

**Village of Cold Spring
Board of Trustees Public Hearing
Tuesday September 7, 2021**

The Village of Cold Spring Board of Trustees held a Public Hearing at Village Hall on Tuesday September 7, 2021 at 6:30 pm. Present were Mayor Dave Merandy, Trustees Marie Early, Kathleen E. Foley, Frances Murphy and Tweeps Phillips Woods.

M. Early provided a brief history of the code update initiative including why it was undertaken and the timeline that brought the initiative to its current status. This public hearing is the third in a series that will be conducted as required to amend the Village Code.

M. Early explained that each trustee will read into the record the changes for a specific chapter addressed at this public hearing.

Chapter 76 – Noise: T. Woods read into record the changes to the chapter.

Stephen Rose, 7 Marion Avenue, commented that limits on the use of leaf blowers should be included in the code as they can reach noise levels as high as 80db. In addition, they spread dirt and, potentially, viruses.

Donald MacDonald, 10 B Street, agreed with S. Rose and stated that when landscapers work on multiple properties within a neighborhood, the noise can be a major annoyance for an extended period of time.

Michael Reisman, 30 Rock Street, suggested that education to the public and landscapers could help alleviate the issue.

M. Early commented that the existing code imposes noise level limits and if any resident believes these are being exceeded then they should call the police.

Chapter 104 - Signs and Placards: F. Murphy read into record the changes to the chapter. There were no public comments.

Chapter 111 – Subdivision of Land: D. Merandy, M. Early and K. Foley read into record the changes to the chapter. There was no public comment

Chapter 124 – Unsafe Buildings: T. Woods read into record the changes to the chapter.

J. Martin, 60 Fair Street asked if this new chapter includes vacant buildings. D. Merandy replied that it does.

Chapter 134 – Zoning: F. Murphy, D. Merandy, M. Early, K. Foley and T. Woods took turns reading into record the changes to the chapter.

D. Merandy read into the record written public comments received from Eric Wirth, 173 Main Street and Chair of the ZBA, M. Hellman ADA Specialist with Westchester Independent Living Center, and Donald MacDonald, 10 B Street.

D. MacDonald commented that a survey should be conducted of the entire village and from that a data base developed and analyzed in order to accurately design standards that can be applied to the whole

village.

M. Reisman commended the Board and everyone involved over the years in their efforts that have resulted with the code update initiative reaching this point. He stated that the proposed Mixed-Use District (MU-1) is of main concern to him.

E. Wirth agreed with D. MacDonald's comments and added that a challenge faced by the Zoning Board of Appeals is that the Village allows non-conforming properties yet expects enforcement of a code that requires conformity across the board. He stated that the Zoning Code should reflect the Village and as such have Zoning Codes that are applicable to the "old" Village and the "new" Village.

J. Martin commented that the current code is consistent with that of other municipalities across the state.

Mayor Merandy made a motion to close the Public Hearing for Chapter 104, 111 and 124. Trustee Early seconded the motion and it passed by a vote of 5-0-0-0.

The Public Hearing for Chapters 76 and 134 remained open.

Resolution 63-2021 (attached) setting the day and time for a public hearing on amending Chapters 64, 101, 108, 114 and 126 of the Village Code and adding Chapter 132 was offered by D. Merandy for adoption and seconded by F. Murphy. Upon roll call vote, the resolution passed by a vote of 5-0-0-0.

Resolution 64-2021 (attached) supporting the Share the Growth Putnam proposal was offered by D. Merandy for adoption and seconded by K. Foley. Upon roll call vote, the resolution passed by a vote of 5-0-0-0.

Parking Committee Recommendations: D. Merandy made a motion to accept the recommendations made by the Parking Committee as presented August 3, 2021. F. Murphy seconded the motion and it passed by a vote of 5-0-0-0.

Philipstown Bike Day: D. Merandy made a motion to approve the request form Philipstown Trails Committee to hold Philipstown Bikes Day on Saturday September 18, 2021. K. Foley seconded the motion and it passed by a vote of 5-0-0-0.

Community Stakeholders Group Ad: K. Foley made a motion to re-run an ad in the local papers seeking volunteers to serve on the Community Stakeholders Group as part of the Police Reform and Reinvention initiative. Due date for letters of interest is October 1, 2021. F. Murphy seconded the motion and it passed by a vote of 5-0-0-0.

15 Main Street: Juhee Lee-Hartford of River Architects returned to the Board seeking a remedy for her client that will allow the operation of a mixed use (café/residence) structure while waiting for NYS to issue a variance for an ADA access ramp that is steeper than the code allows. After a brief discussion the Board instructed J. Lee-Hartford to return after NYS has made a decision on the request for a Variance.

Approval of Bills

M. Early made a motion to approve Batch # 6173 in the amount of \$28,617.23. K. Foley seconded the motion and it passed by a vote of 5-0-0-0.

Approval of Minutes

M. Early made a motion to approve as submitted the minutes of the 8/10/2021 meeting. T. Woods seconded the motion and it passed by a vote of 4-0-0-1 (D. Merandy abstained).

