



VILLAGE OF COLD SPRING

85 MAIN STREET, COLD SPRING, NY 10516

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DAVE MERANDY, MAYOR
MARIE EARLY, TRUSTEE
LYNN MILLER, TRUSTEE
FRANCES MURPHY, TRUSTEE
STEVE VOLOTO, TRUSTEE

JEFF VIDAKOVICH, CLERK/TREASURER
MICHELLE ASCOLILLO, ACCOUNTANT
LARRY BURKE, OFFICER-IN-CHARGE
Matt Kroog, WATER SUPERINTENDENT
ROBERT DOWNEY, HIGHWAY DEPARTMENT CREW CHIEF

Board of Trustees

Tuesday, August 18, 2020 @ 6:30 PM

Via Video Conference Pursuant to Executive Order 202.1

1. Resolution 13-2020 Authorizing Sale of Real Property at 212 Main Street
2. Resolution 14-2020 Authorizing Sale of Real Property at Moffatt and Healy Roads
3. Discussion on status of Resolution 12-2020 that restricted placement of signage and merchandise on Village Sidewalks
4. Code Update Review - Chapters:
 - a. 071 Licensing
 - b. 104 Signs (with Marie & Lynn review & comments)
 - c. 108 Streets & Sidewalks
 - d. 111 Subdivision of Land
 - e. 118 Taxation
 - f. 124 Unsafe Buildings
 - g. 127 Residential Parking Program
 - h. 130 Water
 - i. 132 Waterfront Consistency Review

The public is invited to attend the meeting as follows:

<https://zoom.us/j/94086293122?pwd=eVJpUnFZRUt5K3A3anhFLzIERG9SQTO9>

Meeting ID: 940 8629 3122 Password: 259033

To Join by Phone: (646) 558-8656

Meeting ID: 940 8629 3122 Password: 259033

Resolution No.: 13 of 2020

**THE VILLAGE OF COLD SPRING
VILLAGE BOARD**

Roll Call Vote				
Names	Ayes	Noes	Abstain	Absent
<i>Mayor</i> David Merandy				
<i>Trustee</i> Frances Murphy				
<i>Trustee</i> Marie Early				
<i>Trustee</i> Lynn Miller				
<i>Trustee</i> Steve Voloto				
TOTAL				

The following was presented

By: _____

Seconded by: _____

Date of Adoption: _____, 2020

**RESOLUTION OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF
COLD SPRING AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR
THE SALE OF REAL PROPERTY**

WHEREAS, Tania L. Drinnon and Carol S. Drinnon are the owners of the property located at 212 Main Street, Cold Spring, New York with a tax map identification number of Section 49.5, Block 2, Lot 4 (hereinafter known as the "212 Parcel") and they have offered to purchase land adjacent to their lot and currently owned by the Village; and

WHEREAS, the subject land consists of approximately 368 square feet and it is further described in the description attached as Exhibit "A" (hereinafter the "Village Parcel"); and

WHEREAS, the Village Parcel is primarily a side parcel area extending from the 212 Parcel, and the Village Board has declared the Village Parcel as surplus and it is not needed for any municipal use as this Village Parcel is not used for highway purposes, for sewer or water purposes, has no environmental or recreational or parkland component and is not used for the administration of fire or police purposes; and

WHEREAS, the sale of this Village Parcel will limit the Village's liability exposure and maintenance responsibilities and said sale will not interfere with the use of the Village sidewalk along Main Street because there is still more than adequate space for pedestrians; and

WHEREAS, Tania L. Drinnon and Carol S. Drinnon have offered to purchase the Village Parcel for fair and adequate consideration, which offer price is supported by a recent sale in the Village, which was based on an appraisal report from a New York State Licensed Appraiser; and

WHEREAS, the sale price would not be less than \$1,472.00 (ONE THOUSAND FOUR HUNDRED AND SEVENTY-TWO DOLLARS AND NO CENTS); and

WHEREAS, the proposed sale of the Village Parcel is an action subject to the State Environmental Quality Review Act ("SEQRA") and the Village Board has determined the sale of this small parcel is an "Unlisted Action" for which the Village has reviewed and completed a Short Environmental Assessment Form pursuant to SEQRA.

