



VILLAGE OF COLD SPRING
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Board of Trustees
Meeting Minutes - October 5, 2021

The Board of Trustees of the Village of Cold Spring held a workshop meeting on October 5, 2021 via videoconference as per Chapter 417 of NYS Laws of 2021. Present were Mayor Dave Merandy, Trustees Marie Early and Frances Murphy. Trustee Kathleen E. Foley arrived at 7:25pm. Trustee Tweeps Phillips Woods was absent. D. Merandy called the meeting to order at 6:30 pm.

Continuation of Public Hearing for Chapter 126

There were no additional public comments. D. Merandy made a motion to close the public hearing for Chapter 126 – Vehicle and Traffic. M. Early seconded the motion and it passed by a vote of 3-0-0-2 (K. Foley and T. Woods absent).

Workshop with Recreation Commission

The Recreation Commission presented drafts of new applications for Ticketed and Non-ticketed uses of Village Parks (Mayor's Park Field and/or Pavilion, McConville Park and Bandstand). Comments from the Board included:

- M. Early stated that allowing 2,000 people for ticketed events was too many for the village. After a brief discussion it was agreed to reduce the figure to 1,500 inclusive of vendors and organizer personnel.
- M. Early stated that a time limit should be instituted for the use of Mayor's Park Pavilion at the proposed fee levels. After a discussion it was agreed to set a 4-hour time limit with an additional charge of \$25/hour for each hour over 4 hours.
- Requirements for tent inspections by the Building Inspector should be added to the Terms & Conditions

The Recreation Commission will make the necessary edits to the applications and re-submit to the Board for review

D. Merandy made a motion to accept Ruthanne Cullinan Barr's resignation from the Recreation Commission. M. Early seconded the motion and it passed by a vote of 3-0-0-2.

D. Merandy made a motion to appoint Jeff Amato, Jr. as Chair of the Recreation Commission. F. Murphy seconded the motion and it passed by a vote of 3-0-0-2.

D. Merandy made a motion to appoint Aaron Michael Leonard as a member of the recreation Commission. M. Early seconded the motion and it passed by a vote of 3-0-0-2.

The Commission presented recently received and approved applications:

- Girl Scouts at the Pavilion on 10/17 from 1PM-3PM

- Maggazzino Italian Art at the Bandstand on 10/16 and 10/17 from 9AM – 5PM

Board Business

Resolution 67-2021 (attached) authorizing filing of a negative declaration for Chapters 111 And 124 of the Village Code was offered by D. Merandy for adoption and seconded by M. Early. Upon roll call vote, the resolution passed by a vote of 3-0-0-2.

Resolution 68-2021 (attached) adopting Local Law 30 of 2021 amending Chapter 111 – Subdivision of Land of the Village Code was offered by D. Merandy for adoption and seconded by M. Early. Upon roll call vote, the resolution passed by a vote of 3-0-0-2.

Resolution 69-2021 (attached) adopting Local Law 31 of 2021 adding Chapter 124 – Unsafe Buildings to the Village Code was offered by D. Merandy for adoption and seconded by M. Early. Upon roll call vote, the resolution passed by a vote of 3-0-0-2.

Resolution 70-2021 (attached) adopting Local Law 32 of 2021 repealing Chapter 101 – Shopping Carts from the Village Code was offered by D. Merandy for adoption and seconded by M. Early. Upon roll call vote, the resolution passed by a vote of 3-0-0-2.

Resolution 71-2021 (attached) awarding the bid for the rebuilding of a stone wall to Jablko Construction was offered by D. Merandy for adoption and seconded by F. Murphy. Upon roll call vote, the resolution passed by a vote of 3-0-0-2.

Request by Chamber of Commerce for use of Bandstand and Halloween Parade: Tabled pending additional details from Chamber of Commerce regarding coordination of start of parade. F. Murphy to contact Chamber.

Request for relief from Chapter 100 - Short Term Rentals

Dave and Melia Marzullo, owners of 75 Main Street, appeared before the Board seeking relief from the Chapter 100 – Short Term Rentals - on the grounds of economic hardship. They are requesting a 1-year exemption from the entirety of the code.

- M. Early stated that the request should be for relief from a specific section of the code and not the entirety of it. She added that if granted, what would prevent everyone from applying for relief on the same grounds?
- D. Merandy agreed with M. Early's statements and added that if granted this could open to people buying "properties for profit" in the Village.
- K. Foley noted the request defeats one of the goals of the law – LLC's with non-residency occupancy. She added that the property owners can still utilize the property for long-term rental

D. Merandy stated that more time was needed to consider the request. The matter was tabled until further notice.

Approval to purchase Toughbook: D. Merandy made a motion to approve the quote of \$6,288.54 for the purchase of Toughbook for the new police car. K. Foley seconded the motion and it passed by a vote of 4-0-0-1.

Request by League of Women Voters to set up Voter Registration table on Main Street: D. Merandy made a motion to allow the League of Women Voters to set up a Voter Registration table on Main Street (adjacent to Visitor's Center) on 10/6 and/or 10/7. K. Foley seconded the motion and it passed by a vote of 4-0-0-1.

Discussion on chapter 134 – Zoning

M. Early presented revisions to the zoning classifications of specific properties based on discussion and vote of Board at the 9-29-2021 meeting (see attached spreadsheet).

M. Early made a motion to accept the changes to 27 properties as follows:

Tax Map id	Address of tax lot	Owner	Current	Proposed
48.12-1-20	29-31 Rock	William McComish	I-1	R-1
48.12-1-18	29 Kemble	Diane McConville	I-1	R-1
48.12-1-17	31 Kemble	Diane McConville	I-1	R-1
48.12-1-23.2	3 Rock	Hirockviews LLC	R-3	R-3
48.12-1-23.3	7 Rock	Hirock LLC	R-3, I-1	R-3
48.12-1-22	15 Rock	Maria Szulc, Alan Wernick	I-1, R-3	R-1
48.12-1-21	21-25 Rock	Denise Catuongo	I-1, R-3	R-1
48.12-1-14	The Boulevard	Forge Gate	I-1, R-3	R-3
48.12-1-15	1-7 The Boulevard	Joseph Percacciolo III, Robert Percacciolo, Timothy Sullivan	I-1	R-1
48.12-1-16	3 The Boulevard	Joseph Percacciolo III, Kathleen Percacciolo	I-1	R-1
49.-1-76	Foundry Cove	Scenic Hudson Land Trust	I-1, I-2	PR-1
49.9-1-23	59 Chestnut St.	Joseph F. Curto Jr., Kathryn M. Curto	R-1, I-1, I-2	R-1
49.9-1-20	63 Chestnut St.	Putnam History Museum	R-1, I-1, I-2	PR-1
49.9-1-10	79 Chestnut St.	Scenic Hudson Land Trust	I-1, I-2	PR-1

Tax Map id	Address of tax lot	Owner	Current	Proposed
48.12-1-44.1	47 Market St.	Scenic Hudson Land Trust	B-1	PR-1
48.12-1-45	45 Market St.	Chapel of Our Lady Restoration	B-1	PR-1
48.12-1-54.2	10 West St.	State of New York	R-1	PR-1
48.8-3-9	37 Morris Ave.	Trustees Haldane Central School	R-1	PR-1
48.12-1-52	1 West St.	Village of Cold Spring	Recreation	PR-1
48.12-1-53	3 West St.	Raymond T. Impellittere	Recreation	R-1
48.12-1-51	5 New St.	Village of Cold Spring	B-1	PR-1
49.5-3-45.4	65 Paulding Ave.	Kirsten and Matthew Sherman	B-4	R-1
49.5-3-45.3	63 Paulding Ave.	Butterfield Realty LLC	B-4	R-1
49.5-3-45.2	61 Paulding Ave.	Butterfield Realty LLC	B-4	R-1
49.5-3-3	25 Chestnut St.	Katherin M. and Thomas E. Hendrix	B-1	R-1
48.8-6-25.1	30 Wall St.	Jay Carlton Mueller and Claudia Matelyn Dizenzo	B-2	R-1
49.5-3-45.1	1756 Rt. 9D	Butterfield Realty LLC	B-4	B-4A

F. Murphy seconded the motion and it passed by a vote of 4-0-0-1.

Adjournment

D. Merandy made a motion to adjourn. F. Murphy seconded the motion and it passed by a vote of 4-0-0-1. Meeting adjourned at 9:05 pm.

Resolution # 67-2021 Authorizing Filing of Negative Declaration for Chapters 111 and 124 of the Village Code

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

Whereas, the Village of Cold Spring Board of Trustees is the SEQR Lead Agency for conducting the environmental review for adoption of two Chapters of the Village Code - 111 (Subdivision of Land) and 124 (Unsafe Buildings) within the Village of Cold Spring, Putnam County, New York, and

Whereas, there are no other involved local or federal agencies pursuant to SEQR, and

Whereas, the Village Board has reviewed the Environmental Assessment Form (EAF) for the action, including the Part 1, Part 2, and Part 3 dated 9/02/21, the probable environmental effects of the action against the Criteria for Determining Significance, and has considered such impacts as disclosed in the EAF.

Now Therefore Be It Resolved, that the Village Board adopts the findings and conclusions relating to probable environmental effects contained within the attached EAF and Negative Declaration and authorizes the Mayor to execute the EAF and file the Negative Declaration in accordance with the applicable provisions of law, and

Be It Further Resolved, that the Village Board authorizes the Mayor to take such further steps as might be necessary to discharge the Lead Agency's responsibilities on this action.

On roll call vote:

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

Resolution officially adopted on October 5, 2021 by a vote of 3-0-0-2

Jeff Vidakovich, Village Clerk-Treasurer

Date

**Resolution # 68-2021 Adopting Local Law 30 of 2021 Amending Chapter 111 –
Subdivision of Land**

The following resolution was offered by Mayor Dave Merandy for adoption and seconded by Trustee Marie Early to wit:

WHEREAS, the Village of Cold Spring Board of Trustees has caused to be prepared a draft of the local law to amend Chapter 111– Subdivision of Land of the Village Code; and

WHEREAS, the Village of Cold Spring Board of Trustees held a duly noticed public hearing on the draft local law on September 7, 2021; and

WHEREAS, the Village of Cold Spring Board of Trustees has complied with the requirements of the State Environmental Quality Review Act (“SEQRA”) as it applies to the adoption of the draft local law.

NOW, THEREFORE, BE IT RESOLVED that Local Law No. 30 of 2021 is hereby adopted and the Village Clerk is authorized and directed to take all of the actions necessary to complete the local law adoption procedure including filing said local law with the New York State Office of the Secretary of State.

On roll call vote:

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

Resolution officially adopted on October 5, 2021 by a vote of 3-0-0-2

Jeff Vidakovich, Village Clerk-Treasurer

Date

**Resolution # 69-2021 Adopting Local Law 31 of 2021 Adding Chapter 124 –
Unsafe Buildings**

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

WHEREAS, the Village of Cold Spring Board of Trustees has caused to be prepared a draft of the local law to add Chapter 124– Unsafe Buildings to the Village Code; and

WHEREAS, the Village of Cold Spring Board of Trustees held a duly noticed public hearing on the draft local law on September 7, 2021; and

WHEREAS, the Village of Cold Spring Board of Trustees has complied with the requirements of the State Environmental Quality Review Act (“SEQRA”) as it applies to the adoption of the draft local law.

NOW, THEREFORE, BE IT RESOLVED that Local Law No. 31 of 2021 is hereby adopted and the Village Clerk is authorized and directed to take all of the actions necessary to complete the local law adoption procedure including filing said local law with the New York State Office of the Secretary of State.

On roll call vote:

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

Resolution officially adopted on October 5, 2021 by a vote of 3-0-0-2

Jeff Vidakovich, Village Clerk-Treasurer

Date

Resolution # 70-2021 Adopting Local Law 32 of 2021 Repealing Chapter 101 – Shopping Carts

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

WHEREAS, the Village of Cold Spring Board of Trustees has caused to be prepared a draft of the local law to repeal Chapter 101– Shopping Carts of the Village Code; and

WHEREAS, the Village of Cold Spring Board of Trustees held a duly noticed public hearing on the draft local law on September 28, 2021; and

WHEREAS, the Village of Cold Spring Board of Trustees has complied with the requirements of the State Environmental Quality Review Act (“SEQRA”) as it applies to the adoption of the draft local law.

NOW, THEREFORE, BE IT RESOLVED that Local Law No. 32 of 2021 is hereby adopted and the Village Clerk is authorized and directed to take all of the actions necessary to complete the local law adoption procedure including filing said local law with the New York State Office of the Secretary of State.

On roll call vote:

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

Resolution officially adopted on October 5, 2021 by a vote of 3-0-0-2

Jeff Vidakovich, Village Clerk-Treasurer

Date

RESOLUTION #71-2021
AWARDING BID FOR REBUILDING STONE WALL

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

WHEREAS, the Village of Cold Spring (the "Village") needs to rebuild a portion of the stone wall located on the north side of Main Street between "B" and Orchard Streets; and

WHEREAS, the Village solicited bids via The Empire State Bid System and required Legal Notice in the Village's newspaper of record; and

WHEREAS, the Village received a total of eight (8) bids; and

WHEREAS, Donald MacDonald, Architect, reviewed the submissions of the three lowest bidders and has made a recommendation to the Village; therefore

IT IS HEREBY RESOLVED that the Village awards the bid for the rebuilding of the stone wall on the north side of Main Street between B and Orchard Streets to the lowest bidder, Jablko Construction, at a cost of Eighty-Seven Thousand Dollars (\$87,000) plus the cost of supplying any additional wall stone necessary at a cost of Two Thousand Five Hundred Dollars (\$2,500) per pallet.

On roll call vote:

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

Resolution officially adopted on October 5, 2021 by a vote of 3-0-0-2.

Jeff Vidakovich, Village Clerk-Treasurer

Date