Peter Marengo, 37 Irving Avenue, Croton on Hudson, stated that the group could have gotten many more signatures.

Ed Riely, 110 Truesdale Drive, Croton on Hudson, thanked the resident leaders on their hard work in getting these signatures. Mr. Riely stated that he believes that the Board is moving on these developments not to benefit the Village but rather for the benefit of a Federal idea or more closely a State idea and asked that the Board look to protect the citizens of Croton first. Mr. Riely asked that a Moratorium be put on all large-scale projects, repeal and amend the Master Plan, conduct a Referendum to move Village elections back to March, pass a referendum forbidding the sale of Village property without a referendum of the people, repeal all Zoning that allows five story buildings, and reform our Ethics law.

Ken Walsh, 26 Palmer Avenue, Croton on Hudson, asked for a one-year Moratorium on development on the LOT A and 1 Half Moon Bay properties.

John McKeon, 25 Prospect Place, Croton on Hudson, stated that the LOT A property was pitched as a condominium but now it appears that it could be rental, and

1 believes that brings a different perspective with respect to school enrollment. Mr.
2 McKeon explained that the RFP (Request for Proposal) involved a request for 20%
3 affordable housing, but at the Planning Board meeting it was presented as 100%
4 affordable but if the RFP is a specific document specifying what all parties must
5 meet in order to be an acceptable bidder, they must adhere to the RFP. Mr.
6 McKeon also expressed his concerns regarding the ability of a 6" water main to
7 accommodate a high rise building and is concerned for our fire fighters, he also
8 believes the structure is going to require water towers on the roof of the building
9 and that the storm water drains on the property also need to be addressed.

10 Ethan Lewis, 38, Glengary Road, Croton on Hudson, spoke in favor of a thorough
11 investigation into the merits of 1 Croton Point Avenue and supports affordable
12 home ownership and encouraged this development to be condominiums rather
13 than rental apartments. This is an underused parking lot , with an adjacent office
14 building that faces another building which is just as high and much more
15 significant in volume then the one being proposed, he believes that residents who
16 need additional parking can certainly rent a space at the train station parking lot,
17 the traffic light that already exists is fully functional and should meet the
18 requirements to mitigate traffic, the environmental fears may come from a good
19 place but are thus far unsubstantiated, while the Village height restrictions have
20 merit, it is essential to consider viewsheds. Mr. Lewis addressed the many housing
21 developments over the years in Croton where these new residents are now
22 cherished community members and asked that we let facts not fears guide us.

23 Gordon Baptiste, 405 Half Moon Bay Drive, Croton on Hudson, stated that he
24 attended the Planning Board meeting where the developer cited their success in
25 Tarrytown, New Rochelle, Peekskill and White Plains, Croton is a small Village and
26 we want to keep it a small Village yet there seems to be two visions, one of the
27 developer's and one of the citizens of Croton.

28 Maria McGuire, 1 Wayne Street, Croton on Hudson, stated that she moved to
29 Croton because it is a small, safe Village and she is concerned that this
30 development will increase traffic in the area. Ms. McGuire stated that she is also
31 concerned about losing her seasonal views and does not want Croton to look like a
32 big city.

33 Susan Skrelja, 56 Truesdale Drive, Croton on Hudson, stated that we are a small
34 Village community and asked the Board to represent the community, these
35 projects are not to be viewed in isolation, they are cumulative projects and need to

1 be scrutinized and we need to know that resident's needs are being met, and
2 asked for a pause on development.

3 Gary Eisinger, 210 Cleveland Drive, Croton on Hudson, questioned whether the
4 FAR line of site includes HVAC and utilities that are permitted on the roof,
5 additionally there is another 3 feet of parapet that extends above that and would
6 like to see if that has been included in that line of site diagram, as well as the
7 possible water towers mentioned earlier. Mr. Eisinger stated that he hears the
8 diesel trains at night and throughout the early morning hours, it is particularly
9 worse in the winter and is concerned that these units will be very affordable
10 because no one will want to live under the triple threat of noise pollution, light
11 pollution and carbon emissions coming from all directions.

12 Gregory Maher, 44 Grand Street, Croton on Hudson, encouraged the Board to
13 move forward on an all-affordable home ownership project, an affordable home
14 ownership project would be a game changer for many people and encouraged the
15 developer to pursue the funding for such a project. Mr. Maher stated that he also
16 believes that this development will help our small businesses and while he is
17 concerned about air pollution generated by the Metro North diesel engines, he
18 looks forward to seeing that report.

19 Alex Skrelja, 56 Truesdale Drive, Croton on Hudson, asked when the Board will be
20 addressing the Planning Board's recommendations.

21 Village Manager Healy advised that the Board has not received the official memo
22 from the Planning Board, and we expect to discuss it at the Public Hearing.

23 Cathy Connolly, 80 Young Avenue, Croton on Hudson, stated that she is not only
24 opposed to this development but is extremely upset that her neighbor will be
25 building an over 500-foot cottage on a postage stamp yard, when she expressed
26 her concerns to the Planning Board, she was told that the Planning Board had
27 recommended to the Village Board that ADU's should not be allowed in Harmon, it
28 seems like the Board does not care what happens and emphasized that the Village
29 Board should listen to what their other Boards have to say. Ms. Connolly asked
30 that the Board wait at least five years before approving any new projects.

31 Erica Laudon, 124 Penfield Avenue, Croton on Hudson, believes that we have far
32 exceeded the Governor's housing requirements for our community, and it is
33 imperative that the developer conduct an entirely new traffic study during the peak
34 weekday traffic which is now Tuesday through Thursday.

1 Michael Mamone, 19 Young Avenue, Croton on Hudson, questioned the accuracy of
2 the number of school children, parking spaces, environmental impacts and whether
3 the sanitary sewer will be sufficient and asked that the Board follow all of the
4 established Village codes.

5 Brian Cook, 52 Truesdale Drive, Croton on Hudson, stated that the report that was
6 issued is not detailed enough, a lot of assumptions in the models was not clearly
7 outlined, the report talked about a noise pollution test over three days, but didn't
8 indicate what three days because Friday, Saturday and Sunday would get different
9 results from a Tuesday, Wednesday, Thursday, citing a Rutgers Study does not
10 really help because we do not know the inputs that were put into the model. Mr.
11 Cook stated that the Board should take the signatures on the Petition very
12 seriously and be very detailed of what they are proposing so that the community
13 understands the impacts.

14 David Bogdam, 50 Irving Avenue, Croton on Hudson, stated that he is concerned
15 about the increase in population, and while some of these recent developments are
16 being sold as a place for empty nesters, not one person from Croton is moving into
17 Maple Commons and emphasized the importance of new studies for school
18 enrollment and traffic as well as looking at the impacts on density in certain areas
19 in Croton.

20 Elisa Berger, 23 Lower North Highland Place, Croton on Hudson, stated that at nine
21 o'clock in the morning it is impossible to get to the train station and she is
22 concerned that we will be introducing an additional 100 cars into that area, as well
23 as the potential of adding 154 children into our schools, and is also concerned
24 about flooding in that area.

25 Lynn Harmonay, 114 Half Moon Bay Drive, Croton on Hudson, reminded the Board
26 that Half Moon Bay is the immediate neighbor to both of the proposed
27 developments and believes that Half Moon Bay will be adversely impacted in terms
28 of traffic and infrastructure. Ms. Harmonay attested to the flooding issues, the
29 storm drains at Half Moon Bay were overwhelmed during the last rain event, and
30 she believes a full-time fire department will be needed to protect all of Croton.

31 Petra Vatne, 217 Half Moon Bay, Croton on Hudson, stated that if we are adding
32 housing, why not make it look pretty, three-story light-colored exteriors, gardens,
33 and an area for the children.

34 **WRITTEN COMMENTS**

1 Email from Richard Oliver, 42 Whelan Avenue, Croton on Hudson, dated August 30,
2 2024, states that the Board has worked carefully over the past fifteen years to
3 create more opportunities for affordable housing and nothing bad has happened to
4 Croton. Mr. Oliver believes the development at LOT A is an ideal step for Croton.

5 Email from Daniel Tibbetts, 37A Wells Avenue, Croton on Hudson, dated August
6 21, 2024, encourages the Board to move forward with these projects with all the
7 required speed and deliberation, he believes such developments will help our small
8 businesses who are in desperate need for more customers, he believes the
9 concerns are overblown and the only way out of the housing shortage is to build
10 new housing.

11 Email from Selcuk Eren, 56 Morningside Drive, Croton on Hudson, dated August
12 20, 2024, offering his full support for the Board's housing initiatives for both
13 projects, there is a housing-crises in New York and applauds the current leadership
14 for recognizing this and taking advantage of State funding for these types of
15 projects.

16 **Resolution:**

17 On motion by Trustee Simon and seconded by Trustee Murtaugh the Board
18 approved amending the Rules of Procedure to allow representatives from AKRF and
19 WPB to speak. Motion was approved with a 5-0 vote.

20 Trustee Nicholson stated that she does not think this is really the forum, the public
21 has a lot of very specific questions as does the Board, AKRF will not have all the
22 answers needed not the appropriate answers they are asking for tonight and she
23 would prefer that we have full answers to all the questions raised this evening.

24 Mayor Pugh stated that he understands this is a slight deviation from our normal
25 practice, but the Rules of Procedure also say that information should be presented
26 in a timely manner, if it is not immediately available then made available and more
27 substantive responses will be bound together and presented in a comprehensive
28 manner to the public.

29 Mr. Bainlardi from WBP stated that he understands that some people are cynical of
30 the information we have provided, but these reports were done by licensed
31 professionals who have been doing this for a long time, there are standards in the
32 industry that are widely recognized and asked that the community give some
33 credibility to the work that has been done.

34 **Resolution:**

On motion by Trustee Nicholson and seconded by Trustee Murtaugh the Mayor asked for a five minutes recess. Motion was approved with a 5-0 vote.

7. PROPOSED RESOLUTIONS:

Resolution #164 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 Village's Emergency Medical Services (EMS) Department provides basic life support (BLS) ambulance service, but does not offer advanced life support ambulance service (ALS), and

WHEREAS the Ossining Volunteer Ambulance Corps (OVAC) has been providing ALS service to the Village of Croton-on-Hudson since 1996, and

WHEREAS the Village of Croton-on-Hudson, the Village of Briarcliff Manor, and OVAC have entered into an agreement to form a Tri-Community FLYCAR system operating as OVAC ALSFR (Advanced Life Support First Response) dated May 2020, and

WHEREAS the Villages of Briarcliff Manor and Croton-on-Hudson and OVAC have agreed to continue the ALS/BLS bundle billing for the duration of the May 2020 agreement,

NOW THEREFORE BE IT RESOLVED the Board of Trustees hereby approves the FLYCAR Agreement Addendum and authorizes the Village Manager to execute the Agreement Addendum.

Resolution #165 of 2024

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 the Croton Business Council is desirous of holding an "Oktoberfest" festival on Grand Street between Old Post Road S. and Mt. Airy Road on September 28, 2024, with a rain date of October 5, 2024, and

WHEREAS the Village of Croton-on-Hudson has provided the Croton Business Council with a Memorandum of Understanding (MOU) that delineates the respective rights and obligations of the parties and defines their relationship for the "Oktoberfest" event,

1 NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby authorizes
2 the Village Manager to execute the Memorandum of Understanding with the Croton
3 Business Council related to the "Oktoberfest" event.

4 [https://play.champds.com/ATT/crotononhudsonny/2024-](https://play.champds.com/ATT/crotononhudsonny/2024-08/a5c18314a8f64cf6535602747dcabfd2037ee533.pdf)
5 [08/a5c18314a8f64cf6535602747dcabfd2037ee533.pdf](https://play.champds.com/ATT/crotononhudsonny/2024-08/a5c18314a8f64cf6535602747dcabfd2037ee533.pdf)

6 DISCUSSION:

7 Toni Senecal, of the Croton Business Council, stated that many of our businesses are
8 struggling and it is getting harder and harder for some of the businesses to pitch in. Ms.
9 Senecal stated that we are looking at getting more local sponsorship and they are asking
10 for some contribution from the Village to support the local businesses.

11 The Mayor and Board agreed to discuss the monetary contribution further in an upcoming
12 work session.

13 **Resolution #166 of 2024**

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

17 WHEREAS the current Vehicle Use Policy has been reviewed and requires updates to
18 reflect changes in best practices, technology, and Village operations, and

19 WHEREAS it is in the best interest of the Village to formally adopt the updated Vehicle
20 Use Policy to provide clear guidance and expectations to all Village employees regarding
21 the use of Village-owned vehicles,

22 NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees of the Village of
23 Croton-on-Hudson hereby adopts the updated Vehicle Use Policy effective immediately,
24 and

25 BE IT FURTHER RESOLVED that the change specific to the Fire Inspector/Code
26 Enforcement Officer position shall not take effect until October 1, 2024, and

27 BE IT FURTHER RESOLVED that the Village Clerk is hereby authorized and directed to
28 distribute the updated Vehicle Use Policy to all relevant Village employees.

29 **Resolution #167 of 2024**

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

4 WHEREAS the Village of Croton-on-Hudson requires stenographic services for the Village
5 Justice Court, and

6 WHEREAS S.A.C-D Steno Services has provided notification of its cancellation from the
7 current contract, and

8 WHEREAS Bridget Abatecola has been identified as a qualified candidate to provide the
9 necessary stenographic services and has provided a schedule of rates,

10 NOW THEREFORE BE IT RESOLVED that the Village Manager is authorized to enter into a
11 contract with Bridget Abatecola for stenographic work in the Village Justice Court for the
12 period of September 1, 2024, through May 31, 2025, and

13 BE IT FURTHER RESOLVED that funding for such service is available in the following
14 account: A1110.4000 (Justice Court – Contractual).

15 **Resolution #168 of 2024**

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

19 WHEREAS the Village Board of Trustees has received a special permit application from
20 Sprocket Power of Bedford Hills, New York, proposing the installation of an integrated
21 energy system at Croton Auto Park, located at 1 Municipal Place, comprising a battery
22 energy storage system with a 280 kWh output, and

23 WHEREAS on July 17, 2024, the Village Board of Trustees referred the special permit
24 application to the Planning Board for a recommendation, and

25 WHEREAS the Planning Board has provided the Board of Trustees with a memorandum in
26 support of the application,

27 NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby schedules a
28 Public Hearing for September 11, 2024, at 7:00 PM in the Georgianna Grant Meeting
29 Room of the Stanley H. Kellerhouse Municipal Building to consider the special permit
30 application for the installation of an integrated energy system at Croton Auto Park, 1
31 Municipal Place.

1 **Resolution #169 of 2024**

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

5 WHEREAS the Village Board of Trustees has received a special permit application from
6 WBP Development LLC for a multi-residential building on the parcel located at 1 Croton
7 Point Avenue, and

8 WHEREAS on July 17, 2024, the Village Board declared its intent to be the Lead Agency
9 for SEQRA purposes in connection with the Proposed Action and directed Village staff to
10 circulate its intent to all interested and involved agencies, and

11 WHEREAS the Village Board has received comments back from the Village Planning Board
12 and New York State Dept. of Transportation stating that they have no objection to the
13 Village Board of Trustees serving as Lead Agency, and

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

16 WHEREAS on July 17, 2024, the Village Board of Trustees referred the special permit
17 application to the Planning Board for a recommendation,

18 NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby declares
19 itself Lead Agency for SEQRA purposes in connection with the Proposed Action, and

20 BE IT FURTHER RESOLVED that the Village Board hereby refers the special permit
21 application and associated documents to the Waterfront Advisory Committee for review
22 and recommendation in accordance with the Village's Local Waterfront Revitalization
23 Program, and

24 BE IT FURTHER RESOLVED that the Village Board of Trustees hereby schedules a Public
25 Hearing for September 18, 2024, at 7:00 PM in the Georgianna Grant Meeting Room of
26 the Stanley H. Kellerhouse Municipal Building to consider the special permit application
27 from WBP Development LLC for the construction of a multi-residential building at 1
28 Croton Point Avenue.

29 **Resolution #170 of 2024**

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

1 WHEREAS the Village of Croton-on-Hudson has reviewed its existing flood insurance
2 policies to ensure the coverage being provided is adequate, and

3 WHEREAS the coverage in effect for certain buildings at the Village well fields needed to
4 be increased, and

5 WHEREAS these changes incurred an additional flood insurance premium expense in the
6 amount of \$2,003, and

7 WHEREAS funding for this expense was not included in the 2024-2025 Water Fund
8 budget,

9 NOW THEREFORE BE IT RESOLVED that the Village Board hereby authorizes the Village
10 Treasurer to transfer \$2,003 from Water Fund Contingency Account F1990.4000 to the
11 following account: F1910.4000 - Insurance Contractual: \$2,003

12 **Resolution #171 of 2024**

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

16 WHEREAS in 2021, the Croton EMS facility located at 44 Wayne Street was found to
17 contain mold and was deemed no longer suitable for operation, and

18 WHEREAS in August 2022, the Village contracted with Sullivan Architecture, P.C. to
19 develop conceptual drawings for an updated EMS facility, with the conclusion that an
20 addition to the Harmon Firehouse would be the most viable solution, and

21 WHEREAS the Department of Public Works will undertake as much of the construction
22 work as feasible with Village staff, while outside contractors will be employed for tasks
23 beyond the scope or capacity of DPW, and

24 WHEREAS the initial phase requiring contractor assistance involves foundation and
25 masonry work, including footings, foundation walls, first and second floor slabs, and
26 exterior brick work, and

27 WHEREAS on July 22, 2024, the Village issued an invitation to bid for the Harmon
28 Firehouse Addition – Foundation/Masonry Work (Bid # 04-2024), and

29 WHEREAS two bids were received and publicly opened on August 6, 2024, and

1 WHEREAS Superintendent of Public Works Frank Balbi recommends the approval of
2 Construction Plus Services, LLC, of Valhalla, New York, the lowest responsible bid, as the
3 contractor for this phase of the project,

4 NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby authorizes
5 the Village Manager to award Bid No. 4-2024 for foundation and masonry work at the
6 Harmon Firehouse to Construction Plus Services, LLC, in the amount of \$111,000, and

7 BE IT FURTHER RESOLVED that funding for this project is available in the existing capital
8 account H4540.2102.23445.

9 **Resolution #172 of 2024**

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

13 WHEREAS Croton Enterprises LLC is the owner of the property known as 440-460 South
14 Riverside Avenue, Croton-on-Hudson, NY, identified on the Tax Assessment Map as
15 Section 79.17, Block 2, Lot 2 (the "Property"), and

16 WHEREAS the Village of Croton-on-Hudson granted special permit and site plan approvals
17 in 2016 for improvements to the Property, including ShopRite supermarket as the
18 primary tenant, and

19 WHEREAS as a condition of the site plan approval, the Village Planning Board required
20 that Croton Enterprises LLC and the Village enter into a parking lot maintenance
21 agreement to ensure the proper upkeep of the parking lot and the maintenance and
22 health of the landscape trees on the Property, and

23 WHEREAS the Village and Croton Enterprises LLC have negotiated a maintenance
24 agreement that sets forth the responsibilities of the Owner with respect to the
25 maintenance of the parking lot and the Property, providing the Village with additional
26 tools to ensure the parking lot is maintained in good condition,

27 NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby authorizes
28 the Village Manager to sign the Parking Lot Maintenance Agreement with Croton
29 Enterprises LLC, as required by the site plan approval granted in 2016, to ensure the
30 ongoing maintenance and proper upkeep of the parking lot and landscaping on the
31 Property.

32 **Resolution #173 of 2024**

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

4 WHEREAS the Village Board of Trustees has received an application from ShopRite
5 Supermarkets, Inc. for a renewal of its Special Permit to operate a retail store at 460
6 South Riverside Avenue, and

7 WHEREAS on January 10, 2024, the Village Board referred the renewal application to the
8 Village Planning Board in accordance with Village law, and

9 WHEREAS, the Village Board has received a favorable recommendation from the Planning
10 Board, and

11 WHEREAS the Village Board held a public hearing on the renewal of the special permit on
12 January 24, 2024, and

13 WHEREAS the property maintenance agreement required by the Planning Board in the
14 2016 site plan approval has been agreed upon,

15 NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby renews the
16 special permit for ShopRite Supermarkets, Inc. to operate a retail store at 460 South
17 Riverside Avenue subject to the following conditions:

18 a. That the property maintenance agreement approved by the Village Board shall be
19 executed by the property owner within 20 days of this permit renewal.

20 b. That this special permit is issued for a period of eight years, commencing on April
21 4, 2021, and ending on April 4, 2029. Application for renewal of the special permit
22 shall be made no later than three months prior to the expiration date.

23 DISCUSSION:

24 Village Attorney Whitehead asked if the Board wanted to consider giving them permanent
25 status.

26 Trustee Simon stated that it has been a struggle to get the Maintenance Agreement and
27 would like to make sure it is properly implemented before we give Shoprite permanent
28 status.

29 Village Attorney Whitehead stated that the Maintenance Agreement is a little tricky
30 because that agreement is with the property owner not Shoprite.

1 Trustee Nicholson stated that the Special Permit was our only leverage.

2 After further discussion, the Board agreed to issue the Special Permit to April 4, 2029.

3 8. PUBLIC COMMENTS ON NON-AGENDA ITEMS:

4 Michael Mamone, 19 Young Avenue, Croton on Hudson, asked that the sound
5 system be fixed, asked the Board to consider a Residential Parking Permit System
6 in his neighborhood, his corner on Young and Benedict is very dangerous due to
7 the commercial parking on that corner and the pedestrian crosswalk putting bikes
8 and walkers in danger trying to attempt to cross the street. Mr. Mamone also
9 addressed Jacoby Street and 129 as a problem and asked that dog laws be
10 enforced.

11 Brian Cook, 52 Truesdale Drive, Croton on Hudson, stated that Mr. Bainlardi asked
12 for us to trust the experts, but everyone knows that there are two experts in any
13 litigation that are working off the same standards, some of the analysis presented
14 is based on stale data and using commuting data from 2020 is absurd because
15 ridership has been increasing since 2020.

16 Gary Eisenger, 210 Truesdale Drive, Croton on Hudson, stated that he would like
17 to see the same checks and balances that were used with respect to the battery
18 storage issue used on these developments and for the Board to continue to work
19 and cooperate with this large group here tonight as well as those who have signed
20 the Petition. Mr. Eisenger stated that the line-of-sight diagram in AKRF's memo is
21 deceptive because it does not include utilities and the parapet.

22 Susan Skrelja, 56 Truesdale Drive, Croton on Hudson, stated that AKRF's memo
23 depicting the line of sight is an example of creating a feeling of deception and why
24 we need to scrutinize all documents. Ms. Skrelja stated that she objects to the
25 statement that the Board is promoting this as opportunities for Croton residents
26 who want to downsize or for young adults who are looking to return to Croton
27 because making it 100% affordable, is not creating accessibility or inclusivity for
28 everyone in Croton.

29 Ed Riely, 110 Truesdale Drive, Croton on Hudson, stated that we are not opposed
30 to housing in Croton, we are opposed to four and five story housing, we would like
31 to see beautiful places built with an opportunity to own. Mr. Riely stated that the
32 selection process at Maple Commons should be transparent and be done in public.
33 Mr. Riely stated that the Planning Board expressed their concerns regarding the
34 traffic study and believes a new traffic study is necessary, the current number of

1 parking spaces is not realistic, and a better fiscal analysis should be done on this
2 project.

3 Village Attorney Whitehead stated that the final recommendations from the
4 Planning Board have not yet been received and a number of those issues
5 mentioned this evening will be done.

6 9. APPROVAL OF MINUTES

7 Motion to approve the minutes as amended of the Regular Meeting held on July 24,
8 2024, was made by Trustee Simon. The motion was seconded by Trustee Politi and
9 approved with a 5-0 vote.

10 Motion to approve the minutes of the Executive Session held on July 24, 2024, was
11 made by Trustee Simon. The motion was seconded by Trustee Nicholson and
12 approved with a 5-0 vote.

13 Motion to approve the minutes of the Special Meeting held on August 9, 2024, was
14 made by Trustee Simon. The motion was seconded by Trustee Politi and approved
15 with a 5-0 vote.

16 Motion to approve the minutes of the Executive Session held on August 9, 2024,
17 was made by Trustee Politi. The motion was seconded by Trustee Simon and
18 approved with a 5-0 vote.

19 10. REPORTS:

20 Trustee Nicholson commended the Recreation Department for putting together
21 outstanding recreational programs this summer; the Police Advisory Committee
22 and the Police Department hosted their first annual "night out". Trustee Nicholson
23 stated that she wished we did not have two large projects to look at because it is
24 not giving us the time we need to focus on LOT A and believes that the 1 Half
25 Moon Bay project is a distraction for us to get a really good well thought out
26 project for LOT A.

27 Trustee Simon advised that Westchester Power held an informational meeting
28 Monday evening at the Croton Library where they went over the new rates, the
29 rates are not as low as we would have liked, but the good news is that it is a
30 thirteen month contract, he attended the Planning Board meeting last night where
31 they addressed an ADU application on Hastings Avenue, Shoprite, the LOT A
32 referral and the Reservation of Parkland, announced that Croton Rotary will be

1 holding their annual car show on September 29th, and thanked the residents for
2 their comments this evening and looks forward to continuing this discussion.

3 Trustee Murtaugh thanked all the speakers, he heard many valuable comments, ,
4 there are no final decisions, and he is certain that there will be changes and wants
5 to see a rigorous analysis as we move forward with this review.

6 Trustee Politi stated that it is important to understand that all of our views with
7 respect to these projects are not universal and hopes that we can continue to
8 have these conversations in good faith, she reminded everyone that nothing has
9 been set in stone, she understands everyone's concerns about losing views, and
10 we will be working with the developer, but believes that the LOT A project is a
11 positive project.

12 Mayor Pugh stated that a lot has been said, and while he would like to respond to
13 all the comments, it would mean an additional four-hour meeting and he
14 respectfully, declined to do so. Mayor Pugh did address the comment regarding
15 local preference and while the Board would love to be able to have local
16 preference, the court and Federal policy makers do not feel that way and
17 encouraged everyone to review the Frequently Asked Questions that have been
18 published on the Village's website. Mayor Pugh stated that if no affordable
19 housing is built, there would be no chance for people to find homes here and
20 emphasized that a majority of our housing over the last few years has been
21 market rate. Mayor Pugh stated that we hired AKRF because they are
22 professionals in this field, they are an award-winning firm with a good reputation
23 and they would not put their reputation on the line and we expect that they will
24 do their best, we are in the process of getting the facts, using new data and looks
25 forward to discussing this at our next meeting.

26 Village Manager Healy referred to the Traffic Study on page 5 of the AKRF memo
27 wherein they clearly indicate that they have requested the developer to do a new
28 traffic study since trends have changed since 2022, we have sold 600 less parking
29 permits since 2019, which is 600 less cars on a daily basis going down to the train
30 station, we have also asked for an updated design that includes equipment and
31 parapets, the Village does not know at this time who will be moving into Maple
32 Commons, and while we are making inquiries on a regular basis, we do not have
33 that information and emphasized that the selection process was public and was
34 publicly viewed by more than 500 people who watched the process.

35 Trustee Simon clarified that the lottery for these apartments was run by the
36 Westchester County Housing Council not our local Croton Housing Network.

1 Trustee Murtaugh asked Village Manager Healy to address a comment regarding
2 the water line on Croton Point Avenue where we are trying to extend the larger
3 pipe down from Wayne and have been in discussions with the property owner.

4 Village Manager Healy stated that we are continuing discussions with the property
5 owner who owns the building at the end of Wayne Street for an easement, in the
6 past the property owner has expressed a willingness to permit an easement to
7 allow the water line to be connected and we are going to connect the developer
8 and the property owner so they can have those discussions.

9 Village Attorney Whitehead stated that there were statements made this evening
10 that made it sound like the project could be approved and the infrastructure
11 would not be insufficient, Village Attorney Whitehead emphasized that the project
12 could not be approved until the infrastructure is studied and if upgrades were
13 found to be necessary, they would be done at the expense of the developer and
14 that was made very clear in the RFP.

15 Village Manager Healy advised that the agendas are sent out on Monday
16 afternoon, they are posted on the website as well as Social Media, we also have
17 the project page on the website under "Projects and Initiatives" and the same
18 documents that are on the agenda are posted there as well.

19 There being no further business to come before the Board a motion to close the
20 meeting and enter into an Executive Session regarding a matter of Public Safety
21 was made by Trustee Nicholson. The motion was seconded by Trustee Simon and
22 approved with a 5-0 vote. The meeting was adjourned at 11:25pm.

23 Respectively submitted,

24 Judy Weintraub, Board Secretary

25 _____
26 Paula DiSanto, Village Clerk