NOW, THEREFORE, IT IS HEREBY:

RESOLVED, that the Village Board declares itself the Lead Agency with respect to the SEQRA review of the sale of the Village Parcel since there are no other agencies that have authority to approve the sale; and let it be further

RESOLVED, that the Village Board of Trustees hereby issues a Negative Declaration (see attached) for this proposed action under SEQRA as it will not result in any significant adverse environmental impacts and an environmental impact statement is NOT required; and let it be further

RESOLVED, that the Village Board of Trustees hereby determines that the sale of the Village Parcel is in the public interest of the residents of the Village; and

RESOLVED, that the Village Board hereby authorizes the Mayor to execute any and all required agreements and documentation to effectuate the sale of the Village Parcel, subject to the review and approval as to form and content by the Attorney for the Village.

**BY ORDER OF THE VILLAGE BOARD OF THE
VILLAGE OF COLD SPRING, NEW YORK**

DATED: , 2020

David Merandy, Mayor

Resolution No.: 14 of 2020

**THE VILLAGE OF COLD SPRING
VILLAGE BOARD**

Roll Call Vote				
Names	Ayes	Noes	Abstain	Absent
<i>Mayor</i> David Merandy				
<i>Trustee</i> Frances Murphy				
<i>Trustee</i> Marie Early				
<i>Trustee</i> Lynn Miller				
<i>Trustee</i> Steve Voloto				
TOTAL				

The following was presented

By: _____

Seconded by: _____

Date of Adoption: _____, 2020

**RESOLUTION OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF
COLD SPRING AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR
THE SALE OF REAL PROPERTY**

WHEREAS, Josh J. Meyer resides at 31 Douglas Lane, Cold Spring, New York and has offered to purchase land adjacent to his family's lot (owned by John and Judith Meyer) located at the intersection of Moffatt Road and Healy Road consisting of two (2) tax lots: 49.6-1-11 and 49.6-2-20 currently owned by the Village; and

WHEREAS, the subject lands consist of approximately 0.31 acres and 0.67 acres, totaling 0.98 acres and it is further described in the description attached as Exhibit "A" (hereinafter the "Village Parcels"); and

WHEREAS, the Village Board has declared these parcels as surplus and not needed for any municipal use as these Village Parcels are not used for highway purposes, no longer serve or are used as sewer or water purposes, have no environmental, recreational or parkland component and are not used for the administration of fire or police purposes; and

WHEREAS, the Parcel identified as 49.6-2-20 is within the Town of Philipstown's Scenic Protection Overlay District (Town Code §175-15) to protect and maintain the rural character; and

WHEREAS, the sale of these Village Parcels will limit the Village's liability exposure and maintenance responsibilities; and

WHEREAS, Josh J. Meyer has offered to purchase the Village Parcels for fair and adequate consideration, which offer price is supported by the Assessor's fair market value assigned to the Village Parcels on the final 2020 tax roll; and

WHEREAS, the sale price would not be less than \$21,500.00 (TWENTY-ONE THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS); and

WHEREAS, the proposed sale of the Village Parcels is an action subject to the State Environmental Quality Review Act ("SEQRA") and the Village Board has determined the sale of the small parcels is an "Unlisted Action" for which the Village has reviewed and completed a Short Environmental Assessment Form pursuant to SEQRA.

NOW, THEREFORE, IT IS HEREBY:

RESOLVED, that the Village Board declares itself the Lead Agency with respect to the SEQRA review of the sale of the Village Parcels since there are no other agencies that have authority to approve the sale; and let it be further

RESOLVED, that the Village Board of Trustees hereby issues a Negative Declaration (see attached) for this proposed action under SEQRA as it will not result in any significant adverse environmental impacts and an environmental impact statement is NOT required; and let it be further

RESOLVED, that the Village Board of Trustees hereby determines that the sale of the Village Parcels is in the public interest of the residents of the Village; and

RESOLVED, that the Village Board hereby authorizes the Mayor to execute any and all required agreements and documentation to effectuate the sale of the Village Parcels, subject to the review and approval as to form and content by the Attorney for the Village.

