

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

**Monthly Meeting  
2-14-17**

The Village of Cold Spring Board of Trustees held its monthly meeting at the Cold Spring Village Hall, 85 Main Street on Tuesday, February 14, 2017 at 7 pm. Present were: Mayor David Merandy, Trustees Marie Early, Frances Murphy, Lynn Miller and Steve Voloto.

At 7 pm Mayor Merandy made a motion to add an executive session to the agenda to discuss specific employees. No actions would be taken afterwards. Trustee Murphy seconded and the motion passed unanimously.

**PUBLIC HEARING ON WATER CODE CHANGES**

The Board held a public hearing about proposed changes to the water code as noted below.

**§ 130-2. Definitions.**

ADD- CELLULAR ENDPOINT – the device attached to the water meter which electronically transmits flow data to billing software.

**§ 130-7. Maintenance.**

Amend C. by changing the word “consumer” to “property owner” in the sentence “A new corporation cock must be installed in the water main when a “property owner” is replacing an old service pipe unless the existing cock is approved by the Board or its authorized representative.”

**§ 130-8. Use of Water.**

Amend A. to delete the second sentence (the second sentence is “No plumber is authorized to turn on or turn off water at the request of the consumer.”

Amend B. to add the phrase “property owner or” in the sentence “The Board of Water Commissioners reserves the right to limit the amount of water furnished to any “property owner or” consumer, should the circumstances seem to warrant such action, although no limit is expressed in the application or permit of such use, or to entirely cut it off, after reasonable notice.”

**§ 130-10. Right of entry.**

Amend by changing “consumer” to “property owner” in the first sentence “The Board of Water Commissioners, its agents or representatives may enter the premises of any “property owner” at any reasonable time, after reasonable notice, to examine the pipes and fixtures, the quantity of water used or the manner of its use.

§ 130-12. Water meters

- A. Amend by changing the word “consumer” to “property owner” after “through 1-1-98 shall be installed at Village expense and become the property of the “property owner” upon installation. [Amended 11-25-97 by L.L. 97-03]

Amend by adding at the end of the paragraph the following sentence:

All meters installed in conjunction with the 2016/2017 meter/cellular endpoint project shall be installed at the Village expense and become the property of the property owner upon installation.

- B. DELETE entire section

Section D. AMEND by adding at the end of the paragraph the following:

As of 7-1-2017, repairs and replacement of cellular endpoints (exclusive of all warranties) shall be done at the expense of the property owner.

§ 130-15. Water rents.

AMEND B.

Change rate of (12%) twelve percent on any overdue balance, assessed quarterly to (6%) per quarter on any overdue balance.

AMEND D.

Change residents of Cold Spring to “property owners” of Cold Spring.

ADD to E. (2) Annual Water Rates for the Village of Cold Spring

Technology fee	\$10.68/ cellular endpoint
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Startup of new Meter/Cellular Endpoint in Multi-Unit Building or Complex	\$200.00 each
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ADD New Section § 130-28 Severability.

If any article, section, subsection, paragraph, sentence, clause or provision of this chapter shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the article, section, subsection, paragraph, sentence, clause or provision thereof directly involved in the controversy in which such judgement shall have been rendered.

ADD New Section § 130-29 When effective.

This Local Law shall take effect immediately upon filing in the office of the New York Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Trustee Early read through the proposed changes. There was no public comment and Mayor Merandy made a motion to close the public hearing. Trustee Murphy seconded and the motion passed unanimously.

Trustee Early made a motion to adopt the changes. Trustee Murphy seconded and the motion passed unanimously.

