

**Village of Cold Spring  
Village Board of Trustees  
85 Main Street, Cold Spring, New York 10516**

**Executive Session**

1-12-2021

The Village of Cold Spring Board of Trustees held an Executive Session to seek advice of counsel and discuss the employment history of an individual, via video conference pursuant to Executive Order 202.1 on Tuesday, January 12, 2021 at 6:34 pm. Present were: Mayor Merandy and Trustees Marie Early, Heidi Bender, Kathleen E. Foley and Frances Murphy. Also attending were John Furst and Jeffrey Sculley of Catania, Mahon & Rider, PLLC. The Executive Session exited at 7:35pm.

**Trustees Monthly Meeting  
1-12-2021**

The Village of Cold Spring Board of Trustees held its monthly meeting via video conference pursuant to Executive Order 202.1 on Tuesday January 12, 2021 at 7:30 pm. Present were: Mayor David Merandy and Trustees Marie Early, Heidi Bender, Kathleen E. Foley and Frances Murphy. Also present was Village Clerk Jeff Vidakovich.

**FINANCIAL REPORT**

In a written report Village Accountant Michelle Ascolillo reported that:

- Letters were mailed to the owners of 15 parcels for unpaid taxes. If not paid by January 31<sup>st</sup>, the Village will send the list to the county which will issue a check to the Village for those unpaid taxes, plus penalties
- W-2, 1099, ACA reporting and year-end tax filings (NYS & federal) for the Village are in process. Most are due February 1<sup>st</sup>.
- No significant changes to revenue have occurred or are anticipated
- A tentative budget timeline has been developed to adopt the FY21-22 budget by the NYS mandated deadline of May 1<sup>st</sup>. Additional meetings can be added, if needed.
- FY21-22 Tentative Budget Timeline
  - February 8<sup>th</sup> – worksheets distributed to departments
  - February 9<sup>th</sup> – Discussion on tax levy, Village-wide items for consideration, potential large purchases and overall thoughts from Board members
  - February 18<sup>th</sup> – Department budget worksheets due
  - February 15<sup>th</sup> – 26<sup>th</sup> – Departmental meetings to discuss budgets (usually by Village Accountant, a Trustee and the Department Head). Assignments as noted:
    - Highway – Mayor Merandy & Trustee Bender
    - Water/Sewer – Trustee Murphy & Trustee Foley
    - Police – Trustee Early

- Shared Services – M. Ascolillo & J. Vidakovich
- Recreation – Mayor Merandy
- Court - None
- TAB – Trustee Bender
- HDRB – Trustee Foley
- March 2<sup>nd</sup> – Preliminary budget available for Board review
- March 9<sup>th</sup> – Preliminary budget presentation
- March 20<sup>th</sup> – Tentative budget prepared including changes resulting from Board discussions. (This isn't a meeting date, but rather a NYS milestone date.)
- March 23<sup>rd</sup> – Meeting to continue budget discussion
- April 6<sup>th</sup> – Last workshop for changes to tentative budget
- April 13<sup>th</sup> – Public Hearing
- April 27<sup>th</sup> - Adoption

#### **POLICE DEPARTMENT REPORT**

For the month of December 2020, OIC Burke noted that:

- There were 46 calls for service
- There were 92 tickets issued
- There was one arrest for violation of the Vehicle Traffic Law

#### **MONTHLY REPORTS**

##### Recreation Commission

None

##### Planning Board

None

##### Zoning Board of Appeals

In a written report for December 2020 the ZBA noted that:

- The ZBA opened a public hearing on 12-3-20 to consider an application for a 6' fence at 33 Market Street. The hearing was adjourned, without any action, to wait for required review by Putnam County Planning Department.
- The ZBA continued a public hearing on 12-17-2020 for 33 Market Street. At applicant's request, the hearing was adjourned. No other business was undertaken except review of minutes
- Heath Salit attended his first meeting as a ZBA member

##### Historic District Review Board

Sean Conway noted that during the month of December 2020:

- HDRB met twice with owner of 212 Main Street to discuss alterations to the front and rear porches, as well as modifications to an existing garage. Garage modifications require ZBA approval and that portion of the application has been tabled
- HDRB met with representatives of 29-31 Rock Street regarding their driveway project. The public comment period will be held open until 1-13-2021.
- HDRB conducted a site visit to 29-31 Rock Street to observe existing conditions and to further understand the impact of the proposed work
- During the month of January the HDRB will:
  - Continue the public hearing for 29-31 Rock Street
  - Continue review of window replacements for 4 Morris Ave
  - Workshop with owners of 8 Sone Street about reconstruction and expansion of their front porch
- Todd Seekircher has joined the HDRB filling out the term of Kathleen E. Foley
- The 1-6-2021 meeting to review the design standards with Kirsten Heincke was canceled (due to the ongoing siege of the Capitol building that day)

