

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

**Trustees Monthly Meeting  
1-8-19**

The Village of Cold Spring Board of Trustees held its monthly meeting at the Cold Spring Village Hall, 85 Main Street on Tuesday January 8, 2019 at 7 pm. Present were: Mayor David Merandy and Trustees Marie Early, Frances Murphy and Steve Voloto. Trustee Lynn Miller was absent

**PUBLIC HEARING ON PROPOSED AMENDMENTS TO CHAPTERS 64, 111 AND 134 REGARDING  
PROCEDURE FOR PUBLIC HEARINGS**

Mayor Merandy opened the public hearing at 7pm.

At 7:46 pm, Mayor Merandy made a motion to close the public hearing. Trustee Early seconded and the motion passed 4-0-1.

**RESOLUTION 01-2019 ADOPTING LOCAL LAW 01 OF 2019 TO AMEND CHAPTER 64 REGULATING THE  
HISTORIC DISTRICT**

**WHEREAS**, the Village of Cold Spring Board of Trustees has caused to be prepared a draft of the local law to amend Chapter 64 of the Village Code regulating the Historic District; and

**WHEREAS**, the Village of Cold Spring Board of Trustees held a duly noticed public hearing on the draft amended local law on January 8, 2019; 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 amended local law.

**NOW, THEREFORE, BE IT RESOLVED** that Local Law No. 1 of 2019 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.

Mayor Merandy moved the foregoing resolution which was seconded by Trustee Murphy.

On roll call vote:

Lynn Miller, Trustee voting	Absent
Marie Early, Trustee voting	Yes
Frances Murphy, Trustee voting	Yes
Steve Voloto, Trustee voting	Yes
Dave Merandy, Mayor voting	Yes

Resolution officially adopted at a public meeting held on 1-8-19 by a vote of 4-0-1.

**RESOLUTION 02-2019 ADOPTING LOCAL LAW 02 OF 2019 TO AMEND CHAPTER 111 REGULATING THE SUBDIVISION OF LAND**

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

**WHEREAS**, the Village of Cold Spring Board of Trustees held a duly noticed public hearing on the draft amended local law on January 8, 2019; 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 amended local law.

**NOW, THEREFORE, BE IT RESOLVED** that Local Law No. 2 of 2019 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.

Mayor Merandy moved the foregoing resolution which was seconded by Trustee Early.

On roll call vote:

Lynn Miller, Trustee voting	Absent
Marie Early, Trustee voting	Yes
Frances Murphy, Trustee voting	Yes
Steve Voloto, Trustee voting	Yes
Dave Merandy, Mayor voting	Yes

Resolution officially adopted at a public meeting held on 1-8-19 by a vote of 4-0-1.

**RESOLUTION 03-2019 ADOPTING LOCAL LAW 03 OF 2019 TO AMEND CHAPTER 134 REGULATING ZONING**

**WHEREAS**, the Village of Cold Spring Board of Trustees has caused to be prepared a draft of the local law to amend Chapter 134 of the Village Code regulating Zoning; and

**WHEREAS**, the Village of Cold Spring Board of Trustees held a duly noticed public hearing on the draft amended local law on January 8, 2019; 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 amended local law.

**NOW, THEREFORE, BE IT RESOLVED** that Local Law No. 3 of 2019 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.

Mayor Merandy moved the foregoing resolution which was seconded by Trustee Early.

On roll call vote:

Lynn Miller, Trustee voting	Absent
Marie Early, Trustee voting	Yes
Frances Murphy, Trustee voting	Yes
Steve Voloto, Trustee voting	Yes
Dave Merandy, Mayor voting	Yes

Resolution officially adopted at a public meeting held on 1-8-19 by a vote of 4-0-1.

### **POLICE DEPARTMENT REPORT**

In a written report, Officer in Charge Larry Burke reported for the month of December 2018 that:

- There were 52 calls for service
- There were 55 tickets issued
- There were two arrests

### **MONTHLY REPORTS**

Recreation Commission - None

#### Planning Board

In a written report, Board Chair Matt Francisco noted that the board has the matter of 124 Main St. before it, which is an application for a change of use from a restaurant to a hotel. The Planning Board requests the Village Board for notification when the stoop property is sold to the applicant

#### Zoning Board of Appeals

In a written report ZBA Chair Wolfe noted that there are no matters currently before it.

#### Town of Philipstown

Bob Flaherty noted that during the month of December 2018:

- Cell tower litigation is ongoing
- Ch. 175 zoning change to include museums and galleries was approved. This was motivated by the presence of Magazzino, which will pay Town taxes under the provision of this zoning change
- Town Hall asbestos report is ongoing and is the last step prior to the renovation. The renovation is expected to take up to a year, during which time it will not be habitable. The Town is considering alternate locations.
- The new gym floor at the recreation center is nearly complete
- New board member Judy Farrell will take over as liaison to the village board

Historic District Review Board - noneCold Spring Fire Company – NoneParking Committee –noneTree Advisory Board (TAB)

Chair Jennifer Zwarich stated that:

- There was no December meeting
- TAB is applying for a Tree City USA grant
- TAB is planning use of grant monies awarded last year

Code Update Committee

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

- Conducted two meetings
- Developed a document to address the topic of Evaluate/Permitting of Conservation Sub-divisions
- A draft document was developed on the topic of Evaluate/Permitting of Outright Demolition of Existing Structures
- On the topic of Amend Sub-division Requirement, it was agreed to expand the topic to include SASS (Scenic Areas of Statewide Significance.)
- A list of exception actions was developed for the topic Evaluate Adopting Waterfront Consistency Review Law
- The topic Evaluate/Permitting of Conservation and Facades Easements has been modified to become Evaluate/Permitting of Conservation Easements
- Monthly NYSERDA conference call was conducted.
- NYSERDA agreed that Façade Easement was not feasible for the Village due to the lack of a conservation organization; the topic will be removed.

**WATER DEPARTMENT**

Water & Wastewater Superintendent Gregory Phillips noted that for the month of December 2018:

- The reservoir is at 100% capacity
- Flow to system is 6.87MG/215/day
- 2018 flow to system was 6.22MG/200.5k/day representing a 9.5% increase
- Results of bacteria samplings parameters are acceptable for drinking water
- Longtime engineering consultant Bart Clarke has accepted a full-time position in CT and will no longer be available to the Village for future projects. He will continue to finish out existing projects.

**WASTEWATER DEPARTMENT**

Water & Wastewater Superintendent Gregory Phillips noted that for the month of December 2018:

- Plant inflow was 9.11 million gallons
- Average daily flow was 294K gallons
- Biochemical Oxygen Demand: 97% removal
- Total Suspended Solids: 97% removal
- There were three reportable incidents:
  - Two were at the treatment facility where the amount of Settleable Solids in the effluent was greater than the allowed value of 0.3mL/L. The first, on 12/2/18 was due to a clogged valve. The second, on 12/21/18 was caused by excessive rain that caused a hydraulic overload.
  - The last, on 12/23/18, was a clog that caused a surcharge in the main finding relief in the perforations of the manhole lid on West St. near the pump station.
  - DEC was notified of all three events

### **BUILDING DEPARTMENT**

In a written report the department noted that for the month of December 2018

- 9 new building permit application were received
- 7 building permits were issued
- No operating permits were issued
- No dumpster permits were issued
- 3 Certificates of Occupancy were issued
- 2 title searches were completed
- One complaint was received
- 2 referrals to the HDRB were made
- 1 referral to the ZBA was made
- 0 referral to the CSPB was made
- 6 Chestnut St. has applied, after the fact, for a shed at the rear of the property. This has been referred to HDRB and ZBA
- \$875 in application and permit fees were collected
- \$150 in title search fees were collected
- No other fees were collected

### **HIGHWAY DEPARTMENT**

In a written report Crew Chief Robert Downey noted that during the month of December 2018:

- 40.67 tons of garbage were picked up
- 30.10 tons of recyclables were picked up
- Final clean-up of McConville Park was completed
- Received and stamped cones and barriers
- There was a 12/19 brush pick-up
- New air tank installation of '89 International dump truck began

- New curb brush head installed on Bobcat
- '03 International sent for service to replace high pressure oil pump
- Plans for January include: clean-up of residual leaves, pothole repair, organization of Department grounds and winter preparations

## **JUSTICE COURT**

In a written report Village Justice Costello noted that for the month of December 2018:

- \$4,175 in fines, forfeited bails and civil penalties were collected
- \$1,300 in parking fines were collected
- \$105 in civil fees were collected
- \$2,067 mandatory state surcharges were collected
- There were three PL charges
- There were 19 VTL charges
- There was 0 CIV charge

## **BOARD BUSINESS**

Mayor Merandy reported he met with the Building Inspector to discuss procedures and how to make them run more smoothly. Merandy also met with Kathleen Foley (HDRB vice-chair) to discuss processes.

## **APPROVE HIRING OF KEN BAKER AS POLICE OFFICER WITH CS POLICE DEPARTMENT**

Mayor Merandy made a motion to hire Ken Baker, who will begin training on 1/9/19. Trustee Murphy seconded and the motion passed 4-0-1.

## **CONSIDER LEASE AGREEMENT FOR PURCHASE OF NEW POLICE VEHICLE**

Mayor Merandy made a motion to approve the lease agreement. Trustee Early seconded and the motion passed 4-0-1.

## **APPROVE RENEWAL OF SERVICE AND MAINTENANCE CONTRACT WITH MANAGED TECHNOLOGIES**

Mayor Merandy made a motion to renew the contract. Trustee Murphy seconded and the motion passed 4-0-1.

## **APPROVE 2018 FIREMAN'S SERVICE AWARD POINT LISTING**

Mayor Merandy made a motion to approve the 2018 listing. Trustee Early seconded and the motion passed 4-0-1.

## **APPROVAL OF BILLS**

Trustee Early made a motion to approve Batch #4936 in the amount of \$70,557.17. Mayor Merandy seconded and the motion passed 4-0-1.

## **PUBLIC COMMENT**

Frank Haggerty inquired about excessive water in the tunnel under the train tracks at the foot of Main St. and suggested the MTA be required to remedy the situation. Mayor Merandy noted that the tunnel is

owned by the Village. Frank stated that the MTA has been periodically adding gravel to the tracks (above the tunnel) that may be contributing to the water.

Michele Smith (executive director of Hudson Highlands Land Trust) told the Board that NYS is inviting as many as 30 municipalities to participate in a program to protect water supplies. It would not require a financial contribution: only staff and trustee participation. The application is due 2/15/19.

Judy Farrell, the new Town of Philipstown liaison to the Village Board introduced herself.

#### **ADJOURNMENT**

Mayor Merandy made a motion to adjourn. Trustee Early seconded and the motion passed 4-0-1 at 8:10 pm.

Submitted by: M. Mell

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Mayor David Merandy

Date