D. Merandy made a motion to approve as submitted the minutes of the 8/12/2021 meeting. M. Early seconded the motion and it passed by a vote of 5-0-0-0.

Adjournment

D. Merandy made a motion to adjourn. T. Woods seconded the motion and it passed unanimously. The meeting adjourned at 9:00 pm.

Submitted by: J. Vidakovich

Mayor Merandy

Date

RESOLUTION 63-2021

Setting a Date and Time for a Public Hearing on Proposed Local Laws Amending Chapters 64, 108, 114 and 126 of the Village Code; Adding Chapter 132 to the Village Code; and Repealing Chapter 101 of the Village Code

The following resolution was offered by Mayor Dave Merandy for adoption and seconded by Trustee Frances Murphy, to wit:

WHEREAS, the Board of Trustees of the Village of Cold Spring seeks to update the Village Code by amending Chapters 64 Historic District, 108 – Streets and Sidewalks, 114 – Swimming Pools, 126 – Vehicles and Traffic, adding Chapter 132 – Waterfront Consistency Review and repealing Chapter 101 – Shopping Carts.

WHEREAS, the Village Board wishes to set a time and place for a public hearing to consider amending Chapters 64, 108, 114 and 126, adding Chapter 132 and repealing Chapter 101.

NOW, THEREFORE, it is hereby:

RESOLVED, that the Village Board hereby determines that it will be the lead agency with respect to the review of the proposed local law (the “project”) in accord with New York State Environmental Quality Review Act (“SEQRA”) and part 617 of the regulations implementing SEQRA, since there are no other agencies that have the authority to approve the project; and let it be further

RESOLVED, that a public hearing be held by the Village Board in order to receive comments and suggestions regarding the proposed amendment to the above listed Chapters and to receive any comments concerning the potential adverse environmental impacts of the proposed legislation in accord with SEQRA, on Tuesday September 28, 2021 at 6:30pm at Village Hall, 85 Main Street, Cold Spring, NY; and it is further

RESOLVED, that the Village Clerk is hereby authorized and directed to cause said public notice of said hearing to be given as provided by law.

On roll call vote:

Trustee Marie Early voted:	Yes
Trustee Kathleen E. Foley voted:	Yes
Trustee Fran Murphy voted:	Yes
Trustee Tweeps Phillips Woods voted:	Yes
Mayor Dave Merandy voted:	Yes

Resolution officially adopted on September 7, 2021 by a vote of 5-0-0-0

Jeffrey Vidakovich-Village Clerk/Treasurer

Date

RESOLUTION 64-2021

Resolution in Support of the Share the Growth Putnam Proposal

The following resolution was offered by Mayor Dave Merandy for adoption and seconded by Trustee Kathleen E. Foley, to wit:

WHEREAS, local businesses in Putnam County collect sales tax, with New York State retaining a portion of the revenue and the rest going to Putnam County; and

WHEREAS, Putnam County is one of only 11 out of 57 New York State counties outside of New York City that does not share sales tax revenue with its local municipalities; and

WHEREAS, Putnam County's lack of sales tax revenue sharing is a loss of funding: in 2019 shared sales tax revenues accounted for nearly 10% of the total revenue for local governments in New York State; and

WHEREAS, local communities in Putnam County are at a disadvantage compared to neighboring counties with sales tax sharing due to the lack of revenue available for economic development and community programming; and

WHEREAS, a county sales tax sharing program would create a new source of revenue without increasing the tax burden on property owners; and

WHEREAS, Putnam County collected more sales tax in 2020 than in 2019 which Putnam County Finance Commissioner Carlin attributed to increasing county sales tax revenues from online shopping after New York State began collecting sales tax from e-commerce in 2019; and

WHEREAS, Putnam County's sales tax revenues are expected to continue to grow in the future as the local economy recovers and online sales tax revenues continue; and

WHEREAS, Putnam County's fiscal health has produced an all-time high fund balance surplus of \$67.8 million;

WHEREAS, an expanded sales tax sharing agreement negotiated between neighboring Dutchess County and its local governments in 2013 provides a model for sharing any annual increase in sales tax revenues to local communities;

WHEREAS, an approach to sharing any annual growth in sales tax revenues with local municipalities would retain Putnam County's financial stability, as no sales tax revenues would be shared locally in economic downturns;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Cold Spring does hereby endorse the Share the Growth Putnam proposal as a commonsense framework for Putnam County to share annual sales tax growth locally, with 50% of the annual growth in

sales tax from the previous year retained by the county and 50% of the annual growth distributed to local municipalities based on population.

On roll call vote:

Trustee Marie Early voted:	Yes
Trustee Kathleen E. Foley voted:	Yes
Trustee Fran Murphy voted:	Yes
Trustee Tweeps Phillips Woods voted:	Yes
Mayor Dave Merandy voted:	Yes

Resolution officially adopted on September 7, 2021 by a vote of 5-0-0-0

Jeffrey Vidakovich-Village Clerk/Treasurer

Date