**BY ORDER OF THE VILLAGE BOARD OF THE
VILLAGE OF COLD SPRING, NEW YORK**

DATED: , 2020

David Merandy, Mayor



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RESOLUTION 12-2020

**RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF COLD SPRING
TEMPORARILY RESTRICTING THE PLACEMENT OF SIGNAGE OR ITEMS
AND/OR MERCHANDISE ON VILLAGE SIDEWALKS**

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

WHEREAS, on January 30, 2020, the World Health Organization designated the novel coronavirus (COVID-19) outbreak as a public health emergency of international concern; and

WHEREAS, on January 31, 2020, the United States Health and Human Services Secretary declared a public health emergency for the entire United States in order to aid the nation's healthcare community in responding to COVID-19; and

WHEREAS, in response to the COVID-19 pandemic and public health emergency within New York State, on March 7, 2020, and effective through September 7, 2020, the Governor issued an Executive Order declaring a State Disaster Emergency throughout all of New York; and

WHEREAS, there is growing evidence of the increasing threat that COVID-19 poses to the health, safety and welfare of residents and visitors to the Village of Cold Spring; and

WHEREAS, in an effort to reduce the spread of COVID-19 the United States Center For Disease Control (CDC) states that the best method to slow the spread is to limit face to face contact and maintain a social distance, that is: (1) staying at least six (6) feet from other people, (2) avoid large gatherings, and (3) stay out of crowded places; and

WHEREAS, in addition the CDC also recommends that everybody wear a cloth face covering over their mouth and nose when they go out in public places; and

WHEREAS, on April 15, 2020, the Governor issued Executive Order 202.17 which requires an individual over the age of 2 and who can medically tolerate a face covering, to cover their nose and mouth with a masks or cloth face covering when in a public place and unable to maintain, or not maintaining, social distance; and

WHEREAS, the sidewalks on Main Street within the Village of Cold Spring become extremely crowded with residents and non-residents, especially when the weather is nice; and

WHEREAS, the Village usually allows small free-standing signs and other items like umbrellas, planters and benches, etc. on the Village owned sidewalks along Main Street so long as such signage and/or items does not interfere with pedestrian traffic; and

WHEREAS, pursuant to §108-24B of the Village’s Code, the display of merchandise is permitted in an area not to exceed three feet (3’) from the building so long as such merchandise does not interfere with pedestrian traffic; and

WHEREAS, given the limitations due to the narrow width of the Village sidewalks on Main Street, and large size of the crowds; it becomes increasingly difficult to maintain proper social distancing (as per CDC guidelines and New York State requirements) when the Village sidewalks are further cluttered with signage and merchandise;

NOW, THEREFORE, BE IT RESOLVED, THAT:

- (1) For the benefit of the general public’s health, safety and welfare the Village Board hereby declares that no signage or items (of any kind) and/or merchandise (of any kind) is permitted on the Village owned sidewalks along Main Street.
- (2) The Village Board hereby authorizes the Mayor and Village Staff as well as the Police Department to take whatever actions are necessary to enforce these restrictions; and
- (3) These new restrictions take effect as of June 3rd and will continue until revoked by the Village Board via resolution.

On roll call vote:

Trustee Marie Early voted:	Aye
Trustee Lynn Miller voted:	Aye
Trustee Frances Murphy voted:	Aye
Trustee Steve Voloto voted:	Aye
Mayor Dave Merandy voted:	Aye

Resolution officially adopted on June 2, 2020 by a vote of 5-0-0-0.

Jeffrey Vidakovich-Village Clerk/Treasurer
Dated: