



# VILLAGE OF COLD SPRING

85 MAIN STREET, COLD SPRING, NY 10516

TEL: (845) 265-3611

FAX: (845) 265-1002

WEB: WWW.COLDSRINGNY.GOV

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 Oct. 13, 2020 @ 6:30 PM

Via Video Conference Pursuant to Executive Order 202.1

1. Pledge of Allegiance
2. Roll call
3. Financial Update
4. Report of the Police Department
5. Monthly reports: Recreation Commission, Planning Board, Zoning Board of Appeals, Town of Philipstown, Historic District Review Board, Fire Company, Tree Advisory Board, Chamber of Commerce
6. Report of Water and Wastewater Departments
7. Report of Building Department
8. Report of the Highway Department
9. Justice Court Report
10. Report of the Mayor and Board of Trustees
11. Parking Waiver Recommendation from the Planning Board for 124 Main Street
12. Approval of Minutes – 10/6/2020
13. Public Comment
14. Code Update Review - Chapters:
  - 071 Licensing
  - 134 Zoning

**The public is invited to attend the meeting as follows:**

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

or to Join by Phone: (646) 558-8656

Meeting ID: 940 8629 3122      Password: 259033

## Financial Highlights October 13, 2020

- Revenue for the municipal lot is appropriate for tourist season, as compared to last year.
- Fines & Fees are beginning to increase again, but have not returned to pre-pandemic levels yet.
- I did not encounter any additional potential losses of revenue or large increases in expenses for this past month.
- NYS grants are also beginning to be released, but are still very limited. The NYS Consolidated Grants application, which should have been released in the Spring/Early Summer has not been opened. This grant covers funding from various NYS Departments.
- NYS Mini-Bid has been submitted and revised for the Garbage Truck Chassis, but results have not been received yet.
- Fire Dept. has submitted their proposed budget for 2021, with a request for a 2% increase for municipal contributions (\$2,435 more than last year).



# Village of Cold Spring Police Department

## Monthly Report:

Sep-20

### Incident/Events

<u>Type of calls</u>	<u>Number of calls</u>	<u>Type of calls</u>	<u>Number of calls</u>
911 Hang up	2	Abandoned vehicle	
Aggravated harassment		Aided case	10
All other	2	Animal bite	
Animal acting rabid		Assist fire department	7
Animal complaint other		Attempt to locate person	
Animal struck by motor vehicle		Buglary attempt	
Assist citizen	1	Car blocking	1
Assault		Civil matter	
Burglary		Criminal mischief	1
Burglary in progress		Disabled vehicles	
Child abuse		DMV suspensions/revocations	
Criminal impersonation		Domestic dispute	1
Custodial interference		Drug complaint	1
Disorderly conduct/Disturbance	1	Drug sale	
Dog complaint		Extortion	
Driving while intoxicated		Family offense	
Drug possession		Fire Alarm	
False Alarm (any type)	9	Gun shots	
Family court summons		Harassment	1
Fireworks		Health & Safety hazard	
Fraud	1	Illegally parked vehicle	
Funeral escort		Insufficient funds-Checks	
Hazardous material/spill leak		Lockout - vehicle	1
Hit & Run		Mental health incident	
Impounded vehicles		Missing person	
Larceny		Navigation accident	
Leaving scene of accident		Neighborhood Dispute	
Lockout - residence	1	Notification death or emergency	
Loitering		Officer needs assistance	4
Lost or Stolen license plates		Other	
Missing child		Person with a gun	
Natural disaster		Possession of weapon	
Navigation complaint	1	PDAA	2
Noise complaint		PIAA	
Obscenity/pornography		Property lost	3
Open door	1	Property stolen	
Other accident		Reckless driving	
Personal injury		Unwanted Party	
Private property		Robbery-in progress	
Property found	1	Shoplifting	
Property recovered		Speeding vehicle	
Public property		Suspicious person	1
Robbery		Theft of services	
Repossession of vehicle		Trespass	
Robbery - other		Unauthorized use of a vehicle	
Simple assault		V&T complaint	2
Suicide attempt			
Suspicious vehicle			
Transports			
Unattended death	1		
Welfare Check	1		
Wires down			
		<b>Total number of calls for service</b>	<b>57</b>
		<b>Total Number Year to Date</b>	<b>515</b>



## Village of Cold Spring Police

# Monthly report continued:

Sex	Charge(s)	Arrests	Counts
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**Total number of arrests:**            **0**

### Traffic/Parking tickets issued

**UTTs**

AUO			Clinging to a vehicle	
Crosswalk violation			Disobey traffic control device	16
Driver's view obstructed			Equipment violation	
Following too close			Glass tint violation	
Imprudent speed	5		Insurance violation	
Lane violation			Leave scene of accident	
Muffler violation			No passing	2
One-way violation	4		Operating w/suspended reg.	
Passed red light			Passing violation	1
Plate/registration violation			RT of way violation	
Seatbelt			Signal light violation	
Speed in school zone			Speeding	6
Stop sign violation	2		Turn signal violation	
Traf device violation			Unauthorized use license	
Turning violation			Unlicensed class driver	
Uninspected motor vehicle	1		Unsafe start	
Unlicensed driver	1		Violation of misc rules	4
Use of cell phone	3			
<b>Total number of tickets issued:</b>		<b>45</b>		

**PARKING TICKETS**

**Parking Tickets Issued by Police Department:**            **227**

Total Number of Tickets Issues	272
Total Number Year to Date	763

# **Village of Cold Spring - Recreation Commission**

## ***October 2020 Report***

The Recreation Committee has not met due to the virus but will meet later this month to review the following:

- 1. Review of 2020-2021 budget and work to be completed.  
(lighting for flag at bandstand, Mayor's Park bathroom doors, painting bandstand)**
- 2. Review of recreation properties and seasonal position with Robert Downey**
- 3. Plan holiday decorations (set up November 26)**
- 4. Options for tree lighting and Santa visit.**
- 5. Update on opening of recreation properties (Tot Park, & Mayor's Park)**
- 6. Potential new member to the commission.**

# ZBA Monthly Report - August - September 2020

October 13, 2020

To: Mayor and Board of Trustees  
From: Aaron Wolfe, Chair of the ZBA

## **Current Business**

The board denied an application for variances needed to construct a home at 21 Parsonage on September 3.

The board approved an application for a variance needed to construct a garage in the front yard setback at 11 Benedict Rd. on Sept 3.

## **New Business**

On October 1 the board held a workshop for 4 Morris Ave. for a variance required to build a 6 ft. fence along the south side of the property where it borders the B-1 district and the R-1 district. A public hearing is scheduled for October 15.

## **Old Business**

On August 6 the board closed the public hearing for 21 Parsonage St., and held a workshop for 11 Benedict Rd.

On August 20 the board reviewed the merits of the 21 Parsonage St. application, and requested that the village attorney, John Furst, provide a summary of the board's discussion.

## Oct 13, 2020 Village of Cold Spring Report

1. Townhall renovations have picked up on the work, but still not pleased with the progress, but the work that has been done looks very nice. We are unsure as to the time frame that we will be open, but schedule is Looking at late this year or early next year to be completed. We had to approve a few change orders.
2. We are moving forward with building a new highway garage. Working on the plans to go out to bid. Badey & Watson will be doing the Surveying, and QuES&T will be doing the Asbestos testing.
3. Had a discussed with many residents of Indian Brook Road regarding parking issues there, WE Closed down the parking area for the Marsh, but no matter what we do is doesn't seem help the situation there.
4. We are starting our budget season, were looking at 11.4 Million for 2021
5. Planning, Zoning and Conservation Boards are all meeting via Zoom.
6. Roberto Muller gave a Climate Smart program update and we have now implemented a refrigerant reclaim management program. Just bring your Ref, AC unit or other appliances that contain Freon to our recycling center on Saturday between 9 am -3 PM. We have 25 units and we will schedule our qualified contractor to remove the freon. He also indicated that he will be stepping down from is position as the Climate smart Coordinator late this year or early next year.
7. We paved the last 1100 feet of dirt road on East Mt Road South.
8. We encourage everyone to take the online survey that the Comprehensive plan is conducting go to [Philipstown2020.com](http://Philipstown2020.com)

# Village of Cold Spring Historic District Review Board

85 Main Street Cold Spring, New York 10516 (845) 265-3611

## MONTHLY REPORT TO THE VILLAGE BOARD OF TRUSTEES OCTOBER 2020

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### CURRENT APPLICATIONS

In September, we reviewed and approved an application for a patio/terrace awning for one of the condominium units at 22 Butterfield Road. We also met with the owners of a unit located within the Forge Gate condominiums, 11 The Blvd., Unit #A24, for replacement windows and doors. The management company and the condominium board at Forge Gate require a type of solid vinyl window that the Design Standards prohibit. The complex was originally built with solid, extruded aluminium windows, but the solid vinyl windows proposed have become more readily available, and have been installed over the years without our Board's approval at other units within the complex. After discussing the particulars of the application with all parties, it was determined that the complex is non-contributing in nature, and thus allows for more leeway in materials. On weighing the original and existing conditions in Forge Gate, as well as the facts of the application, it was approved. As follow-up to the materials inconsistency that this application raised, Board members agree that, given the construction period of the development and the particular issues related to conserving modern building materials, it makes sense to establish a sub-section of the new Design Standards that specifically addresses Forge Gate. This will allow for a more consistent and appropriate treatment of this portion of the District. Both the applicant and our Board acknowledge Code Enforcement Officer Charlotte Mountain for bringing attention to this matter and making sure that there is consistency in Code Enforcement going forward. In September, we also held a workshop with the owners of 7 Fair Street about expanding their front porch.

For our October monthly meeting on 10/14, we are expecting applications for window replacements and a fence at 4 Morris Avenue, and will continue our conversation with the owners of 7 Fair Street.

### BOARD WORK/PROJECTS/NOTES

1. We are prepping the final text of the Design Standards to hand off to the graphic designer, Kirsten Heincke. We look forward to finalizing our work on the Design Standards by the end of the year.

Respectfully submitted,

Sean Conway

**Albert G. Zgolinski, Chair; Kathleen E. Foley, Vice Chair  
Andrea Connor Hudson, Sean Conway, Lloyd L. DesBrisay**



**From:** Chief Tom Merrigan <coldspringfdchief@gmail.com>  
**Sent:** Thursday, October 8, 2020 9:39 AM  
**To:** Jeff Vidakovich  
**Subject:** CSFC Month Report

Cold Spring Fire Co  
Monthly Report

17 Alarms for September

Annual Hose Testing Completed

Respectfully  
Tom Merrigan  
Chief  
Cold Spring Fire Co

**From:** Jennifer Zwarich <jzwarich.cstab@gmail.com>  
**Sent:** Tuesday, October 13, 2020 11:00 AM  
**To:** Mayor Dave Merandy  
**Cc:** Jeff Vidakovich  
**Subject:** VBOT meeting  
**Attachments:** RFP TREE LOCATIONS & SPECS.pdf; RFP VCS Tree Maintenance\_2 2020.pdf; RFP VCS Tree Removal\_2 2020.pdf

Dave,

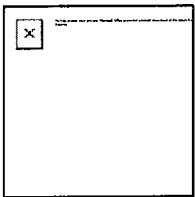
I wanted to let you know that I am not available to attend the VBOT monthly meeting tonight. The TAB has no new updates since I appeared before the board at your meeting last week except for this small confirmation:

Both Tree Removal and Tree Maintenance RFPs were released Friday 10/9 and posted on the TAB website and Jeff is posting them on the village website. We have emailed the RFPs to all local tree services we have worked with before and have also emailed them to additional tree service companies within 10 miles who are listed by ISA as employing current ISA certified Arborists. This should ensure we meet the Village Procurement Policy's requirement to consider at minimum 3 bids.

Thank you. And thanks for all that you do,  
Jen

Jennifer Zwarich  
Chairperson  
Tree Advisory Board

Village of Cold Spring  
85 Main Street  
Cold Spring, NY 10516  
[jzwarich.cstab@gmail.com](mailto:jzwarich.cstab@gmail.com)





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vcswater@coldspringny.gov  
**ROBERT DOWNEY, JR., HIGHWAY DEPARTMENT CREW CHIEF**  
highway@coldspringny.gov

## Water Department Monthly Operations Report

<b>Date:</b>	October 13 <sup>th</sup> , 2020	<b>Reporting Month of:</b>	September 2020
<b>2019 Reservoir Status:</b>	65.64% Capacity	<b>Reservoir Status:</b>	78.06% Capacity
<b>2019 Flow to System:</b>	9.18MG / 306k/day	<b>Flow to System:</b>	8.81MG / 294k/day
<b>Monthly Rainfall:</b>	3.32"	<b>Percent Change:</b>	4.1% Decrease

- **Bacteria/Lab Tests:** All Routine Bacteriological monthly samples all were found in good standing.
- **Service Line Leak and Repair:** A service line leak (estimated at roughly 10GPM) was discovered on 8/31 at 19 Parsonage at the service shutoff valve (located in the road). Resident had repaired on 9/17 by Infinity Plumbing, service shutoff valve was relocated to inside the curb / sidewalk, as well as upgrading the previous 1/2" meter to standard 3/4". Meter Encoder needs to be calibrated for new size, to be scheduled with resident.
- **Hydrant Flushing:** Took place from Tues. 9/22 thru Fri. 9/25.
- **ADWQR:** Annual Drinking Water Quality Report was submitted to P.C.D.O.H., to be sent out for printing and then mail out to residents.
- **Reservoirs:** Started releasing waters from the Upper Reservoir (after exercising valve) on 9/9 and closed down on 9/11, have been releasing waters from the upper res. for 2 days at a time per week to keep Lower Reservoir Level above 60%, as we are still releasing water from the Lower Reservoir order to satisfy water production needs.
- **Catskill DEP Project:** Badey and Watson surveying conducted and report received (3/2/2020). Bart Clark had reached out to DEP on 5/10, no update since emailing.

Respectfully Submitted,

Matt Kroog,  
Supt. of Water & Wastewater



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highway@coldspringny.gov

## Wastewater Department Monthly Operations Report

**Date:** October 13<sup>th</sup>, 2020      **Reporting Month of:** September 2020  
**Total Inflow to Plant:** 5.56 Million Gals.      **Average Daily Flow:** 185 K gals

### Plant Performance:

**Biochemical Oxygen Demand:** 96.97% Removal

**Total Suspended Solids:** 94.89% Removal

**Liquid Sludge Hauled Offsite:** 0 Gallons

- **Sewer Lateral Repair:** A break in the residential sewer lateral @ 19 Parsonage (same as in Water Report) was discovered during the repairs to the water service line on 9/17, as the water leak had deteriorated the resident's wastewater line to the main and was repaired same day as discovered.

Respectfully Submitted,

Matt Kroog  
Supt. of Water & Wastewater



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**ROBERT DOWNEY, HIGHWAY DEPARTMENT CREW CHIEF**  
 highway@coldspringny.gov

## Building Department Monthly Report September 2020

### Activity

New Building Permit Applications Received:	14
Building Permits Issued:	10
Operating Permits Issued	0
Dumpster Permits Issued	2
CO's Issued	8
Record Searches Completed:	12
Complaints Received:	2

### Referrals Generated

HDRB:	4
ZBA:	0
Planning:	0

### Fees

	<u>Sept. 2020</u>	<u>FY 2020-21</u>
Application and Permit Fees Collected:	\$ 1,972.25	\$ 8,592.25
Record Search Fees Collected:	\$ 900.00	\$ 2,175.00
Other Fees	\$ 60.00	\$ 210.00
<b>Total Collected:</b>	<b>\$ 2,932.25</b>	<b>\$ 10,842.25</b>

### Of Note:

- Shared calendar w/ Village Clerk set up to facilitate scheduling
- Updated Building Permit form to include Inspection Logs to be kept on-site



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**Date: 10.2.2020**

**Garbage: 62.1 Tons**  
**Recycling: 20.3 Tons**

For the month of September, we used 5 yards of Item #4 on E. Belvedere & Hamilton Streets, had (2) brush collections, trimmed limbs around the Village, cleaned off the roofs at the VO/subway entrances/ & at the Visitor's Center bathrooms, removed & repoured 60' of sidewalks on Parsonage St., repaired broken plumbing on FD's urinal, installed (2) new faucets at the Village Offices, and removed & buried (5) dead deer.

We acquired (2) sump pumps & (2) trash pumps from the FD that were donated by a resident. We have taken over Recreation's work load, and installed (2) new soap dispensers at the Mayor's Park Pavilion, and we had a new clutch installed on the zero-turn mower.

For the month of October, we have one (possibly two) sidewalks to remove & repour, tree limbs to get caught up on, and get ready for the pending Autumn.

Robert Downey  
VCS Highway Dept. Crew Chief

**JUSTICE COURT  
VILLAGE OF COLD SPRING**  
85 Main Street  
Cold Spring, NY 10516

Thomas J. Costello  
Village Justice

Phone (845) 265-9070  
Fax (845) 809-4210

**SEPTEMBER 2020 MONTHLY REPORT**

Fines, Forfeited Bails & Civil Penalties	\$ 3,300.00
Parking Tickets	4,420.00
Civil Fees	
Including Termination of Suspension Fees, Bail Poundage, Certificate of Disposition, Filing Fees, Small Claims, Transcripts of Judgment and Returned Check Fees	212.50
Mandatory State Surcharges	<u>1441.00</u>
TOTAL	<u>\$ 9,373.50</u>

A check in the above amount is submitted herewith.

Respectfully,



Thomas J. Costello  
Village Justice

Dated: October 1, 2020

**Cold Spring Village Court  
Summary Report of Cases Started**

**Judge Thomas J. Costello**

Report date: 10/01/2020

09/01/2020 to 09/30/2020

All Judges

**STATUTE      COUNT**

**ADDITIONAL INFORMATION**

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VTL              59

Number of DWIs - 1192:              0

Number of AUOs - 511:              0

Number of Speeds - 1180:              15

Number of Defendants:              53

Total Number Charges:              59

Average Charges/Defendant:              1.11

Number of Small Claims:              0





OFFICE OF THE STATE COMPTROLLER  
 Thomas P. DiNapoli, Comptroller

JUSTICE COURT FUND  
 110 STATE STREET  
 ALBANY, NY 12236

Thomas Costello - Justice  
 Village of Cold Spring  
 85 Main St  
 Cold Spring, NY 10516

September 28, 2020

For your information, shown below is the "Distribution Summary" of all reports received by us from the Village Court for the month of August 2020.

Receipts

<u>Justice</u>	<u>Report Month/Seq</u>	<u>Amount</u>
Thomas Costello	August 2020/01	\$7,186.00
Camille S Linson	August 2020/01	\$0.00
Total Court Receipts		\$7,186.00

DISTRIBUTION SUMMARY<sup>1</sup>

<u>Code</u>	<u>Trans</u>	<u>State</u>	<u>County</u>	<u>Village</u>	<u>Other</u>	<u>Amount</u>
AA	11	0.00	0.00	0.00	0.00	0.00
AB	48	0.00	0.00	4,450.00	0.00	4,450.00
AC	3	105.00	0.00	45.00	0.00	150.00
AD	1	0.00	0.00	1,675.00	0.00	1,675.00
CB		140.00	0.00	0.00	0.00	140.00
FS		15.00	0.00	0.00	0.00	15.00
MS		756.00	0.00	0.00	0.00	756.00
TOTALS :		1,016.00	0.00	6,170.00	0.00	7,186.00

<sup>1</sup> For an explanation of distribution codes, see the Comptroller's Handbook for Town and Village Justices

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# Village of Cold Spring - Planning Board

85 Main Street, Cold Spring, NY 10516  
Tel: (845) 265-3611 Fax: (845) 265-1002  
Web: [www.coldspringny.gov](http://www.coldspringny.gov)

September 25, 2020

Dear Mayor Merandy,

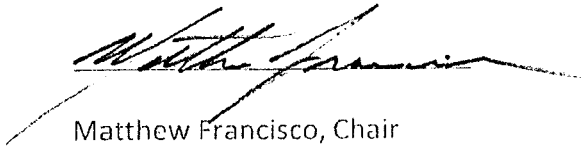
Please find the attached Planning Board Resolution, dated September 10, 2020 which was filed with the Village Clerk on September 25, 2020 (the "Planning Board Approval"). The Planning Board Approval granted conditional amended site plan approval to the applicant, Hussein Abdelhady, for the property located at 124 Main Street, identified as Section 48.8, Lot 2, Block 47 (the "Property").

The applicant is proposing to add general kitchen and dining services, that are available to the general public, within the pre-existing hotel use at the Property. The existing footprint of the building will remain the same. No exterior work is proposed. The amendment triggers the need for a waiver of four (4) off-street parking spaces as per Section 134-18.E(7). One of the Planning Board's conditions of approval requires the applicant to obtain the necessary parking waivers from the Village Board.

The applicant requests that the Village Board grant a parking waiver as stipulated in the Village Code to meet the Planning Board's condition of approval. In general, the Planning Board feels the waiver provisions set forth in Section 134-18.E(7) are intended for the proposed commercial use.

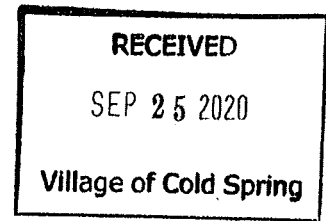
The Planning Board recommends the waiver for the four (4) off-street parking spaces based upon the following reasons: (1) most of the customers for the dining services will be guest in the hotel or visiting Main Street for other purposes, and (2) the hotel space is not expanding.

Respectfully,

A handwritten signature in black ink, appearing to read "Matthew Francisco". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Matthew Francisco, Chair  
Village of Cold Spring Planning Board

Cc: Village Clerk



Resolution No.: 4 of 2020

**THE VILLAGE OF COLD SPRING  
PLANNING BOARD**

**Roll Call Vote**

Names	Ayes	Noes	Abstain	Absent
<i>Chairman</i> <b>Matthew Francisco</b>	X			
<i>Member</i> <b>Stephanie Hawkins</b>	X			
<i>Member</i>				
<i>Member</i> <b>Lara Eldin</b>	X			
<i>Member</i> <b>Sue Meyer</b>	X			
<i>Alternate Member</i>				
<b>TOTAL</b>	<b>4</b>			

The following was presented  
By: Member Meyer  
Seconded by: Member Hawkins

Date of Adoption: September 10, 2020

**RESOLUTION OF THE PLANNING BOARD OF THE VILLAGE OF  
COLD SPRING GRANTING SITE PLAN APPROVAL TO HUSSEIN ABDELHADY  
FOR THE PARCEL OF REAL PROPERTY LOCATED AT  
SECTION 48.8, BLOCK 2, LOT 47,  
SAID PROPERTY ALSO KNOWN AS 124 MAIN STREET**

**WHEREAS**, the Planning Board of the Village of Cold Spring has received an application from the Hussein Abdelhady (the "Applicant") to amend a previously approved site plan to allow general kitchen and dining services, that will be available to the general public, within the pre-existing hotel use regarding real property situated at Section 48.8, Block 2, Lot 47, in the Village of Cold Spring, said lot also being known as 124 Main Street (the "Property"); and

**WHEREAS**, the Property lies within the Village's B-1 General Business Zoning District as well as the National and the Village's Historic Districts; and

**WHEREAS**, the Applicant is not proposing any exterior work so no review or approval by the Village's Historic District Review Board is required at this time; and

**WHEREAS**, the Applicant will need a waiver to pay a fee in lieu of providing the necessary off-street parking spaces from the Village Board of Trustees pursuant to §134-18.E(7); and

**WHEREAS**, this is a Type II Action under SEQRA because it involves a small permitted use of commercial space, and therefore, no environmental review is needed under SEQRA; and

**WHEREAS**, on September 10, 2020, the Planning Board held a public hearing on the amended site plan application; and

**WHEREAS**, there was no public opposition against the proposal; thus, the public hearing was closed on September 10, 2020; and

**NOW, THEREFORE, IT IS HEREBY**

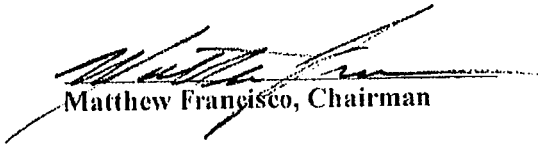
**RESOLVED**, that the Planning Board hereby determines that the site plan application meets all general site plan objectives set forth in Section 134-15.A of the Village Zoning Code; and it is further

**RESOLVED**, that the application of Hussein Abdelhady for an amended site plan approval in accordance with the plans last revised on August 14, 2020 to allow general kitchen and dining services, that will be available to the general public, within the pre-existing hotel use at the property situated at Section 48.8, Block 2, Lot 47, in the Village of Cold Spring, said lot also being known as 124 Main Street, Cold Spring, is hereby granted, subject to the following conditions:

- (1) Obtaining the four (4) necessary off-street parking waivers and making the required payment as determined by the Village Board of Trustees pursuant to §134-18.E(7); and
- (2) Subject to payment of all outstanding escrow consultant fees to the Village of Cold Spring as may be required in connection with the application.