## MONTHLY REPORTS

- **Recreation Commission** – None
- **Planning Board** – In a written report the planning board noted an application by Hussein Abdlhady for a change of permitted use for the property at 124 Main Street.
- **Zoning Board of Appeals** – None
- **Town of Philipstown** - Robert Flaherty informed the board of several ongoing topics:
  - A public hearing about CCA was held and he believes it likely to pass
  - Avery Road bridge project will go to bid in a few weeks.
  - Manitou Road work expected to begin in the spring
- **Historic District Review Board** – Vice-chair Kathleen Foley presented the draft ordinance revisions to chapter 64 to the trustees. Trustee Early made a motion to refer the draft to the village attorney for review prior to a public hearing. Mayor Merandy seconded and the motion passed unanimously
- Foley also noted that:
  - Current applications before the HDRB include properties at 19 High Street and 80 Main Street.
  - HDRB referred Ms. Kang (applicant for 80 Main Street) to the village board for her proposed installation of a box mounted to the exterior of the property (on the Fair Street side) that would overhang village property.
  - Work on updating of design standards continues. HDRB members have met with their consultant (Steve Tilly, Architect) and focus groups were conducted on January 14, 2017 and January 25, 2017.
  - A revised online application form has been completed and posted on the Village website.
- **Putnam County** – None.
- **Cold Spring Boat Club** – None
- **Cold Spring Fire Company** – Chief Stephen Smith presented identification cards and stickers for member vehicles (as discussed at a previous board meeting.) He noted that the roof is still problematic and will submit quotes received for replacement of the air conditioning unit. The Company will submit its maintenance budget to the trustees. Trustee Early requested the Company also submit actual 2016 expenditures
- Smith also reported on January 2017 activity noting :
  - There were 13 calls to the fire company
  - New batteries have been installed in all hi-band radios
  - An SCBA pack has been repaired and is back in service
  - Two of the company's gas meters are out of service and the company has purchased one new meter.
  - The last 6 30-minute air bottles have expired and will be replaced with 45-minute bottles.
  - Three members will begin FF1 training.

- All ladders are scheduled for yearly testing in March.
- **Parking Committee** – None
- **Tree Advisory Board** – None
- **Code Update Committee** – Trustee Early described committee activity during January, noting that:
  - Carolyn Bachan has resigned from the committee to devote more time to her work with the HDRB.
  - NYSERDA has confirmed receipt that the recent reimbursement request has been received. During the first week in February, reimbursement for expenses has been received for the period of 2015 through the third quarter of 2016. It is unclear, however, which invoice this payment is being applied to.
  - The CUC held two meetings in January during which work continued on the 7 topics in the “Appearance” category.
- **Water and Wastewater Department** – Superintendent Gregory Philips noted that:
  - The date for substantial completion of the water meter replacement project is Friday, March 17, 2017. Philips suggested that those home owners who do not replace their meters prior to contractor completion should be required to pay the replacement cost (to the Village) directly.
  - The Upper Reservoir Dam Project timeframe is unchanged with completion of schematic design expected on or before April 4, 2017.
  - Bart Clark, PE has submitted a review of bids received for the Sewer Rehabilitation Project (Fair, Market, Fish and North Streets) and recommends awarding the bid to National Water Main Cleaning Company (NWMCC), whose base bid is \$169,166.24. Should the Village elect to pursue the NWMCCs add/alternates, the total will rise to \$288,400.

Trustee Murphy made a motion to authorize Mayor Merandy to issue and sign a Notice of Award letter to NWMCC. Trustee Early seconded and the motion passed unanimously.

- Regarding the Market Street Pump Station Replacement Project, Bart Clark has submitted a timeline to advertise bids on February 22, 2017 with bid opening on April 28, 2017. It is hoped that work will be completed over the summer of 2017.

Mayor Merandy made a motion that the Village advertise bids for the Market Street Pump Station Replacement Project. Trustee Murphy seconded and the motion passed unanimously.

- Regarding tree plantings on the WWTP grounds on Fair Street: plantings removed during construction will be replaced with new items within the next month.
- **Code Enforcement** – in a written report William Bujarski listed the activities and actions for January 2017, including: permits issued, alarm permits, building and fire complaint inspections, certificate of occupancies issued, complaint/violations, referrals, records searches, building and fire inspection plan reviews and meetings, and other matters. Fees collected in January 2017 were \$1,218. Fees collected in fiscal year-to-date were \$28,781.
- **Cold Spring Police Department** – In a written report PO George Kane noted that in January 2017:
  - Officers responded to 74 calls for service.
  - 77 parking tickets were issued for various infractions on village streets.
  - The department reminds residents that during inclement weather, parking on village streets is not permitted. The Hotline phone number is 845.747.7669.

- Many residents have taken advantage of the department's Dark House program while they are away on vacation. The program enables police officers to check in on homes whose occupants are away.
- The Police Department requests the Village Board to clarify parking rules at Main Street and Depot Square. The current combination of No Parking and No Standing signs are confusing to motorists and difficult to prosecute in court.
- Parking on the west side of Church Street has temporarily been suspended to allow for snow removal. Once completed, and if required, a similar temporary ban may be imposed on the east side of the street.
- **Justice Court** – a written report identified ongoing court cases, monies received from fees, fines, etc. (\$10,494), and a distribution summary.
- **Highway Department** – Chris Hyatt reported that during January 2017:
  - 49.93 tons of garbage were picked up.
  - 13.51 tons of recyclables were picked up.
  - Risers have been installed along the recent paving work on Bank Street, Paulding Avenue and Oak Street.
  - A new Hudson House Guest Parking sign has been installed.
  - A second sign for the Village parking lot (on Fair St.) has been ordered.
  - Roughly 300 Christmas trees were picked up.
  - Leaves have been removed from the perimeter of Tot's Park.
  - There were three snow events
  - The 2001 dump truck that recently failed inspection has had all required work completed and is ready for re-inspection
  - All highway garage fire extinguishers have been inspected and charged (if necessary.) New five pound extinguishers have been purchased for the cabs of all highway department trucks (per federal regulations.)
- **Report of the Mayor and Trustees**
  - Trustee Voloto will attend the CCA meeting in Beacon.
  - Trustee Murphy confirmed date and arrangements for village employee and volunteer appreciation party for 2-15-17.
  - Trustee Miller noted ongoing work on film permit. She noted that a public hearing may be required prior to insertion of this requirement into the village code.
  - Mayor Merandy, referring to recent public comments, noted that he has been actively involved in the planning process for the Fjord Trail. He looks forward to completion of the environmental impact study that will enable him (and the trustees) to act appropriately. He stated that he, "does not have his head in the sand" as some social media critics have written.

## CORRESPONDENCE

The Village received a letter from Representative Sean Patrick Maloney regarding funding for dam repair and maintenance. Maloney stated he will keep the Village informed of grants that may become available.

## OLD BUSINESS

- Regarding the request of the O'Sullivan's, residing at 26 Garden St. to purchase the property in front of their house:
  - The O'Sullivan's have asked whether:
    - The survey they submitted is sufficiently up-to-date?

- Should meets and bounds (shown on the survey) include the entire property or just the portion under consideration?
- What would be the cost?
- What amount would they be required to place in escrow?
- Trustees' consensus is to charge \$4/sq. foot.
- Trustee's consensus is that the O'Sullivan's be required to place \$2,000 in escrow.

## **NEW BUSINESS**

### **Resolution # 4-2017 Adopting Local Law #1-2017**

#### **To Amend Chapter 126 Vehicle & Traffic**

WHEREAS, the Village of Cold Spring Board of Trustees has caused to be prepared a draft local law to amend Chapter 126 Vehicle and Traffic of the Village Code to address traffic flow and parking; and

WHEREAS, the Village of Cold Spring Board of Trustees held a duly noticed public hearing on the draft local law on January 31, 2017 which was continued to February 7, 2017; 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. 1 of 2017 is hereby adopted and the Village Clerk is hereby 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.

Trustee David Merandy moved the foregoing resolution which was seconded by trustee Lynn Miller.

On roll call vote:

Lynn Miller, trustee voting "aye"

Marie Early, trustee voting "aye"

Frances Murphy, trustee voting "aye"

Steve Voloto, trustee voting "aye"

Dave Merandy, Mayor voting "aye"

Resolution officially adopted at a public meeting held on February 14, 2017 by a vote of 5-0.

I hereby certify that this is a true and exact copy of a resolution passed by the Village of Cold Spring Board of Trustees at a public meeting held on February 14, 2017.

## **APPROVAL OF BILLS**

Trustee Miller made a motion to pay Batch #3941 in the amount of \$121,141.25. Trustee Early seconded and the motion passed unanimously.

**MINUTES**

Mayor Merandy made a motion to accept the minutes of the February 7, 2017 meeting. Trustee Murphy seconded and the motion passed unanimously.

**PUBLIC COMMENT** - None

**EXECUTIVE SESSION**

Mayor Merandy made a motion to enter into executive session to discuss a specific employee and that no action will be taken subsequent to the executive session. Trustee Murphy seconded and the motion passed unanimously.

Submitted by M. Mell

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David Merandy, Mayor

Date: