

Regular Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY, held on Monday, December 2, 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 Simon
Village Manager Bryan Healy	Trustee Nicholson
Village Attorney Joshua B. Subin	Trustee Slippen
Village Treasurer Daniel Tucker	

The following officials were absent:

Trustee Politi
Assistant to the Village Manager Emily Giovanni

1. Mayor Pugh called the meeting to order at 7:16pm.

2. APPROVAL OF VOUCHERS

Trustee Simon made a motion to approve the following *Fiscal Year* Vouchers, *Claims numbered 24252477-24252701*. The Motion was seconded by Trustee Nicholson and approved with a 4-0 Vote.

General Fund	\$148,435.75
Water Fund	\$22,264.76
Sewer Fund	\$1,783.53
Capital Fund	\$367,079.01
Trust Fund	-
Debt Fund	-

3. RESPONSES TO QUESTIONS SUBMITTED BY EMAIL – None.

4. PUBLIC COMMENT – AGENDA ITEMS

Ed Riely, 110 Truesdale Drive, Croton on Hudson, stated that he believes everything on the agenda should be discussed openly and does not support the Consent Agenda. Mr. Riley stated that the Lot A project needs to be reduced to three stories, the building is unattractive, and the Board should demand changes to the proposed building as well as reducing it to 60 units.

5. CONSENT AGENDA:

a. CORRESPONDENCE TO THE BOARD:

1. Press Release from the MTA unveiling new modern Metro-North locomotives dated November 1, 2024.

<https://play.champds.com/ATT/crotononhudsonny/2024-11/61270363d340afed579cb2eae01069eb63acf6e8.pdf>

2. Email from the New York State Department of Transportation regarding the Implementation of Congestion Relief Zone tolling starting January 5, 2025.

<https://play.champds.com/ATT/crotononhudsonny/2024-11/0df0a0bb453d3122761a5c4e289cab4a58756f08.pdf>

b. RESOLUTIONS:

Resolution #240-2024

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 4-0 vote.

WHEREAS the Village Board of Trustees has received a special permit application from Ryan Kao of CTRH LLC to construct a three-story mixed-use building at 325 South Riverside Avenue, and

WHEREAS on September 25, 2024, the Village Board declared itself Lead Agency for SEQRA purposes in connection with the Proposed Action, and

WHEREAS the Village Board has directed the applicant to complete a traffic/parking generation study as part of its environmental review,

NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby directs the applicant and/or property owner to make an initial payment of \$10,000 to be held in escrow for any necessary professional services that may be required to assist the Village Board and Planning Board in their review.

Resolution #241-2024

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 4-0 vote.

WHEREAS on November 20, 2024, the Village Board adopted Resolution 221-2024, scheduling a public hearing for December 18, 2024, and

1 WHEREAS the Board wishes to reschedule the date of the public hearing,

2 NOW THEREFORE BE IT RESOLVED that the Board of Trustees hereby schedules a public
3 hearing to be held on January 22, 2025, at 7:00 PM in the Georgianna Grant Meeting
4 Room of the Stanley H. Kellerhouse Municipal Building to consider Local Law Introductory
5 No. 12 of 2024, and

6 BE IT FURTHER RESOLVED that the public hearing previously scheduled for December 18,
7 2024, is hereby cancelled.

8 **Resolution #242-2024**

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 4-0 vote.

12 WHEREAS on November 21, 2023, the Village Board of Trustees awarded the bid for
13 welding services to Santella Welding of Putnam Valley, New York, in the not-to-exceed
14 amount of \$34,720, and

15 WHEREAS the contract was for a period of one year with an option to extend for one
16 additional year, upon mutual agreement of the Village and the contractor, and

17 WHEREAS Santella Welding has agreed to honor its bid pricing for the upcoming year,
18 and

19 WHEREAS Frank Balbi, Superintendent of Public Works, has recommended extending this
20 contract,

21 NOW THEREFORE BE IT RESOLVED that the Board of Trustees hereby authorizes the
22 Village Manager to extend the contract for welding services with Santella Welding of
23 Putnam Valley, New York, for a one-year period beginning December 6, 2024, through
24 December 6, 2025.

25 **Resolution #243-2024**

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

29 WHEREAS the Village of Croton-on-Hudson owns and maintains emergency generator
30 systems at various buildings and facilities throughout the Village, and

WHEREAS the Village desires to perform periodic preventive maintenance on these systems and to ensure 24-hour emergency service when needed, and

WHEREAS on December 9, 2022, the Village Board of Trustees awarded the contract for generator maintenance services to Gentech Ltd. of New Windsor, New York, in the amount of \$10,880, and

WHEREAS on November 27, 2023, the Board authorized a one-year extension of the contract through December 9, 2024, and

WHEREAS Gentech Ltd. has expressed willingness to extend the contract under the same terms and conditions for another year, and

WHEREAS Superintendent of Public Works Frank Balbi has recommended extending the contract with Gentech Ltd.,

NOW THEREFORE BE IT RESOLVED that the Board of Trustees hereby authorizes the Village Manager to extend the contract for generator maintenance services with Gentech Ltd. of New Windsor, New York, for a one-year period beginning December 9, 2024, through December 8, 2025.

Resolution #244-2024

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 4-0 vote.

WHEREAS a number of water leaks have been detected and addressed by the Water Department this year, and

WHEREAS pavement restoration is necessary following these repairs, and

WHEREAS full funding for these repairs was not included in the 2024-2025 Water Fund budget,

NOW THEREFORE BE IT RESOLVED that the Village Board hereby authorizes the Village Treasurer to transfer \$10,000 from the Water Contingency Account F1990.4000 to the following account: F8340.4170 (Water Transmission and Distribution - Replace Pavement).

Resolution #245-2024

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 4-0 vote.

4 WHEREAS in early August 2024, a windstorm caused a power surge that affected the
5 Village well fields and caused significant electrical issues at Well #1, and

6 WHEREAS repairs to Well #1 were made under the Village's electrical contract, and

7 WHEREAS funding for these repairs 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 \$4,977 from the Water Contingency Account F1990.4000 to the
11 following account: F8320.4000 (Water Administration – Contractual).

12 **Resolution #246-2024**

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

16 WHEREAS the Board of Trustees has approved the retainer agreement for McCarthy
17 Fingar LLP, of White Plains, New York, to serve as the new legal counsel for the Village of
18 Croton-on-Hudson,

19 NOW THEREFORE BE IT RESOLVED that the Village Board hereby authorizes the Village
20 Treasurer to transfer \$14,500 from Contingency Account A1990.4000 to the following
21 account: A1420.4000 (Law-Contractual).

22 **Resolution #247-2024**

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

26 WHEREAS the Village of Croton-on-Hudson hires lifeguards every year to manage Silver
27 Lake, and

28 WHEREAS due to staffing late in the season, some lifeguards earned overtime by working
29 more than 80 hours within one biweekly pay period, and

WHEREAS funding for lifeguard overtime was not included in the 2024-2025 General Fund Adopted Budget,

NOW THEREFORE BE IT RESOLVED: that the Village Board hereby authorizes the Village Treasurer to make the following interfund transfer in the 2024-2025 General Fund Budget:

Increase Expense

A7180.1200-Spec Rec-Personnel SRVCS OT	\$790.51
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Decrease Expense

A7180.1100-Spec Rec-Personnel SRVCS PT	\$791.51
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c. APPROVAL OF MINUTES:

Motion to approve the minutes as amended of the Regular Meeting held on November 20, 2024, was made by Trustee Simon. The motion was seconded by Trustee Nicholson and approved with a 4-0 vote.

Motion to approve the minutes of the Special Meeting held on November 25, 2024, was made by Trustee Simon. The motion was seconded by Trustee Nicholson and approved with a 4-0 vote.

Motion to approve the minutes of the Executive Session held on November 25, 2024, was made by Trustee Simon. The motion was seconded by Trustee Nicholson and approved with a 4-0 vote.

6. **NON-CONSENT AGENDA RESOLUTIONS:**

Resolution #248-2024

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 4-0 vote.

WHEREAS short-term rentals in New York State are not presently subject to the collection of sales tax and any applicable occupancy tax, and

WHEREAS legislation has been passed by the State Legislature (A.4130-C / S.885-C) that would level the playing field for hotels and motels that are already paying the aforementioned taxes, and

WHEREAS the legislation, if signed by the Governor, could also help mitigate the housing shortage in New York State,

1 NOW THEREFORE BE IT RESOLVED that the Village of Croton-on-Hudson Board of
2 Trustees calls upon Governor Kathy Hochul to sign the above-listed bill into law, and

3 BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to Governor Kathy
4 Hochul and the New York State Conference of Mayors (NYCOM).

5 **DISCUSSION:**

6 Trustee Simon stated that this was high on the agenda of the New York Conference of
7 Mayors (NYCOM) Association. Trustee Simon stated that he believes the collection of
8 sales tax in our community is a very worthwhile effort to be pursued at the State level.
9 Trustee Simon stated that down the road we should also look at the issue with respect to
10 short-term rentals, but that is not what this legislation is about.

11 **Resolution #249-2024**

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

15 WHEREAS Hudson River Kayak Outfitters LLC, d/b/a Hudson River Recreation LLC (HRR),
16 has provided kayak rentals, lessons, and tours to the Village's residents and visitors
17 pursuant to previous agreements with the Village, and

18 WHEREAS, the Village Board has determined it is in the public interest to continue to
19 offer these recreational programs and services through HRR, and

20 WHEREAS an agreement has been prepared outlining the terms for HRR's operation of
21 the kayak concession at the Echo Canoe Launch for the period from December 1, 2024,
22 through December 1, 2029, with provisions for renewal,

23 NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby authorizes
24 the Village Manager to execute the agreement with Hudson River Kayak Outfitters LLC,
25 d/b/a Hudson River Recreation LLC, for the operation of the kayak concession as outlined
26 in the agreement.

27 **DISCUSSION:**

28 Village Manager Healy stated that he believes this agreement is very fair, there is an
29 annual increase in the percentage paid to the Village from the total revenue as well as
30 the annual storage fee.

31 **Resolution #250-2024**

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 4-0 vote.

4 WHEREAS pursuant to Section 493 of the New York State Tax Law, the sale of adult-use
5 cannabis products is subject to a local excise tax of 4 percent of the product price, with
6 the allocation of tax revenue specified therein, and

7 WHEREAS Westchester County receives 1 percent of the total tax on cannabis sales
8 conducted within its boundaries, in accordance with state tax law, and

9 WHEREAS Section 496-b(b)(2) of the New York State Tax Law provides that in cases
10 where a cannabis dispensary is situated in both a village and a town that permit the sale
11 of adult-use cannabis, the remaining tax revenue shall be distributed evenly unless
12 another proportion is agreed upon by the governing bodies of the town and village, and

13 WHEREAS the Village of Croton-on-Hudson and the Town of Cortlandt have negotiated an
14 agreement specifying the allocation of cannabis excise tax revenue, with the Village
15 receiving 2 percent and the Town receiving 1 percent of the tax generated from sales
16 within the Village,

17 NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby authorizes
18 the Village Manager to sign the Cannabis Excise Tax Agreement with the Town of
19 Cortlandt.

20 **DISCUSSION:**

21 Village Manager Healy explained that this agreement is being put in place proactively,
22 there are no current plans for a dispensary to open within the Village of Croton-on-
23 Hudson.

24 **Resolution #251-2024**

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

28 WHEREAS in 2021, the EMS facility at 44 Wayne Street was deemed uninhabitable due to
29 mold and structural issues, requiring the relocation of EMS services to a temporary space
30 at the Harmon Firehouse, and

1 WHEREAS following a comprehensive review and design process involving Sullivan
2 Architecture, P.C., it was determined that an addition to the Harmon Firehouse would
3 serve as a permanent solution for the EMS facility, and

4 WHEREAS the Village of Croton-on-Hudson solicited sealed bids for the Harmon Firehouse
5 roof installation project under Bid No. 9-2024, and

6 WHEREAS three bids were received and publicly opened on November 25, 2024, and

7 WHEREAS the lowest responsible bid was submitted by Armor-Tite Construction of Port
8 Chester, New York, in the amount of \$73,000; and

9 WHEREAS Superintendent of Public Works Frank Balbi has reviewed the submitted bids
10 and has recommended awarding the contract to Armor-Tite Construction Corp.,

11 NOW THEREFORE BE IT RESOLVED that the Village Manager is hereby authorized to
12 award Bid No. 9-2024 to Armor-Tite Construction Corp. of Port Chester, New York, in the
13 amount of \$73,000, and

14 BE IT FURTHER RESOLVED that funding for this project has been allocated in capital
15 account H4540.2102.23445.

16 **Resolution #252-2024**

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

20 WHEREAS the Village of Croton-on-Hudson Dept. of Public Works has requested to
21 purchase a sewer combination truck for maintaining its infrastructure, and

22 WHEREAS the Village of Croton-on-Hudson solicited sealed bids for the sewer
23 combination truck under Bid No. 10-2024, and

24 WHEREAS one bid was received and publicly opened on November 27, 2024, and

25 WHEREAS the lowest responsible bid was submitted by Cyncon Equipment Inc. of Rush,
26 New York, in the amount of \$199,925, and

27 WHEREAS Superintendent of Public Works Frank Balbi has reviewed the submitted bid
28 and has recommended awarding the purchase contract to Cyncon Equipment Inc.,

1 NOW THEREFORE BE IT RESOLVED that the Village Manager is hereby authorized to
2 award Bid No. 10-2024 to Cyncon Equipment Inc. of Rush, New York, in the amount of
3 \$199,925,

4 AND BE IT FURTHER RESOLVED that the Village Treasurer is authorized to utilize a
5 portion of the fund balance in the Sewer Fund in the amount of \$199,925 for the
6 purchase of this vehicle.

7 7. PUBLIC COMMENT – NON-AGENDA ITEMS:

8 Ed Riely, 110 Truesdale Drive, Croton on Hudson, stated that he objects to the
9 Presidential Medal of Freedom being given to former Planned Parenthood President
10 Cecile Richards, believes that the LOT A proposed development is too high at 75
11 feet when you compare it to Metro North's diesel electric shop at 65 feet, and since
12 the Village was able to get Metro North to let go of liens of Village property, the
13 Village should get them to do more.

14 Marilyn Grantner, 115 Cleveland Drive, Croton on Hudson, stated that she is
15 concerned with the work that is being done near the Gotwald Circle, she was
16 hoping that the project would have been completed sooner, it is difficult for school
17 buses and cars to maneuver in that area which will also be exasperated when it
18 snows. Ms. Grantor emphasized that only one percent of the work that Planned
19 Parenthood does relates to abortion.

20 Jane Hallock, 50 Oneida Avenue, Croton on Hudson, asked the Board to list all the
21 positive and negatives reasons of how all these giant new developments in Croton
22 will benefit the taxpayers of Croton. Ms. Hallock stated that she moved to Croton
23 from Yonkers to live in a quieter environment and asked the Board to take into
24 consideration the Village's Vibe.

25 Donna Barbara, 41 Oneida Avenue, Croton on Hudson, stated that there is a lot of
26 traffic that comes onto Oneida Avenue; it is also difficult to make left and right
27 turns from Oneida onto South Riverside and suggested that the parking spaces on
28 South Riverside be pushed back. Ms. Barbara also addressed her concerns of
29 where the dumpsters are going to be placed, they are currently in the back and
30 closer to where Capriccio Restaurant is, but the proposed location has them closer
31 to Oneida Avenue and they would be adjacent to her driveway, she would like to
32 see them pushed to the back and put the parking spaces in that location instead.
33 Ms. Barbara also addressed the number of trees that were removed and asked if
34 they will be replaced, and will the developer be required to do a traffic study.

1 8. REPORTS:

2 Trustee Slippen thanked the Board for having her back and she looks forward to
3 working with Board and the community.

4 Trustee Nicholson stated that the Tree Lighting ceremony will take place this
5 Thursday, thanked DPW on a great job paving Olcott and Oneida, thanked
6 Assemblywoman Levenberg for championing the 9A repaving project, assured
7 everyone that every development project in the Village is weighed heavily to
8 determine what the positive and negative effects will be on the Village, the Village
9 does not have lots where we can grow single family homes, but we have lots
10 where larger developments can be built and these developments will add to our
11 tax revenues and help the Village to continue to sustain our budget. Trustee
12 Nicholson stated that we've heard from the public regarding the traffic at South
13 Riverside and Oneida and we have asked the developer to go back to review the
14 traffic so that we have an understanding of what the volume of traffic will be, the
15 issue of trees and garbage will be delt with during the Site Plan Review, and
16 encouraged everyone to put their concerns in writing to the Planning Board Chair
17 so they have them during the Site Plan Review.

18 Trustee Simon stated that the points raised regarding the 325 South Riverside
19 project are good points and we have asked the developer to put \$10,000 in an
20 Escrow Fund for the Village to analyze their traffic study, NYSEDA (New York
21 State Energy and Research Development Authority) declared Croton #1 for our
22 efforts in the reduction of green-house gases, on November 23rd the Rotary along
23 with Shoprite gave out over 200 hundred turkeys, on Thanksgiving morning
24 Croton High School revived the annual Turkey-Trot fund raiser for the American
25 Heart Association, the Bicycle and Pedestrian Committee met on November 21st to
26 discuss the Bike Share program, the Sustainability Committee met on November
27 24th wherein Lindsay Audin gave an update on the solar array project, participated
28 in a meeting with New York State officials regarding the Quaker Bridge project.

29 Mayor Pugh stated that based on Westchester County's Housing Needs
30 Assessment, there are 500 residents in Croton that are spending half their income
31 or more on housing costs which is due somewhat to the decline in vacancies, and
32 by creating new housing opportunities it brings competition in the market as well
33 as creating opportunities for people to find affordable housing. Mayor Pugh
34 reminded everyone that we live under a New York State Tax Cap of 2 percent, and
35 for the Village to continue to stay within that Tax Cap and keep our Village
36 affordable for all taxpayers, we need to find new sources of revenue and part of

1 that is expanding the property tax base. Mayor Pugh reminded everyone that the
2 Village saw a decline in our train station parking permit revenues during Covid,
3 and while those revenues have increased over the past two years, the Village
4 needs to continue to find ways to increase our tax base. Mayor Pugh stated that
5 when we talk about redeveloping sites in the Village, it is important to remember
6 that these sites once held thriving businesses, and because that property has been
7 very quiet over a number of years, we need to understand what the traffic was
8 when that business was there, and the real focus needs to be on reducing overall
9 traffic not limiting the construction of new homes and/or preventing the creation of
10 new businesses in our community. Mayor Pugh stated that the Village has been
11 working on trying to reduce traffic by expanding our sidewalks, participating in the
12 expansion of the Project Mover program, as well as applying for a Mobility
13 Innovation Grant that would pay for an electric shuttle bus that would provide
14 service throughout the Village. Mayor Pugh stated that instituting a Consent
15 Agenda is a way to make our meetings more efficient and productive, this Agenda
16 was published five days before the meeting which gives the Board and public the
17 opportunity to review them and have an item removed from the Consent Agenda if
18 it is deemed necessary for further discussion, on December 18th at our Regular
19 Meeting the Board will be issuing the Key to Croton to Janet Monahan and Ian
20 Murtaugh and encouraged everyone to support our local businesses during this
21 holiday season.

22 Village Manager Healy stated that the applicant for Save Mor will be doing a traffic
23 study and once that is made available the Board will be reviewing the data, the
24 Solar Canopy project at the train station is moving along and we expect the project
25 to be completed by the end of the year, reminded everyone that Property Tax
26 Exemptions need to be renewed in December and a mailing will be going out to the
27 community outlining the various exemptions, a meeting was held last week
28 regarding the Quaker Bridge project, the County has pushed up the design phase
29 of the project, they will be getting approvals from the New York State DEC, the
30 Army Corps of Engineers, and New York State Historic Preservations, a SEQRA
31 Review will also need to be done and they are hoping to complete the project by
32 the middle of 2026. Village Manager Healy stated that once he has an update on
33 the Cleveland Drive project he will share it with the Board and the public.

34 There being no further comments to come before the Board, a motion to close the
35 meeting was made by Trustee Simon. Motion was seconded by Trustee Nicholson and
36 approved with a 4-0 vote. Meeting adjourned at 8:30pm.

37 Respectively submitted,

1 Judy Weintraub, Board Secretary

2 _____
3 Paula DiSanto, Village Clerk