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

DATED: September 10, 2020

  
Matthew Francisco, Chairman

Village of Cold Spring  
Village Board of Trustees  
85 Main Street, Cold Spring, NY 10516

Trustees Workshop  
10-6-2020

The Village of Cold Spring Board of Trustees held an online workshop meeting via video conference pursuant to Executive Order 202.1 on Tuesday October 6, 2020 at 6:30 pm. Present were: Mayor Merandy and Trustees Marie Early, Lynn Miller, Frances Murphy and Steve Voloto.

**PRESENTATION & DISCUSSION OF CHAZEN COMPANIES WATER SUPPLY STUDY**

Michelle Smith (HHLT) introduced the Chazen team and gave a brief history of the study noting that:

- The initial grant was solicited in 2017 and awarded in 2018
- Impetus for the study was to examine water quality, supply and demand in the context of climate change, weather events and future development
- Beacon has done a similar study

Russell Urban-Mead and George Cronk (both with Chazen Companies) presented the study and noted that:

- Demand is established in part by studying past usage and NYS issued guide for potential demand
- Current usage is 260K gallons/day with a treatment capacity of 800K gallons/day and a tank storage capacity of 500K gallons
- The upper and lower (middle) dams have a combined capacity of 65 million gallons, providing an eight month supply
- The Foundry reservoir has the capacity to provide a one-day supply
- A broken valve on the upper dam reduces the amount of water available. *Later in the meeting Water and Wastewater superintendent Matt Kroog noted that the valve was functioning and has been used. Urban-Mead and Cronk noted that this new information greatly improves water supply capacity for the Village.*
- The condition of water pipes was not a focus of this study

Chazen Companies Recommendations (some of the recommendations were rendered moot as the upper reservoir dam valve is functioning)

- Repair upper reservoir, with an estimated cost of \$4-5 million and 5-10 year timetable
- Draw more water from the lower and Foundry reservoirs
- Install Flashboards to increase capacity of the upper dam. Estimated cost \$150K
- Divert Jaycox Pond into the reservoir system, though this is not a year round water source
- Drill wells to offset water used from the reservoirs. Wells can be bedrock or sand and gravel, each with their own pros and cons

- Increase conservation efforts
- Perform infrastructure maintenance

#### Board Comment and Discussion

During the discussion it was noted that:

- Board members asked how tapping into Jaycox Pond would work. Chazen responded that it would be a gravity feed taken from the stream before it enters the pond. The Byram reservoir in Westchester is a nearby example.
- What would DEC concerns be (relative to tapping into Jaycox Pond)? Chazen responded that a pre-application meeting can be held to explore any concerns.
- What level of water flow can be expected from wells? Chazen responded that a bedrock well can produce 15-25 gallons/minute. Sand/gravel wells can produce up to 200 gallons/minute
- How much land would be required for wells and what would spacing between wells be? Chazen responded that the Board of Health stipulates a 100 ft radius, but that Chazen recommends 200 ft.
- If wells are too close and end up tapping into the same source, the flow at each well would be reduced
- Pumping water from Clove Creek is a possible source for additional water supply, but the cost will vary depending upon how it's exported. Clove Creek is approximately half a mile from the reservoirs.
- Chazen will forward a list of conservation resources for distribution to Village residents
- The existing storage tank is sufficient for current and anticipated needs
- Flashboards have a 5-10 year life expectancy
- Village reservoirs are solely dependent upon rainfall
- The current capacity of all reservoirs provides an eight month supply and that is a good benchmark when evaluating water supply needs
- Wells are less susceptible to weather and climate
- The cost to remedy outstanding DEC violations is a benchmark to evaluate the cost of other options that may be undertaken
- Next step for the Village is to determine the cost for a connection to Clove Creek and discuss the options presented.

#### **PANDEMIC OPERATION PLAN**

Board members noted that the majority of the state-mandated plan is already in place and only lacks being put into writing. Trustee Early will work with the Village Clerk on this matter.

