

**Village of Cold Spring
Village Board of Trustees
85 Main Street, Cold Spring, New York 10516
Trustees Monthly Meeting
12-11-18**

The Village of Cold Spring Board of Trustees held its monthly meeting at the Cold Spring Village Hall, 85 Main Street on Tuesday December 11, 2018 at 7:30 pm. Present were: Mayor David Merandy and Trustees Marie Early, Lynn Miller, Frances Murphy and Steve Voloto.

POLICE DEPARTMENT REPORT

In a written report, Officer in Charge Larry Burke reported for the month of November that:

- There were 67 calls for service
- There were 75 tickets issued
- Department is considering purchase of a new patrol vehicle, but white cars (which don't show wear and tear as much as darker colors) are scarce. There is an option to purchase a black car and have the doors painted white. VBOT directed Officer Burke to proceed (with the black vehicle and paint the doors white).

RECOGNITION OF NICO DELLAVALLE

The Mayor and Board recognized Dellavalle for his service as over the past summer noting that he is "an ideal employee" and that the Village didn't "receive any negative calls" about his work. The Board presented Dellavalle with a Certificate of Excellence and a letter of recommendation.

MONTLY REPORTS

Recreation Commission - None

Planning Board – None

Zoning Board of Appeals - None

Town of Philipstown

Bob Flaherty reported that:

- The Town offers its congratulations to newly reelected Village Trustees Lynn Miller and Steve Voloto
- The Town 2019 budget was approved and is under the 2% cap
- The proposed cell tower on Route 9 is "still in court" as the alternate proposed location was rejected by the Town
- Changes to zoning for Magazzino Art Center continue, but the matter was tabled
- Town Hall renovations are in progress
- Installation of solar panels at the Recreation Department are ongoing
- The Town asks residents to donate to the Toys for Tots program.

Historic District Review Board - None

Cold Spring Fire Company – None

Tree Advisory Board – None

Fire Company – None

Mayor Merandy noted the Fire Company has expressed a desire to meet with the Village Board to discuss becoming a district-wide company. The Board will schedule a meeting for the first week in February 2019.

Code Update Committee

Trustee Early reported that during the month of November the CUC:

- Conducted two meetings
- During its meetings the CUC discussed:
 - Steep Slope Standards based upon review and feedback from Badey & Watson
 - Further consideration and recommended changes to the Flooding Standards document
 - Began additional development on the Phase IV topics of Evaluate/Permitting of conservation and façade easements; Evaluate/Permitting of outright demolition of existing structures; Evaluate/Permitting of conservation sub-divisions; Amend sub-division requirements; Evaluate adopting waterfront consistency review law
- The monthly NYSERDA conference-call was conducted. NYSERDA provided no negative feedback
- NYSERDA has approved the checkpoints 1.2L and 1.2M (the 12th and 13th Quarterly Contract Management and Progress Reports, along with the associated minutes for the meetings held during those time periods).
- A document containing the minutes of the Public Input Session #3 was provided to NYSERDA. They will recommend approval upon receipt and review of the CUC's invoices for that checkpoint.

WATER DEPARTMENT

Water Department reported that that for the month of November:

- The reservoir is at 100% capacity
- Flow to system is 6.49MG/216k/day
- 2017 flow to system was 6.28MG/209/day representing a 3% increase
- Results of bacteria samplings parameters are acceptable for drinking water
- Old chlorination shed on DEP property in Fishkill has been demolished and the piping and valves beneath have been insulated.
- Department's engineer is working on another project design, which will incorporate the new location that DEP has designated

- No response has been received from the NYCDEP to the letter sent by the Village last September.
- Department is working with Tectonic Engineering to identify the next steps to be undertaken at the Upper Dam Rehabilitation Project.

WASTEWATER DEPARTMENT

Wastewater Department reported that that for the month of November:

- Plant inflow was 8.73 million gallons
- Average daily flow was 291K gallons
- Biochemical Oxygen Demand: 97% removal
- Total Suspended Solids: 98% removal

BUILDING DEPARTMENT

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

- 10 new building permit applications were received
- 8 building permits were issued
- No operating permits were issued
- No dumpster permits were issued
- 5 Certificates of Occupancy were issued
- 1 title search was completed
- One complaint was received
- 3 referrals to the HDRB were made
- 1 referral to the ZBA was made
- 1 referral to the CSPB was made
- \$1,125 in application and permit fees were collected
- \$75 in municipal search fees were collected
- No other fees were collected
- Stop Work order was issued for 31 Market Street
- Application submitted for 21 Parsonage St to convert barn into residence was referred to : HDRB, ZBA and CSPB

HIGHWAY DEPARTMENT

In a written report, the department noted that for the month of November:

- 75.34 tons of garbage were collected
- 17.55 tons of recyclables were collected
- Flags were removed from telephone poles
- Leaves were collected throughout village
- Repairs to office made
- Wreaths hung with County assistance
- A de-thatcher was installed on the Recreation Department Zero-Turn.

- New toolbox installed on 2011 Ford F-350.
- Salters and dump truck serviced for upcoming winter snow season
- In December the department anticipates it will continue leaf pick-up and pothole patching

Mayor Merandy made a motion to hire Mike Lyons, Jr as a member of the Highway Department, at \$16 /hour. Trustee Murphy seconded and the motion passed 5-0-0.

JUSTICE COURT

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

- \$2,320 in fines, forfeited bails and civil penalties were collected
- \$2,150 in parking fines were collected
- \$245 in civil fees were collected
- \$1,062 mandatory state surcharges were collected
- There was one PL charges
- There were 34 VTL charges
- There was 0 CIV charge

BOARD BUSINESS

Mayor Merandy expressed his thanks to the Cold Spring Fire Company for their work on the Santa Parade. He also thanked Vera's Farm Market for their donation and Dan Dillon for his time.

RESOLUTION #30-2018 SETTING A TIME AND PLACE FOR A PUBLIC HEARING ON A PROPOSED LOCAL LAW AMENDING THE VILLAGE OF COLD SPRING CODE: CHAPTERS 64, 111 AND 134

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

WHEREAS, the Village Board seeks to update the Village Code Chapters 64 (Historic District), 111 (Subdivision of Land) and 134 (Zoning); and

WHEREAS, the Village Board wishes to set a time and place for a public hearing to consider the adoption of amendments regarding Public Hearings to Chapters - Sections 64-6 (Historic District - Designation of Historic Landmarks or Modifications to the Historic District Boundaries), 64-12 (Historic District - Public Hearing Requirements and Procedures), 111-5 (Subdivision of Land - Approval of Minor Subdivision), 111-7 (Subdivision of Land - Plat for Major Subdivision), and 134-25 (Zoning - Procedures).

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 the Village Board hereby classifies the action as an unlisted action under SEQRA; 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 amendments to the Village Code Chapters - Sections 64-6, 64-12, 111-5, 111-7 and 134-25 and to receive any comments concerning the potential adverse environmental impacts of the proposed legislation in accord with SEQRA, on January 8, 2019 at 7:00 PM at the Village Hall located at 85 Main Street, Cold Spring, New York; 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 Fran Murphy voted: YES
Trustee Lynn Miller voted: YES
Trustee Steve Voloto voted: YES
Mayor Dave Merandy voted: YES

Resolution officially adopted, as amended, on December 11, 2018 by a vote of 5-0-0

CORRESPONDENCE

The Village has received an email from Joe Keyser and Andrea Kimmich requesting compensation for water damage to their home, caused by flooding due to failure of the Market St. pump, which they claim the Village is responsible for. During the discussion it was noted that:

- The Village's insurance company has issued a determination that the Village is not responsible for the damage and has denied the Kimmich/Keyser's claim
- Kimmich/Keyser should submit a claim to their insurance company
- The property is in a flood plain and Keyser's should be aware of the potential for flooding
- The Board will not second-guess the Village's insurance company

MINUTES - none

PUBLIC COMMENT – none

ADJOURNMENT

Mayor Merandy made a motion to adjourn. Trustee Miller seconded and the motion passed unanimously at 8:20 pm.

Submitted by: M. Mell

Mayor David Merandy

Date