



**VILLAGE OF COLD SPRING**  
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**Village of Cold Spring Board of Trustees  
Meeting Minutes  
February 23, 2022**

The Board of Trustees of the Village of Cold Spring held a Meeting on Wednesday February 23, 2022 via Videoconference as per Chapter 1 of the NY State Local Laws of 2022. Present were Mayor Kathleen E. Foley, Trustees Cathryn Fadde and Eliza Starbuck. Trustees Joe Curto and Tweeps Phillips Woods were absent. The meeting was called to order at 7:00 pm

**Public Hearing for Franchise Agreement with Cablevision of Wappingers Falls**

K. Foley made a motion to open the public hearing. C. Fadde seconded the motion and it passed by a vote of 3-0-0-2.

Village Clerk Jeff Vidakovich provided brief background on the agreement:

- Originally approved in June 2021. Public Service Commission rejected contract because the Public Hearing Notice did not publish as required
- Agreement does not provide exclusivity to Cablevision
- Agreement provides Village with \$3,500 technology grant

No members of the public had comments. K. Foley stated that public hearing will be kept open until later in the meeting in case anyone from the public wishes to comment.

**Board Business**

**Resolution 04-2022 Approving 2021 Firefighters Record Listing**

K. Foley made a motion to adopt Resolution 04-2022 (attached) approving 2021 Firefighters Record Listing. C. Fadde seconded the motion and it passed by a vote of 3-0-0-2.

**Resolution 05-2022 Adopting Historic District Map**

E. Starbuck made a motion to adopt Resolution 05-2022 (attached) adopting the corrected Historic District Map. K. Foley seconded the motion and it passed by a vote of 3-0-0-2.

**Review of Applications for Ticketed Use of Mayor's Park**

**Hops on the Hudson:** John Scherer presented the application.

- To be held 7/16/2022
- Asked if the dip by the dugout could be repaired before the event as it is a safety hazard. Per Jeff Amato, Recreation Commission chair, it will be repaired.

The Board approved the application by a vote of 3-0-0-2 pending the following:

- Approval from Haldane for use of the school parking lot on the day of the event
- Verification from L. Burke on number of police officers needed

**Putnam Wine & Food Fest** Jeff Amato, Jr. and Lauren Drummond presented the application

- To be held 8/6 – 8/7
- Will be selling tickets through Metro North to incentivize use of public transportation
- Six portable toilets will be available (1 handicap)
- Agreed to move food trucks to the front area of the Pavilion area (between entrance gate and Pavilion)

The Board noted that the application was missing the following items:

- updated site plan map showing restricted areas
- Approval from Haldane for use of the parking lot for the event

K. Foley made a motion to table a vote on the application pending submission of the missing items. C. Fadde seconded the motion and it passed by a vote of 3-0-0-2.

#### **Request to Purchase Village Owned Property Adjacent to 45 Fair Street**

James Ely, owner of Riverview Restaurant, has requested to purchase property in front of his building at 45 Fair Street. He had previously built a patio area on this strip of property. He claims he had permission from the Village to build on the strip though such an agreement was never memorialized.

The Mayor and Trustees were in agreement that it makes sense to proceed with the sale. E. Starbuck made a motion to move forward with the sale of the property pending the establishment of the sale price. C. Fadde seconded the motion and it passed by a vote of 3-0-0-2.

#### **Request for Kids Fishing Derby**

K. Foley made a motion to approve the request by the Nelsonville Fish and Fur Club to host the Kids Fishing Derby on May 1, 2022 at the Foundry Reserve Dam. C. Fadde seconded the motion and it passed by a vote of 3-0-0-2.

#### **Approval of Bills**

K. Foley made a motion to approve Batch # 6383 in the amount of \$63,624.96. E. Starbuck seconded the motion and it passed by a vote of 3-0-0-2.

#### **Approval of Minutes**

Approval of the minutes of the 1/5/22 meeting was tabled

C. Fadde made a motion to approve the minutes of the 2/9/22 meeting as submitted. E. Starbuck seconded the motion and it passed by a vote of 3-0-0-2.

#### **Public Hearing for Franchise Agreement with Cablevision of Wappingers Falls**

K. Foley made a motion to close the public hearing. E. Starbuck seconded the motion and it passed by a vote of 3-0-0-2.

E. Starbuck made a motion to adopt Resolution 03-2022 (attached) authorizing the mayor to sign a Franchise Agreement with Cablevision of Wappingers Falls. K. Foley seconded the motion and it passed by a vote of 3-0-0-2.

### **Public Comment**

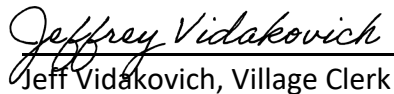
Mike Turton asked the following questions:

- Regarding large ticketed events, are these beneficial to the Village?
  - K. Foley commented that she shares the concern and noted that the applications had recently been revised and event fees increased
- Would the Recreation Commission consider surveying event attendees to help determine the value of the events?
- Will the Ad-Hoc Committee on Police Reform be open to the public?
  - That is a decision for the committee to make

### **Adjournment**

K. Foley made a motion to adjourn the meeting. E. Starbuck seconded the motion and it passed by a vote of 3-0-0-2. Meeting adjourned at 8:28pm.

Submitted by: J. Vidakovich

  
Jeff Vidakovich, Village Clerk

March 24, 2022  
Date

**RESOLUTION #04-2022**  
**APPROVING 2021 FIREFIGHTER RECORDS LISTING**

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

**WHEREAS**, Article 11-A of the New York State General Municipal Law requires that a list of volunteers who earned a year of Service Credit during 2021 be approved by the Fire Department and submitted to the Board of Trustees for review and approval; and

**WHEREAS**, once approved the list must be returned to the Fire Department so that it can be posted for at least 30 days as required by Article 11-A; therefore

**IT IS HEREBY RESOLVED** that the Village of Cold Spring Board of Trustees has reviewed and approved 2021 Firefighters Records listing.

On roll call vote:

|                                      |        |
|--------------------------------------|--------|
| Trustee Joseph Curto Jr. voted:      | Absent |
| Trustee Cathryn Fadde voted:         | Aye    |
| Trustee Eliza Starbuck voted:        | Aye    |
| Trustee Tweeps Phillips Woods voted: | Absent |
| Mayor Kathleen E. Foley voted:       | Aye    |

Resolution officially adopted on February 23, 2022 by a vote of 3-0-0-2

## **Resolution #05-2022**

### **Adopting Historic District Map**

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

**WHEREAS**, in 1976, the Mayor and the Board of Trustees created the local Cold Spring Architectural and Historic District, the boundaries of which remain unchanged; and

**WHEREAS**, a hand-drawn map was prepared and adopted by the Board of Trustees and registered in Albany as the official map of the District; and

**WHEREAS**, in 1982 a portion of the local District was nominated to the National Register. Similarly, the boundaries for the National portion of the district have remained unchanged; and

**WHEREAS**, in 1999 a more detailed interpretation of the 1976 map was created using lot-line overlays based on the Village zoning map. The 1999 version did not precisely follow lot lines, resulting in a map identifying some parcels being partially located in/out of the District; and

**WHEREAS**, in 2021 the Historic District Review Board, working with Putnam County Department of Information Technology, began reformatting the map to revise the 1999 version and reflect correct lot-lines within the village; therefore

**IT IS HEREBY RESOLVED** that the Village of Cold Spring Board of Trustees adopts the map of the Historic District with the following parcel specific adjustments:

- 14 Cedar Street (49.5-2-34): Remove entirely from District
- 10 Locust Ridge (49.5-2-26): Include entirely within the District
- 41-51 Chestnut Street (49.9-1-14): Include entirely within the District
- 27 Marion Avenue (49.9-1-38): Remove entirely from the District
- 3 Benedict Avenue (49.9-1-37.1): Remove entirely from District
- 5 Benedict Avenue (49.9-1-37.2): Remove entirely from District
- 7 Benedict Avenue (49.9-1-37.3): Remove entirely from District
- 50 Kemble Avenue (49.9-1-9): Remove entirely from District
- West Point Foundry Park Reserve (49.9-1-10): Include entirely within the District

**IT IS HEREBY FURTHER RESOLVED** that adoption is conditional on the inclusion of boundaries indicating the National and Local Districts.

On roll call vote:

Trustee Joseph Curto Jr. voted:

Absent

|  |        |
|--|--------|
| Trustee Cathryn Fadde voted:           | Aye    |
| Trustee Eliza Starbuck voted:          | Aye    |
| Trustee Tweepers Phillips Woods voted: | Absent |
| Mayor Kathleen E. Foley voted:         | Aye    |

Resolution officially adopted on February 23, 2022 by a vote of 3-0-0-2.

**RESOLUTION # 03-2022**  
**AUTHORIZING THE VILLAGE OF COLD SPRING TO RENEW A CABLE FRANCHISE AGREEMENT WITH**  
**CABLEVISION OF WAPPINGERS FALLS, INC., TO OPERATE A CABLE SYSTEM IN THE VILLAGE OF COLD**  
**SPRING**

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

**WHEREAS**, the Village of Cold Spring (the “Village”) is a “franchising authority” in accordance with Title VI of the Communications Act of 1934, (the “Communications Act”), and is authorized to grant one or more nonexclusive cable television franchises pursuant to Article 11 of the New York Public Service Law, as amended, and Title 16, Chapter VIII, Parts 890.60 through 899, of the Official Compilation of Codes, Rules and Regulations of the State of New York, as amended (collectively the “Cable Laws”);

**WHEREAS**, the Village, executed a franchise agreement with Cablevision of Wappingers Falls, Inc. (the “Franchisee”) on February 6, 2009, which was thereafter confirmed and made effective by the New York State Public Service Commission (“Commission”) on February 10, 2010 for a term of ten (10) years (Case No. 09-V-0292), and

**WHEREAS**, said franchise agreement expired on February 10, 2020; and

**WHEREAS**, Franchisee has submitted a proposed franchise renewal agreement (the “Franchise Renewal Agreement”) to continue operating its system within the Village; and

**WHEREAS**, The Village and Franchisee have mutually agreed to the terms of said Franchise Renewal Agreement; and

**WHEREAS**, the Village has determined that the Franchisee is and has been in substantial compliance with all terms/provisions of its existing franchises and applicable law; and

**WHEREAS**, the Village has determined that Franchisee has the requisite legal, technical and financial capabilities to operate a cable system within the Village and that Franchisee’s proposals for renewal of the franchises meet the cable related needs of the Community; and

**WHEREAS**, a duly noticed Public Hearing, affording an opportunity for all those interested parties within the Village to be heard on the proposed Franchise Renewal Agreement was held before the Village on February 23, 2022.

**NOW, THEREFORE**, be it

**RESOLVED**, that the Village Board determines that it is in the best interest of the public to award the Franchise Renewal Agreement to the Franchisee; and be it

**FURTHER RESOLVED** that the Village Board hereby authorizes the mayor to enter into the Franchise Renewal Agreement with Cablevision of Wappingers Falls, Inc., and to execute any other documents necessary to effectuate the granting of the franchise renewal on behalf of the Village of Cold Spring.

On roll call vote:

|                                     |        |
|-------------------------------------|--------|
| Trustee Joseph Curto Jr. voted:     | Absent |
| Trustee Cathryn Fadde voted:        | Aye    |
| Trustee Eliza Starbuck voted:       | Aye    |
| Trustee Tweep Phillips Woods voted: | Absent |
| Mayor Kathleen E. Foley voted:      | Aye    |

Resolution officially adopted on February 23, 2022 by a vote of 3-0-0-2.