

1 Regular Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY
2 was held on Tuesday, January 16, 2018 at the Municipal Building, Van Wyck Street,
3 Croton-on-Hudson, NY 10520.

4
5 The following officials were present:
6

Mayor Pugh	Trustee Attias
Village Manager King	Trustee Gallelli
Village Treasurer Bullock	Trustee Horowitz
Village Attorney Brosy	Trustee Murtaugh

7
8 1. CALL TO ORDER:
9

10 Mayor Pugh called the meeting to order at 8:00pm. Everyone joined in the Pledge
11 of Allegiance.

12
13 2. APPROVAL OF VOUCHERS:

14 Trustee Gallelli made a motion to approve the following Fiscal Year 2017-2018
15 Vouchers. The motion was seconded by Trustee Attias and approved with a vote of
16 5-0 vote.

General Fund	\$146,688.65
Water Fund	\$14,077.03
Sewer Fund	\$236.44
Capital Fund	\$208,279.11
Trust Fund	\$4,921.25
	\$374,202.48

17
18 3. PRESENTATION

- 19 a. Mayor Pugh presented John Giglio with a Proclamation in honor of his 25
20 years serving on the Recreation Advisory Committee.
- 21 b. Mayor Pugh and the Board of Trustees appointed Russell Harper to the
22 position of Police Chief. Village Clerk Paula DiSanto administered the
23 Oath of Office to Police Chief Harper. (Complete presentation can be seen by
24 logging onto the Village's Web-Site www.Crotononhudson.org and scrolling down to
25 meetings and agendas.)

26 Police Chief Harper stated that this has been a lifelong dream for him to
27 rise to the position of Police Chief, he is looking forward to working with
28 his Department; this is an awesome Police Department and we will do
29 things together to protect this Village and thanked each one of the
30 members of his Department for all they do. Police Chief Harper stated

1 that his office is open to everyone and looks forward to working with the
2 Board and community and appreciates the Board's confidence.

3 APPOINTING RESOLUTION:

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

7 WHEREAS, Russell Harper joined the Village of Croton-on-Hudson's Police
8 Department on October 10, 1980 as a police officer; and

9 WHEREAS, Russell Harper was promoted to Sergeant on February 19, 1988; and

10 WHEREAS, Russell Harper was promoted to Police Lieutenant on October 8, 2002;
11 and

12 WHEREAS, Anthony L. Tramaglini has retired as Police Chief effective October 26,
13 2017 after 47 years of service; and

14 WHEREAS, Lt. Russell Harper is on the current Westchester County Civil Service
15 Promotional Police Chief List number 76-707,

16 NOW, THEREFORE, BE IT RESOLVED: Russell Harper, of Croton-on-Hudson, NY, is
17 hereby appointed as Police Chief at the salary of \$158,000.00 effective January 17,
18 2018 in accordance with the rules and regulations of the Westchester County
19 Department of Human Resources.

20 DISCUSSION:

21 Trustee Gallelli stated that the Board went through a lengthy process and the
22 leadership that Chief Harper demonstrated through that process and his past
23 history with the Department makes Chief Harper a perfect candidate.

24 Trustee Attias stated that she is very proud to have been a part of this decision; the
25 Board worked very hard through this process; we had three very strong candidates
26 and she looks forward to working with Chief Harper.

27 Trustee Murtaugh stated that Chief Harper has been very diligent over the past
28 thirty-seven/thirty-eight years while he has served our Village and we look forward
29 to his leadership and progressive changes he plans on making to the Department.

1 Trustee Horowitz stated that she supports Chief Harper's appointment; the entire
2 interviewing process was invaluable for her and through that process she gained a
3 better understanding of our Police Department and is very impressed with the
4 entire Department.

5 Mayor Pugh congratulated Chief Harper and additionally thanked the other
6 candidates that stepped forward. Mayor Pugh advised that we had a very intensive
7 interview process and he and the Board appreciate all the effort that was put into
8 this process and looks forward to everything that Chief Harper is going to achieve
9 as Police Chief.

10

11 c. Dan Welsh, Program Director at Westchester Power, gave a short
12 presentation regarding the Community Choice Aggregation Program
13 (complete presentation can be seen by logging onto the Village's Web-Site at
14 www.Crotononhudson.org and scrolling down to meetings and agendas)

15 Mr. Welsh advised that the Westchester Power Program is run through
16 "Sustainable Westchester"; the program currently has one-hundred
17 thousand customers from twenty municipal members. Mr. Welsh advised
18 that the program was established April 2016 which required an issuance
19 of a "Special Order" by the "Public Service Commission" who oversees and
20 regulates the electric service industry in New York State. Mr. Welsh
21 advised that of the twenty municipalities that opted into the program,
22 fourteen of them opted for the "green power program". Mr. Welsh
23 advised that residents of those twenty participating municipalities were
24 automatically put into the program unless they were already signed on
25 with another private supplier or they chose to opt out of the program.
26 Mr. Welsh stated that the program had two goals; one was to save money
27 and the other to create a positive environmental impact and we believe
28 that we have hit the mark on both of those goals and while there is no
29 guarantee that a subscriber will save money, up to now we have done
30 pretty well. Mr. Welsh stated that county-wide we have seen a savings of
31 approximately three million dollars for the participating residents. Mr.
32 Welsh added that approximately seventy thousand residents opted into a
33 green power supply which is something that we should be very proud of.
34 Mr. Welsh explained that the program works by Westchester Power going
35 out for bids and the lowest bidder then becomes the supplier for the
36 program; a contract is then executed with each of the participating

1 municipalities; the current contract will continue through December 31,
2 2018. Mr. Welsh explained that a significant amount of outreach is
3 required before a municipality can make a decision to participate in the
4 program and he believes that Croton has met all of the criteria for entry
5 into the program. Mr. Welsh advised that the "Public Service
6 Commission" has agreed to allow Croton to slide into the existing program
7 and the current contract holder has agreed as well to allow Croton to sign
8 on at the same rates that are being offer to the other participating
9 communities.

10 Trustee Murtaugh stated that when this was first introduced one of the
11 reservations that people had was that they were losing control and asked
12 what the trend has been in savings. Trustee Murtaugh stated that it
13 seems perfectly reasonable that when you go out to bid with a larger pool
14 of customers you are going to have some pull.

15 Mr. Welsh advised that other "CCA's" have seen savings in the range of
16 three to five percent; we have seen savings as well and while we cannot
17 guarantee a savings historically it has been pretty good.

18 Trustee Murtaugh asked Mr. Welsh if he will be able to show residents
19 examples of the historical facts from communities that have already done
20 this during the upcoming presentations. Trustee Murtaugh said that the
21 movement toward the green energy component is sometimes lost in the
22 argument and the emphasis of where we are getting our energy from is
23 very positive and looks forward to seeing the presentations.

24 Trustee Attias asked Mr. Welsh if during the last twenty months is he
25 aware of any municipalities where individuals who have joined
26 "Sustainable Westchester" are now paying more for their energy.

27 Mr. Welsh stated that there was an issue in the NYSEG territory that
28 affected "time of use" customers with day/night rates; the day/night rates
29 are extremely low and even the peak rate is lower than the standard rate
30 and we had an issue in larger complexes such as Heritage Hills in Somers
31 where they were not experiencing savings and most of those customers
32 came out of the program. Mr. Welsh stated that he does not anticipate
33 that any Con-Edison customers will find that they are paying more for
34 energy in this program.

1 Trustee Gallelli stated that the current contract goes to the end of 2018
2 and asked Mr. Welsh to elaborate on what happens at the end of the
3 contract.

4 Mr. Welsh stated that about one hundred and twenty (120) days prior to
5 the end of that contract they are obliged to refresh their "Implementation
6 Plan"; do outreach to let customers know that the contract is ending; go
7 out for new bids; once bids are received and reviewed they will enter in a
8 contract with the new supplier.

9 Mayor Pugh asked if the rate for Croton's participation would be the same
10 as the other municipalities in the program.

11 Mr. Welsh stated that it is his intent to slide Croton into the current rate
12 and it is looking very good at this time.

13 Croton resident, John McCann stated that he actively selected to
14 participate in Con-Edison's rate structure because they offer him a
15 payment platform. Mr. McCann stated that there are twenty-seven
16 suppliers of energy in the State of New York; some of them are offering
17 guarantees of rates for twelve months and some for twenty-four months
18 and asked what the benchmark is that we are using to decide to slam
19 residents from Con-Edison to this program. Mr. McCann stated that it
20 appears we are going to elect the "Renewable" platform and he has no
21 idea what the expected performance criteria would be for such a platform;
22 what would be the metrics to determine whether this procurer of energy
23 is conducting themselves in an efficient manner and asked that the Board
24 recognize their fiduciary responsibilities relative to the initiation to this
25 project.

26 Don Daubney, 45 Bungalow Road, Croton on Hudson, asked if someone
27 opts out of the program can they opt in at another time.

28 Mr. Welsh responded by saying yes; the program is very flexible, and you
29 can opt-out and opt-in without any penalties.

30 Resident of 8 Brook Trail, Croton on Hudson, asked how this company
31 differs from any other "ESCO and is Sustainable Westchester a non-profit.

32 Mr. Welsh stated that "Sustainable Westchester" is a non-profit
33 organization owned by the participating municipalities through their yearly

1 dues. Mr. Welch stated that the difference from this program as compared
2 to other ESCO's is that we don't sign people up to a special low
3 introductory rate as many of the ESCO's do and then when your contract
4 ends and, if you are not watching your bill closely, your rate in most cases
5 goes up.