#### Cold Spring Fire Company

Trustee Foley read from a written report from the Fire Company for December 2020. It was noted that:

- There were a total of 179 alarms during 2020
- There were ten alarms in December, 2020:
  - 1 elevator call
  - 1 mountain rescue
  - 4 activated fire alarms
  - 1 gas leak
  - 1 EMS assist
  - 1 trash can fire
  - 1 flooding condition
- The MTA has converted the east side elevator (at the Metro-North train station) to electric operation and that will make it susceptible to power surges and other electric-related disruptions. Overall, however, elevator performance should improve with the new system and calls for aid to the Fire Company are expected to be fewer.
- Keypad for the front bay door was replaced and paid for by the CSFC.
- There was no heat in the truck room on 1-6-2021 due to a broken blower. Pidala Oil has made repairs.
- CSFC members will endeavor to install the new Church Street meeting room door. Failing that, a proposal for installation will be solicited from a contractor and cost estimate provided to the Trustees.

#### Town of Philipstown

Bob Flaherty noted that:

- The Town Hall renovations continue with expected occupancy late February/early March
- New contracts between the Town and the Philipstown Volunteer Ambulance Corp and the Garrison Volunteer Ambulance Corps have been completed
- Supervisor Shea has met with Putnam County Department of Health officials to encourage creation of a COVID-19 vaccination site in Philipstown
- Town Planning Board has begun review of the application to transfer property from The Garrison to the Hudson Valley Shakespeare Festival. Process is anticipated to take 11 months.
- Town boards continue to meet via Zoom
- Town board, which had been meeting in person, has resumed its meetings via Zoom
- Volunteers continue to be sought for the cemetery committee

Regarding the vaccination site on the west side of the county, Mayor Merandy noted that a center will be set up at the Recreation Center in Garrison. 300 doses of the vaccine are anticipated to be immediately available. Trustee Foley commented, and all Board members agreed, that it would be preferable to have a vaccination center in Cold Spring or Nelsonville which would be walkable locations.

#### Chamber of Commerce

COC chair Eliza Starbuck noted that:

- COC held board elections in December
- COC will send a survey to its membership to solicit input on goals for the coming year
- A virtual breakfast meeting will be held on 1-21-21 with newly elected Chamber officials to discuss goals for the coming year. Village Board of Trustees are invited to participate.

#### Tree Advisory Board (TAB)

In a written report for the month of December 2020, TAB Chair Jennifer Zwarich noted that:

- TAB held its monthly public meeting on 12-16-2020
- On 12-15-2020 TAB presented the Trustees with a final report on its grant-supported-work during 2020.
- Collaborated with the Highway Department to respond to a complaint of the declining health of a tree adjacent to 69 Chestnut Street (with possibly dangerous limbs)
- The holiday tree in the tree pit in front of Village Hall will be removed this month. TAB hopes to replace it with a live tree as soon as underground stump is sufficiently decayed.

#### **WATER DEPARTMENT**

In a written report Water & Wastewater Superintendent Matt Kroog noted that for the month of December 2020:

- Reservoir status is at 97.21% capacity
- Flow to System is 7.30 MG/236 k/day (a 8.5% decrease from 2019)

- 2019 Flow to System was 7.98MG/257k/day
- Monthly rainfall: 3.21"
- Corrections have been made to the October and November 2020 reported usage totals
- Bacteria Lab Test: All routine bacteriological samples were found in good standing
- A new 4" service line for the Philipstown Town Hall was tapped on 12-2-2020 and is now connected from Cedar St. (abandoning the original tap from Main St.)
- Water service line leaks were repaired on Orchard St., Morris Ave., and Parsonage St.
- Catskill DEP Project: during a conference call with Anthony Vaccaro (DEP) on 1-7-21 at 10am it looked as if there was a glimmer of hope the Village would be able to proceed with the new connection to the aqueduct, but by 1pm (of the same day) a follow-up call informed the Village that it would be losing the existing connection as the Village waits for approval.

Mayor Merandy noted that:

- He has been in contact with David Merzig, an attorney hired by the Village to assist in this matter
- DEP is requiring the Villages of Cold Spring and Nelsonville and the Town of Philipstown to set up separate water districts and that Nelsonville install a separate water system
- The Mayor will speak with the Town of Philipstown and Village of Nelsonville about establishment of water districts.
- Once water districts are established, Merzig says he can move forward

#### **WASTEWATER DEPARTMENT**

In a written report Water & Wastewater Superintendent Matt Kroog noted that for the month of December 2020:

- Plant inflow was 6.820 million gallons
- Average daily flow was 220K gallons
- Biochemical Oxygen Demand: 96.72% removal
- Total Suspended Solids: 94.64% removal
- Sludge Hauled Offsite: 24,000 gallons
- Annual infiltration and intrusion (I & I) reports for the years 2016 through 2020 were submitted on 1-5-2021
- Alon Industries installed a new 4" check valve at the Kemble Ave pump station and cleared obstructions from the pump (non-degradable rags) and Pump #2 was returned to service on 12-3-2020
- A leak was discovered at the Waste Water Treatment Facility on the water line feeding the aeration sprayer line on 12-6-2020. Line was isolated and drained (as sprayers are not currently in use) and will be repaired in warmer weather.

## **BUILDING DEPARTMENT**

In a written report the department noted that for the month of December 2020:

- 5 new building permit applications were received
- 3 building permits were issued
- 0 operating permits were issued
- 1 dumpster permit was issued
- 8 Certificates of Occupancy were issued
- 8 record searches were completed
- 7 complaints were received
- 9 inspections were completed
- 3 referrals to the HDRB were made
- 2 referrals to the ZBA were made
- 0 referrals to the CSPB were made
- \$200 in application and permit fees were collected
- \$75 in record search fees were collected
- \$0 in other fees were collected
- Fire inspections will begin in January 2021. Informational letters are being created and properties eligible for fire inspection are being identified

## **HIGHWAY DEPARTMENT**

Crew Chief Robert Downey noted that during the month of December 2020:

- 63.50 tons of garbage were picked up
- 28.52 tons of recyclables were picked up
- Leaves cleared from McConville Park
- Pavers on Main St. completed
- Removed three sections of pavement for TAB
- Cleaned stump mulch
- Cleared leaves of streets with Vactor truck, disassembled Vactor for winter storage
- Received, assembled and installed three benches from OSI at Dockside
- Mounted and serviced truck plows
- Installed two-yard salter on 2016 truck
- There was one 20" snow event and two salting events
- New starter and belt tensioner installed on 1997 F-350
- Installed three new batteries on 1988 International salter
- During the snow storm:
  - Backhoe lost forward driving capability for an hour
  - 1997 F-350 lost power steering and had issues with driver side door staying closed
  - 1988 International salter chain broke with truck was fully loaded. Salt had to be manually shoveled out.

- 2016 had plow-related electrical issues
- Donald Pavelock has resigned effective 1-21-21. Downey and Mayor to meet to review past candidates and possibility to advertise the position

#### **JUSTICE COURT**

In a written report Village Justice Costello noted that for the month of December 2020:

- \$2,980 in fines, forfeited bails and civil penalties were collected
- \$3,485 in parking fines were collected
- \$0 in civil fees were collected
- \$1,849 mandatory state surcharges were collected
- There were no Penal Law charges
- There were 40 Vehicle & Traffic Law charges
- There were no Civil charges

#### **RESOLUTION NO. 1-2021 APPROVING PURCHASE OF CAB AND CHASSIS FOR GARBAGE TRUCK**

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

**WHEREAS**, the Village of Cold Spring (the “Village”) needs to purchase a new garbage truck cab and chassis; and

**WHEREAS**, the Village solicited bids independently and through the NYS Vehicle Marketplace Mini Bid System; and

**WHEREAS**, the Village received a total of five (5) bids; and therefore

**IT IS HEREBY RESOLVED** that the Village awards the bid for the purchase of a cab, chassis and extended warranty to Gabrielli Truck for a Kenworth Model T370 at a cost of One Hundred Eight Thousand Five Hundred Twenty-Four Dollars and thirty-one cents (\$108,524.31) plus any incidental fees (delivery, title, registration, etc.). The cost for mounting the compactor body to the new chassis is not included; and

**IT IS HEREBY FURTHER RESOLVED** that the Village will pay this amount in full through the Fiscal Year 2020-21 General Fund Budget.

On roll call vote:

Trustee Heidi Bender voted:	AYE
Trustee Marie Early voted:	AYE
Trustee Kathleen E. Foley voted:	AYE
Trustee Frances Murphy voted:	AYE
Mayor Dave Merandy voted:	AYE

Resolution officially adopted on 1-12-2021 by a vote of 5-0-0-0.

**RESOLUTION NO. 02-2021 AUTHORIZING REDUCTION IN FIRE INSPECTION FEE FOR 2021**

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

**WHEREAS**, the Village of Cold Spring (the “Village”) is responsible for enforcing the Uniform Building Code; and

**WHEREAS**, the Village, as part of the Uniform Building Code, is responsible for conducting Fire Safety Inspections every 36 months for multiple-family, commercial and mixed-use buildings; and

**WHEREAS**, the Village Fee Schedule sets the cost of the tri-annual fire inspections at Seventy-Five Dollars (\$75) and Fifty Dollars (\$50) if a re-inspection is required; and

**WHEREAS**, the Village recognizes that the COVID-19 pandemic has created financial uncertainty and hardship for some property owners; therefore

**IT IS HEREBY RESOLVED** that the Village will reduce the fee for tri-annual fire inspections to Fifty Dollars (\$50) and that there will be no change in the Fifty Dollar (\$50) re-inspection fee.

**IT IS FURTHER RESOLVED** that this fee reduction is only in effect for the calendar year 2021.

On roll call vote:

Trustee Heidi Bender voted:	AYE
Trustee Marie Early voted:	AYE
Trustee Kathleen E. Foley voted:	AYE
Trustee Frances Murphy voted:	AYE
Mayor Dave Merandy voted:	AYE

Resolution officially adopted on 1-12-2021 by a vote of 5-0-0-0.

**ACCEPT RESIGNATION OF DONALD PAVELOCK**

Mayor Merandy made a motion to accept the resignation of Highway Department employee Donald Pavelock, effective 1-22-2021. Trustee Foley seconded and the motion passed unanimously.

**NEW YORK STATE POLICE REFORM AND REINVENTION COLLABORATIVE UPDATE**

Trustee Foley and OIC Burke described Village efforts and noted that:

- All municipalities are required to perform this review
- Last Village police department policy update was in 2013
- Current policy is “on paper” and not automatically updated to reflect changes to rules, regulations and applicable laws



- Village, in December 2020, engaged Lexipol for services to update Village police policy with automatic updates
- Trustee Foley and OIC Burke will have their first meeting with Lexipol on 1-14-2021 to establish how the Village wishes to proceed. Village will be able to make any changes it wishes
- NYS deadline for completion of the review is 4-1-2021, but work will continue afterwards
- Other similar municipalities will be consulted about how they have approached this review with an eye towards things applicable to the Village's efforts

#### Board Discussion

Mayor Merandy noted that:

- It is better to focus on a full and complete response rather than having the process driven by the NYS deadline and is concerned the Village is moving too fast
- Public input shouldn't be solicited until Village has established the updated policy

Trustee Foley read from the NYS-issued instruction guidelines and noted that she and OIC Burke have been following them. She noted that public engagement is central to the order and recommended that it occur in the form of a community survey that is developed and launched while the Lexipol work is ongoing.

OIC Burke noted that many municipalities (similar in size to Cold Spring) will not meet the NYS deadline. The upcoming meeting with Lexipol will give the Village a clearer timeline for that portion of the work.

Trustee Bender noted that the deadline is less important than doing good work.

Trustee Murphy cited the need for diversity in volunteers to reflect all aspects of the Village

OIC Burke noted that at this time no penalty has been identified for missing the NYS guideline.

#### **REPORT OF MAYOR AND TRUSTEES**

None

#### **OLD BUSINESS**

None

#### **CORRESPONDENCE**

None

#### **APPROVAL OF BILLS**

Trustee Early made a motion to approve Batch #5852 in the amount of \$101,319.46. Trustee Murphy seconded and the motion passed unanimously.

### **MINUTES**

Mayor Merandy made a motion to adopt the minutes of 12-15-20 as submitted. Trustee Murphy seconded and the motion passed unanimously.

Mayor Merandy made a motion to adopt the minutes of 12-29-20 as submitted. Trustee Murphy seconded and the motion passed unanimously.

### **PUBLIC COMMENT**

None

### **ADJOURNMENT**

Trustee Early made a motion to adjourn. Trustee Foley seconded and the motion was passed unanimously at 9:21 pm

Submitted by: M. Mell

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Mayor David Merandy

Date