#### **RESOLUTION 16-2020**

**Resolution Of The Village Board Of The Village Of Cold Spring Authorizing The Execution Of The Settlement Documents Regarding An Employment Discrimination Lawsuit Against The Village.**

Introduced by: Mayor Merandy

Seconded by: Trustee Early

Date of Adoption: October 6, 2020

**WHEREAS**, there is currently a pending employment discrimination lawsuit in the United States District Court for the Southern District of New York, which lawsuit was filed by Kenneth Trimble, III (“Plaintiff”) against the Village of Cold Spring and David Merandy, Mayor of the Village of Cold Spring (the “Village”); and

**WHEREAS**, the Village Board discussed the pending lawsuit in executive session with its legal counsel appointed by the Village’s insurance carrier and authorized its attorney to engage in settlement negotiations; and

**WHEREAS**, the Plaintiff has agreed to settle this proceeding pursuant to the terms previously discussed by the Village Board with its legal counsel; and

**NOW, THEREFORE, BE IT RESOLVED, THAT:**

- (1) the Village Board hereby agrees to settle this matter and authorizes the preparation of a stipulation of settlement pursuant to the terms previously discussed with its legal counsel (“Stipulation of Settlement”); and
- (2) the Mayor is authorized to execute any and all settlement documents, including but not limited to the Stipulation of Settlement, subject to review and approval of the final terms by the attorneys for the Village; and
- (3) the attorneys for the Village are authorized to take all steps necessary to effectuate the purpose of this Resolution.

**Upon Roll Call Vote:**

Mayor Merandy: Aye  
Trustee Voloto: Aye  
Deputy Mayor Early: Aye  
Trustee Miller: Aye  
Trustee Murphy: Aye

Vote: Resolution Carried by a vote of 5-0-0-0.

**TREE REMOVAL AND MAINTENANCE RFPs**

Tree Advisory Board (TAB) chair Jennifer Zwarich told the Board that:

- The TAB has prepared two RFP’s soliciting services for tree removal and maintenance.
- TAB plans to plant some new trees in the general area of those being removed
- TAB has received a \$49K grant to cover these services



- RFPs to be advertised on the Village website, social media and local papers. As well J. Zwarich will be contacting potential vendors directly

Mayor Merandy made a motion to approve the issuance of the RFPs. Trustee Voloto seconded and the motion passed unanimously.

#### **APPROVE HIRING OF GROUNDSKEEPER**

Mayor Merandy made a motion to hire Giacomo Del Vecchio at the rate of \$16/hour. Trustee Early seconded and the motion passed unanimously.

#### **APPROVAL OF BILLS**

Trustee Miller made a motion to approve Batch #5748 in the amount of \$18,957.26. Mayor Merandy seconded and the motion passed unanimously.

#### **APPROVAL OF MINUTES**

Mayor Merandy made a motion to adopt the 9-15-2020 minutes as amended. Trustee Miller seconded and the motion passed unanimously.

Mayor Merandy made a motion to adopt the 9-17-2020 minutes as submitted. Trustee Miller seconded and the motion passed unanimously.

Mayor Merandy made a motion to adopt the 9-22-2020 minutes as submitted. Trustee Early seconded and the motion passed unanimously.

Mayor Merandy made a motion to adopt the 9-29-2020 minutes as amended. Trustee Murphy seconded and the motion passed unanimously.

#### **PUBLIC COMMENT**

Mike Turton (The Highlands Current) asked what the Board planned as their next steps regarding the Chazen Companies report. Mayor Merandy responded that the Board will discuss the report in more detail. Repairs to the upper dam will be addressed first.

Turton asked whether the Chazen Companies report would have any impact on the ongoing discussions with the DEC regarding the Catskill aqueduct. Mayor Merandy responded that those talks were ongoing.

Stephanie Hawkins, 10 Academy Street, suggested the Board confer with the Village Attorney as to whether the Village Code should specifically address how future development will impact the water supply. She pointed out that while this is addressed by SEQR, the Planning Board (of which she is a member) would benefit from specific direction in this matter.

#### **CODE UPDATE REVIEW**

Trustee Early has spoken with NYSERDA regarding an extension of the code update timetable. She reported that while NYSERDA is reluctant, they have agreed to a 15 month extension, moving completion to the second quarter of 2022.

**AJOURNMENT**

Mayor Merandy made a motion to adjourn. Trustee Early seconded and the motion passed unanimously at 8:21 pm.

Submitted by: M. Mell

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Mayor Merandy

Date