6 Mayor Pugh thanked Mr. Welch for his presentation and looks forward to
7 the upcoming information meetings.

8
9 d. Review of the Environmental Assessment Form Part II and the Village's
10 Local Waterfront Revitalization Program Policies to determine consistency
11 related to the proposed donation by Steel Style Development Corp. to the
12 Village of a parcel of underwater land located between Half Moon Bay and
13 Senasqua Park.

14

WAC RESPONSE VILLAGE BOARD

Policy	DEVELOPMENT POLICIES	Applicable Yes/No	Consistent Yes/No	Applicable Yes/No	Consistent Yes/No	Comments
1	Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational and other compatible uses	Yes	Yes	Yes	Yes	Board Concurred
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	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	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	No			
1D	Require restoration of deteriorating structures related to railroad use and assure appropriate maintenance and screening to reduce visual impact.	No	No			

1E	Develop the old sewage treatment plant site at the intersection of Route 9A and Municipal Place.	No	No			
2	Facilitate the siting of water dependent uses and facilities on or adjacent to coastal waters	Yes	Yes	Yes	Yes	Board Concurred
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	No			
3	The state coastal policy regarding the development of major ports is not applicable to Croton.	No	No			
4	The state coastal policy regarding the strengthening of small harbors is not applicable to Croton.	No	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	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	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	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	No			
6	Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.	No	No			
6A	To expedite permit procedures, the Village	No	No			

	shall coordinate all relevant local laws into a development package for applicants and/or make all local laws available to applicants proposing 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	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.	Yes	Yes	Yes	Yes	Board Concurred
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	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.	Yes	Yes	Yes	Yes	Board Concurred
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	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	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	No	No			

	not be adversely affected.					
7G	Such activities must not cause degradation of water quality or impact identified significant fish and wildlife habitats	No	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	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.	Yes	Yes	Yes	Yes	Board Concurred
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	Yes	Yes	Yes	Yes	Board Concurred
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	No			
10	Further develop commercial finfish, shellfish and crustacean resources in the coastal area by encouraging the construction of new or improvement of existing on-shore commercial fishing facilities, increasing marketing of the state's seafood products, maintaining adequate stocks, and expanding 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.	No	No			
	FLOODING & EROSION POLICIES					
11	Buildings and other structures will be sited in the coastal area so as to minimize	No	No			

	damage to property and the endangering of human lives caused by flooding and erosion					
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	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	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	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	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	No			
14	Activities and development, including the construction or reconstruction of erosion protection structures, shall be 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.	No	No			
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	No			
16	Public funds shall only be used for erosion	No	No			

	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					
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	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	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	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 the safeguards which the state has established to protect valuable coastal resource areas.	No	No			
	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	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	No	No			

	undeveloped and underutilized land as well as along previously developed land.					
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.	Yes	Yes	Yes	Yes	Board Concurred
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	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	No			
19E	Maintain the trail, which provides access to the Croton River waterfront, in its current undeveloped condition as a pedestrian walkway.	No	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	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 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.	Yes	Yes	Yes	Yes	Board Concurred
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.	Yes	Yes	Yes	Yes	Board Concurred
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	No			
23	Protect, enhance and restore structures, districts, in areas of sites that are of	No	No			

	significance in the history, architecture, archaeology or culture of the state, its communities or the nation.					
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 materials will diminish the scenic quality of an identified resource.	No	No			
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	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	No			
25B	Secure the designation of the panoramic views from Croton Point as a scenic area of statewide significance.	No	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	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	No			

26	The state coastal policy regarding the protection of agricultural lands is not applicable to Croton	No	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	No			
28	Ice management practices shall not damage significant fish and wildlife and their habitats, increase shoreline erosion or flooding, or interfere with the production of hydroelectric power.	No	No			
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	No			
29	The state coastal policy regarding the development of energy resources is not applicable to Croton.	No	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	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	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	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	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	No	No			

	without continual monitoring and testing of the waters.					
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	No			
33	Best Management Practices will be used to ensure the control of storm water runoff and combined sewer overflows draining into coastal waters.	No	No			
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	No			
33B	Improve existing Village storm water discharge to control flow of pollutants from street and parking areas, etc. directly in the rivers.	No	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	No			
34A	There shall be no discharge from moored structures or marine vessels, due to shape of cove and lack of tidal flushing.	No	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	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	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	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	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	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	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	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	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	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	No			
41	Land use or development in the coastal area will not cause national or state air quality standards to be violated	No	No			
41A	A NYSDEC point-source air monitoring station should be established within the Village of Croton-on-Hudson.	No	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	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	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	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	No			
44	Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.	No	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.	Yes	Yes	Yes	Yes	Board Concurred

1

2 SHORT ENVIRONMENTAL ASSESSMENT FORM PART II – Donation by Steel Style
3 Development Corp. to the Village of a parcel of underwater land located between
4 Half Moon Bay and Senasqua Park.

5 ***Short Environmental Assessment Form - Part 2 - Impact Assessment***

6

7 **Part 2 is to be completed by the Lead Agency.**

8 Answer all of the following questions in Part 2 using the information contained in Part 1 and other
9 materials submitted by the project sponsor or otherwise available to the reviewer. When answering the
10 questions the reviewer should be guided by the concept “Have my responses been reasonable considering
11 the scale and context of the proposed action?”
12

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning Regulations?	√	
2. Will the proposed action result in a change in the use or intensity of use of land?	√	
3. Will the proposed action impair the character or quality of the existing community?	√	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	√	
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	√	
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	√	

7. Will the proposed action impact existing: a. public / private water supplies?	√	
b. public / private wastewater treatment utilities?	√	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	√	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	√	
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	√	
11. Will the proposed action create a hazard to environmental resources or human health?	√	

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- a. Review of the Environmental Assessment Form Part II and the Village's Local Waterfront Revitalization Program Policies to determine consistency related to a "Special Permit" Application for a mixed-use occupancy building at 25 South Riverside Avenue. The Applicant proposes to construct a 2nd and 3rd story with a total of 26 units over a new open parking structure.

8

WAC RESPONSE VILLAGE BOARD

Policy	DEVELOPMENT POLICIES	Applicable Yes/No	Consistent Yes/No	Applicable Yes/No	Consistent Yes/No	Comments
1	Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational and other compatible uses	Yes	Yes	Yes	Yes	Board Concurred
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	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	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	No			

1D	Require restoration of deteriorating structures related to railroad use and assure appropriate maintenance and screening to reduce visual impact.	No	No			
1E	Develop the old sewage treatment plant site at the intersection of Route 9A and Municipal Place.	No	No			
2	Facilitate the siting of water dependent uses and facilities on or adjacent to coastal waters	No	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	No			
3	The state coastal policy regarding the development of major ports is not applicable to Croton.	No	No			
4	The state coastal policy regarding the strengthening of small harbors is not applicable to Croton.	No	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.	Yes	Yes	Yes	Yes	Board Concurred
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.	Yes	Yes	Yes	Yes	Board Concurred
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	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.	Yes	Yes	Yes	Yes	Board Concurred

6	Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.	No	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 development activities.	No	No			
	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.	No	No			
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	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.	Yes	Yes	Yes	Yes	Board Concurred
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	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	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.	Yes	Yes	Yes	Yes	Board Concurred
7F	Construction activity of any kind must not cause a measurable increase in erosion or	Yes	Yes	Yes	Yes	Board Concurred

	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.					
7G	Such activities must not cause degradation of water quality or impact identified significant fish and wildlife habitats	Yes	Yes	Yes	Yes	Board Concurred
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	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	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	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	No			
10	Further develop commercial finfish, shellfish and crustacean resources in the coastal area by encouraging the construction of new or improvement of existing on-shore commercial fishing facilities, increasing marketing of the state's seafood products, maintaining adequate stocks, and expanding aquaculture facilities. Such efforts shall be made in a manner which ensures the protection of renewable fish and wildlife resources and considers other activities	No	No			

	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	Yes	Yes	Yes	Yes	Board Concurred
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.	Yes	Yes	Yes	Yes	Board Concurred
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	Yes	Yes	Yes	Yes	Board Concurred
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	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	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	No			
14	Activities and development, including the construction or reconstruction of erosion protection structures, shall be 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.	Yes	Yes	Yes	Yes	Board Concurred
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	No	No			

	such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.					
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	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	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.	Yes	Yes	Yes	Yes	Board Concurred
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.	Yes	Yes	Yes	Yes	Board Concurred
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 the safeguards which the state has established to protect valuable coastal resource areas.	No	No			
	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.	No	No			

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	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.	Yes	Yes	Yes	Yes	Board Concurred
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	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	No			
19E	Maintain the trail, which provides access to the Croton River waterfront, in its current undeveloped condition as a pedestrian walkway.	No	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.	No	No			
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 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.	Yes	Yes	Yes	Yes	Board Concurred
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	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	No	No			

	such activities and the primary purpose of the development					
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.	No	No			
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 materials will diminish the scenic quality of an identified resource.	No	No			
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.	Yes	Yes	Yes	Yes	Board Concurred
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.	Yes	Yes	Yes	Yes	Board Concurred
25B	Secure the designation of the panoramic views from Croton Point as a scenic area of statewide significance.	No	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	Yes	Yes	Yes	Yes	Board Concurred
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	No	No			

	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.					
26	The state coastal policy regarding the protection of agricultural lands is not applicable to Croton	No	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	No			
28	Ice management practices shall not damage significant fish and wildlife and their habitats, increase shoreline erosion or flooding, or interfere with the production of hydroelectric power.	No	No			
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	No			
29	The state coastal policy regarding the development of energy resources is not applicable to Croton.	No	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	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	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	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	No			
31A	Clean water is desired and NYSDEC should continually monitor water quality in the Hudson River and Croton Bay which	No	No			

	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.					
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	No			
33	Best Management Practices will be used to ensure the control of storm water runoff and combined sewer overflows draining into coastal waters.		Yes	Yes	Yes	Board Concurred
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	Yes	Yes	Yes	Yes	Board Concurred
33B	Improve existing Village storm water discharge to control flow of pollutants from street and parking areas, etc. directly in the rivers.	Yes	Yes	Yes	Yes	Board Concurred
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	No			
34A	There shall be no discharge from moored structures or marine vessels, due to shape of cove and lack of tidal flushing.	No	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	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	No			
37	Best Management Practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.	Yes	Yes	Yes	Yes	Board Concurred
37A	Standards and specifications for the control of non-point source discharge as	Yes	Yes	Yes	Yes	Board Concurred

	set forth in Westchester County's Best Management Practice Manual or other recognized reference shall be utilized during development of any site.					
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	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	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	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	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	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	No			
41	Land use or development in the coastal area will not cause national or state air quality standards to be violated	No	No			
41A	A NYSDEC point-source air monitoring station should be established within the Village of Croton-on-Hudson.	No	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	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	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	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	No			
44	Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.	No	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	No			

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4. PUBLIC HEARING

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A motion to open a Public Hearing regarding Local Law Introductory No. 1 of 2018 to amend Chapter 168 Parks and Recreation Areas to change the approval process for sales in parks from a Village Board resolution to authorization of the Village Manager was made by Trustee Horowitz. Motion was seconded by Trustee Attias and approved with a 5-0 vote.

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Carey Andrews asked if people will continue to be able to sell things at "Earth Day".

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Trustee Murtaugh stated that this is basically streamlining the process; before the decision on who could vend in our parks had to come before the Village Board and approved through resolution; the Board has delegated the Village Manager to make an educated decision and if there are any concerns the Village Manager would address it to the Board.

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Trustee Horowitz asked Ms. Andrews if she had concerns that this would move into an area that she is not comfortable with in terms of people turning "Earth Day" into some sort of a commercial situation.

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Ms. Andrews said that they would like it to be open to more people and this will help encourage more people to participate but we certainly would

1 want to carefully regulate it so that it does not turn into a bazaar and that
2 we keep the sale of items related to conservation.

3 There being no further comments to come before the Board a motion to
4 close the Public Hearing was made by Trustee Gallelli. The motion was
5 seconded by Trustee Murtaugh and approved with a 5-0 vote.

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

10 WHEREAS, the Village of Croton seeks to amend Chapter 168 Parks and Recreation
11 Areas to change the approval process for sales in parks from Village Board
12 resolution to authorization of the Village Manager; and

13 WHEREAS, Local Law Introductory No. 1 of 2018 has been drafted to amend
14 Chapter 168 Parks and Recreation Areas; and

15 WHEREAS, a Public Hearing was held and closed on January 16, 2018,

16 NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby
17 adopts Local Law Introductory No. 1 of 2018 to amend Chapter 168 Parks and
18 Recreation Areas to change the approval process for sales in parks from Village
19 Board resolution to authorization of the Village Manager, which upon adoption
20 becomes Local Law 2 of 2018.

21

22 5. CORRESPONDENCE

23 a. Letter from Thomas Kaplan, Fire Council Secretary, dated December 27,
24 2017 advising of Membership changes as of December 26, 2017.

25 b. Letter from Fabiola Tambini-Mallette, NAMI Westchester, dated
26 November 15, 2017 requesting permission to put up ribbons in
27 conjunction with their "May Mental Health Awareness" month.

28 On motion made by Trustee Gallelli and seconded by Trustee Attias the
29 Board of Trustees approved the request from NAMI Westchester to put

up ribbons from May 1st through May 31st in conjunction with "May Mental Health Awareness". Motion was approved with a 5-0 vote.

c. Memo from CHA for Engineering Design Services for the next phase of the "Croton Point Avenue Improvement Project".

6. RESPONSES TO QUESTIONS SUBMITTED BY EMAIL – none

7. PUBLIC PARTICIPATION ON AGENDA ITEMS

Joel Gingold, 55 Nordica Drive, Croton on Hudson, referred to the first resolution regarding "Rules of Procedure" and stated that he had some concerns regarding item k. under "Guidelines for Public Commit" and suggested that the Board add that questions may be asked and responded to if possible during the Citizen Comment period.

Village Manager King stated that questions asked during the Public Comment period will either be addressed in Reports by a Trustee; by herself or, if needed, it will be researched and then responded to at a later date.

Trustee Murtaugh stated that we are trying to make a distinction between a Regular Meeting and a Public Hearing. Trustee Murtaugh said that during Public Comments the Board will let the public speak but the Board is trying to refrain from having a dialogue back and forth and emphasized that all questions will be answered at a later time.

After further discussion the Board agreed to incorporate minor changes to section k.

8. RESOLUTIONS:

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

Resolution Adopting Rules of Procedure for the Board of Trustees of the Village of Croton on Hudson.

Whereas, Village Law § 4-412 provides that the Board of Trustees may determine its own rules of procedure;

Now, Therefore Be It Resolved, the following rules of procedure are adopted pursuant to Village Law § 4-412:

- I. REGULAR MEETINGS: The Board of Trustees conducts Regular Meetings on the 1st and 3rd Mondays of each month at 8pm in the Stanley H. Kellerhouse Municipal Building meeting room. Meeting dates that fall on holidays will be moved to the next day.
- II. The Board of Trustees conducts Work Sessions as needed on the 2nd and 4th Mondays of each month at 7:30pm in the Municipal Building meeting room. Work sessions do not follow the same meeting procedures as Regular Meetings and are held for the purpose of discussion amongst the members of the Board. The presiding officer, at his or her discretion, may invite a member of the public in attendance to offer comment on an agenda topic, but is not compelled to do so.
- III. SPECIAL MEETINGS: Special meetings of the Board of Trustees are all Board meetings other than Regular Meetings. The Mayor or Village Manager may call a Special Meeting upon notice to the entire Board.
- IV. QUORUM: A quorum of the Board must be physically present to conduct business. A quorum of the five-member Board of Trustees is three, regardless of vacancies.
- V. EXECUTIVE SESSIONS: The Board must hold Executive sessions in accordance with NYS Public Officers Law § 105. All executive sessions must be entered into by a motion made from a properly noticed and conducted open meeting.
- VI. AGENDAS: The Clerk and Manager will prepare the agenda at the direction of the Mayor. The Village will publish Agendas for both Regular and Work Session Meetings as notice to the public the Friday before the meeting. However, the Mayor, the Village Manager, or a majority of the Board of Trustees may add items at any time. If necessary, a supplemental agenda may be distributed at the beginning of the meeting.
 - a. Any two members of the Board of Trustees may, by motion at a regular meeting, place an item on the agenda for a subsequent meeting.

1 VII. VOTING: Pursuant to the New York State Village Law and General
2 Construction Law, each member of the Board has one vote. The Mayor
3 may vote on any matter but must vote in case of a tie. A majority of
4 the totally authorized voting power (3 or more) is necessary to pass a
5 matter unless otherwise specified by State law. For example, bond
6 resolutions require a majority of four or more. A vote upon any
7 question must be taken by ayes and noes, and the names of the
8 members present and their votes must be entered in the minutes.
9

10 VIII. GENERAL RULES OF PROCEDURE:

- 11 a. The Mayor presides at the meeting. In the Mayor's absence, the
12 Deputy Mayor presides at meetings of the Board. The presiding
13 officer may debate, move and take any action that may be taken
14 by other members of the Board.
15 b. Each board member must be given the opportunity to speak on
16 every issue. Board members are not required to rise, but in the
17 interests of orderly discussion must be recognized by the presiding
18 officer before making motions and speaking.
19 c. Every motion must be seconded before being put to a vote; all
20 motions must be recorded in their entirety in the Board's minutes.
21 d. Once recognized, a member may not be interrupted when speaking
22 unless it is to call the member to order. If a member is called to
23 order, the member must stop speaking until the question of order is
24 determined, and, if in order, the member must be permitted to
25 proceed. There is no limit to the number of times a member may
26 speak on a question. Motions to close or limit debate may be
27 entertained and require a two-thirds vote to pass.
28

29 IX. GUIDELINES FOR PUBLIC COMMENT:

- 30 a. The public may speak only during the Public Comment periods of the
31 meeting or at such other time as a majority of the Board allows.
32 b. Speakers must step to the front of the room.
33 c. Speakers must give their name, address and the identity of their
34 organization, if applicable.
35 d. Speakers must be recognized by the presiding officer.
36 e. Speakers must limit their remarks to five minutes per public comment
37 period. Depending on the number of people who wish to speak on a
38 specific subject, at the discretion of the Mayor, time limits of three
39 minutes per person, or other similar time frame, may be applied to
40 each speaker.
41 f. Speakers may not yield any remaining time they may have to another
42 speaker.
43 g. Board members may, with the permission of the Mayor, or presiding
44 officer, interrupt a speaker during their remarks, but only for the

purpose of clarification or information.

h. All remarks must be addressed to the Board as a body and not to specific members thereof or the audience.

i. Speakers must observe the commonly accepted rules of courtesy, decorum, dignity and good taste.

j. Interested parties or their representatives may address the Board by written communications. For public hearings written communications submitted in advance are considered at the hearings and provided as back up material.

k. During the comment period speakers may address the Board on issues affecting the Village, the Board will respond to specific questions during their report if the information is immediately available, if the information is not immediately available the Board will make it available as soon as it is practical.

l. The aforementioned public comment guidelines apply to all regular meetings. However, during public hearings the Mayor or presiding officer may recognize questions from the floor.

X. MINUTES:

a. The Clerk or Clerk's designated representative is responsible for taking the minutes of the Board. Minutes must consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon. Minutes must be taken at executive session of any action that is taken by formal vote.

Executive session minutes must consist of a record or summary of the final determination of such action, and the date and vote thereon; provided, however, that such summary need not include any matter which is not required to be made public by the NYS Freedom of Information Law (FOIL). Minutes are not recorded for work sessions unless an action is taken by the Board at that meeting.

b. Minutes must also include the following:

1. Name of the Board;

2. Date, place and time of meeting;

3. Notation of the presence or absence of Board members and time of arrival or departure if different from time of call to order and adjournment;

4. Name and title of other village officials and employees participating in the meeting and the names of audience members that have signed a voluntary sign-in sheet.

5. A summary of communications presented to the Board;

6. Record of reports made by Board or other village personnel; and

7. Time of adjournment; and signature of Clerk or person who took the minutes if not the Clerk.

- 1 c. The Clerk or Clerk's designated representative is responsible for
2 creating a draft of the minutes within the timeframe provided for
3 under the New York State Open Meetings Law. The Board of
4 Trustees approves the minutes at the next board meeting.
5 Amendments to the minutes require approval of the Board of
6 Trustee by a majority vote.
7

- 8 XI. GUIDELINES FOR USE OF RECORDING EQUIPMENT: All regular and
9 work session meetings of the Board are webcast and televised to the
10 extent possible. All members of the public and all public officials are
11 allowed to tape or video record public meetings. Recording is not
12 allowed during executive sessions. Recording should be done in a
13 manner that does not interfere with the meeting. The mayor, or
14 presiding officer, may determine whether the recording is being done in
15 an intrusive manner taking into consideration, but not limited to,
16 brightness of lights, distance from the deliberations of the village board,
17 size of the equipment, and the ability of the public to participate in the
18 meeting. If the recording is determined to be intrusive and interferes
19 with the meeting, the mayor, or presiding officer, may direct that the
20 recording be stopped or undertaken in a different manner or location.
21

- 22 XII. ADJOURNMENT: Meetings shall be adjourned by motion.
23

- 24 XIII. AMENDMENTS TO THE RULES OF PROCEDURE: The Board of Trustees
25 may amend the foregoing procedures by a majority vote.
26

27 DISCUSSION:

28 Trustee Gallelli stated that the reason to formalize this has to do with the time-
29 frame for people to speak; when questions are entertained and answered it
30 becomes very mottled about how much time people have and answering the
31 question during the "Reports" section is a good time to do so.

32 Mayor Pugh stated that what we are going for is a clear demarcation between the
33 time that citizens have (which is five minutes) and the time an elected official has
34 to respond and it becomes difficult to administer the time limit with the switching
35 on and off of the clock.

36 Trustee Attias stated that the changes are important and it now gives the public
37 guidelines and an understanding that we are going to acknowledge questions from
38 the public and when the public can expect a response.

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

4 WHEREAS, the Village of Buchanan has utilized the Town of Cortlandt's organic
5 transfer station, which is currently being relocated from its former Roa Hook Facility
6 to its new Verplanck facility;

7 WHEREAS, the completion of the Verplanck facility is expected to take 1-3 years;
8 and;

9 WHEREAS, the Village and the Village of Buchanan have evaluated entering into a
10 Intermunicipal Agreement which would allow the Buchanan to utilize the organic
11 yard transfer station at 3 Municipal Place for leaf disposal; and

12 WHEREAS, the Village will be billed by Westchester County, as per current protocol,
13 a certain organic yard waste amount and will then allocate said billing to the Village
14 of Buchanan based on the tonnage amount of organic yard waste materials
15 delivered, plus fifteen percent,

16 NOW THEREFORE BE IT RESOLVED: that the Village Board authorizes the Village
17 Manager to sign the Intermunicipal Agreement with the Village of Buchanan to
18 allow their use of 3 Municipal Place for organic yard waste disposal according to the
19 terms of the contract attached hereto.

20 DISCUSSION:

21 Trustee Murtaugh asked what the mechanism is to weigh Buchanan's material when
22 they dump it here and before we take it to Westchester County.

23 Village Manager King advised that they are not going to weight every truck but
24 rather they will come up with estimates of what a truck can hold and quantify it
25 that way; the fifteen percent is to cover any additional overtime that we may incur.

26
27 c. On motion of TRUSTEE HOROWITZ, seconded by TRUSTEE GALLELLI,
28 the following resolution was adopted unanimously by the Board of Trustees of the
29 Village of Croton-on-Hudson, New York; with a 5-0 vote.

30 Whereas, the Village of Croton, the Village of Buchanan, and the Town of Cortlandt
31 share the cost of the annual 9-11 Memorial Ceremony; and

Whereas, the Village of Buchanan has made payment for their portion of the expense,

NOW THEREFORE BE IT RESOLVED, that the Village Treasurer is authorized to amend the 2017-2018 General Fund Budget in the amount of \$119.83 for monies received from the Town of Cortlandt for their share of the 9-11 Memorial Ceremony as follows:

GENERAL REVENUE

Increase

A5110.1710	\$119.83
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GENERAL EXPENSES

Increase

A5110.1200	\$104.46
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A7550.4200	2.69
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A8510.4200	12.68
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d. On motion of TRUSTEE ATTIAS, seconded by TRUSTEE GALLELLI, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York; with a 5-0 vote.

WHEREAS, the corrosion control equipment has been integrated into the Water Department's SCADA system in order to ensure efficient operations; and

WHEREAS, this work by Pierotti Corp. resulted in the overage of \$1,606.23,

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to sign the Change Order in the amount of \$1,606.23 for the cost overage for work related to the integration of the corrosion control equipment into the Water Department's SCADA system and that the Village Treasurer is hereby authorized to pay Pierotti Corp. the remaining balance of \$121,700.92 for the project,

AND BE IT FURTHER RESOLVED: that these amounts be charged to Capital Account H8320-2106-13262.

9. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - none

10. APPROVAL OF MINUTES

1 Motion to approve the minutes as amended of the Regular Meeting held on
2 January 2, 2018 was made by Trustee Murtaugh. Motion was seconded by
3 Trustee Attias and approved with a 5-0 vote.

4 Motion to approve the minutes of the Executive Sessions held on January 2nd,
5 January 3rd, January 4th and January 8, 2018 was made by Trustee Gallelli.
6 Motion was seconded by Trustee Horowitz and approved with a 5-0 vote.

7 11. REPORTS

8 Trustee Attias advised that she attended her first Waterfront Advisory
9 Committee (WAC) meeting and she looks forward to learning more about the
10 Committee. Trustee Attias stated that she was honored to have been
11 involved in the selection of our new Police Chief; it was a very informative
12 process for her and looks forward to the positive changes.

13 Trustee Murtaugh stated that the process of selecting a new Police Chief was
14 fascinating and the Board gave every bit of due diligence in the process and
15 is very proud that Chief Harper has been chosen as our new Police Chief.
16 Trustee Murtaugh stated that it is a testament that our new Police Chief and
17 the Fire Department Secretary were both born and raised in Croton and that
18 the new members of the Fire Department are long-time residents which
19 shows a real continuity and a real thread to this little Village. Trustee
20 Murtaugh thanked the DPW for "brining" the roads prior to the last snow
21 storm in anticipation of the upcoming inclement weather.

22 Trustee Gallelli stated that she was happy that the Board's extensive process
23 and the Board's decision about how to conduct the process resulted in a fine
24 selection for our new Police Chief and she looks forward to working with Chief
25 Harper. Trustee Gallelli advised that she attended the Martin Luther King
26 march; it was well attended and very moving. Trustee Gallelli advised that
27 on January 24th the New York State Department of Environmental
28 Conservation (DEC) will be conducting a meeting to update the community
29 regarding the "Hydrilla" treatment in the Croton River; the meeting will be
30 held at Village Hall at 6:30pm. Trustee Gallelli advised that next Thursday,
31 January 25th, the first presentation will be held regarding the "Community
32 Choice Aggregation" program; 7:30pm at the Library.

33 Trustee Horowitz advised that "Childrenspace" was visited by one of our
34 Police Officers; it was wonderful and the children enjoyed his visit. Trustee

1 Horowitz advised that she attended a meeting called by the "Westchester-
2 Putnam Central Labor Body" where they talked about legislation that is being
3 pushed for "earned sick time" for Westchester workers.

4 Mayor Pugh thanked the Interfaith Community for organizing the Martin
5 Luther King, Jr. memorial activities and thanked the Deputy County
6 Executive for participating as well. Mayor Pugh stated that he supports
7 legislation regarding "earned sick time" and encouraged residents to attend
8 the January 25th "Community Choice Aggregation" information meeting at the
9 Library at 7:30pm.

10 There being no further business to come before the Board; Trustee Attias
11 made a motion to adjourn the meeting. Trustee Murtaugh seconded the
12 motion; the motion was approved with a vote of 5-0. Meeting adjourned at
13 10:40pm.

14 Respectfully submitted

15 Judy Weintraub, Board Secretary

16 _____
17 Paula DiSanto, Village Clerk