

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
KATHLEEN E. FOLEY, TRUSTEE
FRANCES MURPHY, TRUSTEE
TWEEPS PHILLIPS WOODS, TRUSTEE

JEFF VIDAKOVICH, CLERK/TREASURER
MICHELLE ASCOLILLO, ACCOUNTANT
LARRY BURKE, OFFICER-IN-CHARGE
MATHEW KROOG, WATER SUPERINTENDENT
ROBERT DOWNEY, HIGHWAY DEPT CREW CHIEF
CHARLOTTE MOUNTAIN, CODE ENFORCEMENT OFFICER

Board of Trustees

Tuesday November 9, 2021 @ 7:00 PM

Via Videoconference as per Chapter 417 of NYS Laws of 2021

1. Pledge of Allegiance
2. Roll call
3. Financial Update
4. Report of the Highway Department
5. Report of Water and Wastewater Departments
6. Report of the Police Department
7. Monthly Board Reports: Recreation, Planning, Zoning, Historic District Review Board, Tree Advisory Board
8. Town of Philipstown
9. Fire Company
10. Report of Building Department
11. Justice Court Report
12. Report of the Mayor and Board of Trustees
13. Request for Menorah Lighting on Main Street
14. Update re: Seastreak request for additional 2021 dates
15. Approval of Bills - Batch #: Amount: \$
16. Approval of Minutes – 10/14/2021, 10/19/2021
17. Public Comment

The public is invited to attend the meeting as follows:

<https://zoom.us/j/94086293122?pwd=eVJpUnFZRUt5K3A3anhFLzlERG9SQT09>

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

Meeting ID: 940 8629 3122 Password: 259033

Financial Highlights – November 9, 2021

- **BVP** – Village has been awarded a 50% Federal DOJ grant for 4 new bullet proof vests for \$1,574. The vests have been received and I will submit for reimbursement.
 - This unique grant allows you to submit for items purchased several months prior to award date.
- **CFA – Consolidated Funding Grant Application**
 - Still no update from the Regional Councils/NYS on grant awards from the July Water Meter Endpoint application.
- **NYSERDA** – working with Trustee Early to submit all eligible expenses in the upcoming weeks.
- **Vehicles on Order**
 - **Dump Truck** – Gabrielli has said Kenworth pushed back build dates to start in first quarter of 2022.
 - **Police Explorer** – Ford has the vehicle scheduled to start building second week of December 2021
- **AFLAC** – working with Rep
- Overall, revenues and expenses are mostly on track for five months into the year.
 - Village wide vehicle/equipment repairs are a little high, but not yet over budget.
 - At the next monthly meeting, I will have a detailed spreadsheet for the first six months of expenses/revenue compared to budget as well as projections for the remaining six months.

Michelle Ascolillo, 11/5/21



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
mayor@coldspringny.gov
MARIE EARLY, TRUSTEE
trustee.early@coldspringny.gov
KATHLEEN E FOLEY, TRUSTEE
trustee.foley@coldspringny.gov
FRANCES MURPHY, TRUSTEE
trustee.murphy@coldspringny.gov
TWEEPS WOODS, TRUSTEE
trustee.woods@coldspringny.gov

JEFF VIDAKOVICH, CLERK/TREASURER
vcsclerk@coldspringny.gov
MICHELLE ASCOLILLO, ACCOUNTANT
treasurer@coldspringny.gov
JOHN W. FURST, ATTORNEY
MATT KROOG, WATER & WASTEWATER SUPERINTENDENT
vcswater@coldspringny.gov
ROBERT DOWNEY, JR., HIGHWAY DEPARTMENT CREW CHIEF
highway@coldspringny.gov

Highway Dept. Monthly Report

October 2021

Date: 11.3.2021

Garbage: 48.95 Tons

Recycling: 23.62 Tons

For the month of October, we had 2 brush collections, trimmed limbs, installed a new manhole frame & risers at Parrott & Pine intersection with Wastewater Dept., prepped trucks & equipment for auction, assisted REC Dept. with brush removal at Mayor's Park.

We installed a new hydraulic line on the outrigger of the backhoe, the 2016 F-350 blew one of it's transmission lines so we replaced both lines, and started readying our salters & plows for the coming winter.

Robert Downey

VCS Highway Dept. Crew Chief



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
mayor@coldspringny.gov
MARIE EARLY, TRUSTEE
trustee.early@coldspringny.gov
KATHLEEN E FOLEY, TRUSTEE
trustee.foley@coldspringny.gov
FRANCES MURPHY, TRUSTEE
trustee.murphy@coldspringny.gov
TWEEPS WOODS, TRUSTEE
trustee.woods@coldspringny.gov

JEFF VIDA KOVICH, CLERK/TREASURER
vcsclerk@coldspringny.gov
MICHELLE ASCOLILLO, ACCOUNTANT
treasurer@coldspringny.gov
JOHN W. FURST, ATTORNEY
MATT KROOG, WATER & WASTEWATER SUPERINTENDENT
vcswater@coldspringny.gov
ROBERT DOWNEY, JR., HIGHWAY DEPARTMENT CREW CHIEF
highway@coldspringny.gov

Water Department Monthly Operations Report

Date:	November 9 th , 2021	Reporting Month of:	October 2021
2020 Reservoir Status:	85.02% Capacity	Reservoir Status:	97.27% Capacity
2020 Flow to System:	7.86MG / 253k/day	Flow to System:	7.43MG / 240k/day
Monthly Rainfall:	6.77"	Percent Change:	5.48% Decrease

- **Bacteria/Lab Tests:** All routine sampling were found in good standing.
- **pH System at WTF:** On Thursday 10/28, the Hach sc100 was found non-operational, inhibiting the pH control system. Contacted Hach and informed that this piece of equipment is not covered under the current service agreement, as in 2018, Hach informed all owners of the sc100 that it would not be able to service these devices, due to no available repair parts. Hach also had no inventory of any sc200's and was purchased through USA Bluebook on same day. Received and installed new sc200, re-establishing communications between the pH chemical system and SCADA PC on Friday 10/29.
- **Catskill DEP Project:** Impromptu onsite meeting with Anthony Viccaro of DEP on Friday 10/29/21 at potential future Aqueduct connection (as existing was disconnected in January 2021) on Fishkill Rd. DEP has installed a 5' length 12" Cast Iron Piping with a Blind Flange (Dead Ended) for the potential future connection by the village. The piping is off the DEP's Syphon/Flushing Line off of the Aqueduct (connected to the bottom of Aqueduct), which should eliminate the entrained air in the water(s) encountered with the old now non-existent connection.
- **HAB Protocol:** Working with Putnam Co. D.o.H. in regards to a HAB Stand Operating Procedures and Sampling Plan in regards to algae blooms in the future (as Algae Blooms have occurred in the past two summer seasons).
- **Badger Endpoint Upgrade:** Spoke with Badger, Order has not been put into production (microchip shortage), expected start of Production of Endpoints is currently December 2021, shipping and receipt of Endpoints to be determined.
- **Filtration Unit Rehabilitation:** Working with Westech to revise refurbishment quote to get only what is absolutely needed done, replacing media and miscellaneous upgrades in future.



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
mayor@coldspringny.gov
MARIE EARLY, TRUSTEE
trustee.early@coldspringny.gov
KATHLEEN E FOLEY, TRUSTEE
trustee.foley@coldspringny.gov
FRANCES MURPHY, TRUSTEE
trustee.murphy@coldspringny.gov
TWEEPS WOODS, TRUSTEE
trustee.woods@coldspringny.gov

JEFF VIDA KOVICH, CLERK/TREASURER
vcsclerk@coldspringny.gov
MICHELLE ASCOLILLO, ACCOUNTANT
treasurer@coldspringny.gov
JOHN W. FURST, ATTORNEY
MATT KROOG, WATER & WASTEWATER SUPERINTENDENT
vcswater@coldspringny.gov
ROBERT DOWNEY, JR., HIGHWAY DEPARTMENT CREW CHIEF
highway@coldspringny.gov

Wastewater Department Monthly Operations Report

Date: November 9th, 2021 **Reporting Month of:** October 2021

Total Inflow to Plant: 7.57 Million Gals. **Average Daily Flow:** 244 K gals

Plant Performance:

Biochemical Oxygen Demand: 98.35% Removal

Total Suspended Solids: 97.78% Removal

Liquid Sludge Hauled Offsite: 24,000 Gallons

- **Residential Sewer Lateral Repair:** Upcoming Repair of Residential sewer lateral on Fair St., Meeting requested by Resident to discuss re-pavement of Road after repair, no updates since 9/13 meeting with proposed contractor of repair.
- **Leak on WWTF Grounds:** Sprayer Line Leak was further troubleshot and confirmed to not be a leak but standing ground water after a rain event. (Tested with 60 PSI Non-Potable Water / Recycle Effluent Water)
- **"E-2" Infiltration and Intrusion Inspections:** This project is to be rescheduled.



Village of Cold Spring Police Department

Monthly Report:

Oct-21

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	1	Abandoned vehicle	
Aggravated harassment		Aided case	14
All other	2	Animal bite	
Animal acting rabid		Assist fire department	
Animal complaint other		Attempt to locate person	
Animal struck by motor vehicle		Buglary attempt	
Assist citizen	3	Car blocking	
Assault		Civil matter	1
Burglary		Criminal mischief	1
Burglary in progress		Disabled vehicles	3
Child abuse		DMV suspensions/revocations	
Criminal impersonation		Domestic dispute	1
Custodial interference		Drug complaint	
Disorderly conduct/Disturbance	2	Drug sale	
Dog complaint		Extortion	
Driving while intoxicated		Family offense	
Drug possession		Fire Alarm	
False Alarm (any type)	5	Gun shots	
Family court summons		Harassment	2
Fireworks		Health & Safety hazard	
Fraud	2	Illegally parked vehicle	
Funeral escort		Insufficient funds-Checks	
Hazardous material/spill leak		Lockout - vehicle	3
Hit & Run		Mental health incident	
Impounded vehicles		Missing person	
Larceny	1	Navigation accident	
Leaving scene of accident		Neighborhood Dispute	
Lockout - residence		Notification death or emergency	
Loitering		Officer needs assistance	6
Lost or Stolen license plates		Other	
Missing child		Person with a gun	
Natural disaster		Possession of weapon	
Navigation complaint		PDAA	4
Noise complaint	1	PIAA	1
Obscenity/pornography		Property lost	
Open door		Property stolen	
Other accident		Reckless driving	
Personal injury		Unwanted Party	
Private property		Robbery-in progress	
Property found	2	Shoplifting	
Property recovered		Speeding vehicle	
Public property		Suspicious person	
Robbery		Theft of services	
Repossession of vehicle		Trespass	
Robbery - other		Unauthorized use of a vehicle	
Simple assault		V&T complaint	
Suicide attempt			
Suspicious vehicle			
Transports			
Unattended death			
Wefare Check	4	Total number of calls for service:	59
Wires down		Total Number Year to Date	591



Village of Cold Spring Police

Village of Cold Spring

Recreation Commission Report - November 2021

Goal: It is the mission statement of the Commission to increase the recreational use of Village parks.

New Applications:

- None

Upcoming Approved Events:

- Kurt Stetz- Bandstand Wedding - November 14, 2021- 11:00am-12:00pm (50-60 attendees)

Mayor's Park & Pavilion:

- The Commission is soliciting bids from local contractors to repair the basketball court and in discussions with the Little League for possible repairs and use of the softball field.
- The Trustees are working to clean out and/or sell the contents of the shed in the Southwest corner. The Commission is available to assist.
- The Commission cleared brush & trees along the North side of the Pavilion per the approval of the Tree Committee. The Village Highway Department assisted with the removal.
- Repairs were made to the door and lock at the Pavilion storage closet, which was vandalized. The Commission met with Cold Spring Police to report the incident.
- The Commission is working with the Cold Spring Police to address parking issues during events at Mayor's Park & Pavilion.

McConville Park 9/11 Memorial:

- The Commission has been watering the recently planted flowers and tree in the garden. Work will continue in the spring with more planting and mulch.
- Jen Swarich is working with the Tree Committee to prune the evergreen tree closest to the garden. The Commission is working to have a plaque made to place in front of the tree commemorating it as the first holiday tree at the Bandstand.
- The Commission is working with Boy Scout Owen Carmicino for his Eagle Scout project, a sign for the 9/11 Memorial viewable from Morris Avenue (Route 9D).

Bandstand:

- The holiday lights for the Bandstand are on order and should be in next week. The Commission will decorate the Bandstand following the November 14th event.
- The date and time of Santa's visit and the tree lighting at the Bandstand is to be determined.

Other Recreation Commission Items:

- Both the Ticketed and Non-Ticketed Event Applications were revised based upon the Trustee's feedback and are ready for final review/approval.
- A draft of the Event Coordinator's job description has been completed by the Commission and ready to be reviewed by the Trustees.
- The recreation survey was sent via email and through the Village Facebook page. Results have been analyzed and will be used to schedule activities/leagues. The Commission is working with the Village advisors to prepare insurance liability waivers.

Village of Cold Spring

Policies and Procedure for NON-Ticketed Events

1. The following uses require an application:
 - All use of the Bandstand
 - Groups of ten (10) or more at Mayor's Park Field and/or Pavilion
 - Groups of ten (10) or more at McConville Park
2. An application must be completed and submitted to the Recreation Commission at least 8 weeks prior to the event.
3. The Recreation Commission reviews applications at their monthly meeting and provides recommendations to the Village Board. The Recreation Commission meets the third Wednesday of each month. The Village Board receives recommendations and makes the final decision. The Recreation Commission will notify the applicant of the final decision.
4. Registered 501C-3 not-for profit organizations with branches located in Cold Spring may reserve locations free of charge, if available. Reservations should be requested at least 3 weeks prior to the scheduled event.
5. Organizations or clubs utilizing the facility must provide the Village of Cold Spring a liability insurance policy naming the Village of Cold Spring as a named insured on said policy. The policy shall have limits of \$1,000,000 for any one injury and \$2,000,000 for any one event and be written by or through an insurance company licensed by the State of New York. Homeowners/Individuals not associated with a group are required to provide proof of insurance with a minimum coverage of \$300,000 with the application.
6. All fees and deposits must accompany the completed application. (Fees for usage listed on page 5)
7. Rain dates cannot be reserved unless paid for in addition to the regularly scheduled event date(s).
8. All locations open at 8AM and close at 9PM. All occupants must vacate the site by the closing time. The Applicant or representative must be on site from the time when guests enter the site until which time all have exited the site.
9. If the event includes inflatable(s), the applicant must include a certificate of insurance from the company supplying the inflatable(s) prior to the event.
10. If live animals are included in the event, the applicant must include a certificate of insurance from the company supplying the animals prior to the event.
11. Event signage may be displayed on the day of the scheduled event on the Mayor's Park Fence. Signage is prohibited from being attached to trees or poles within the Village or in the tree planters/utility stays on Main Street. Stapling or nailing items to the structure or defacing property in anyway is strictly prohibited. All signage must be removed by the day after the event.
12. The facilities are carry-in and carry-out. Remove all refuse at the end of each rental day to the satisfaction of the Recreation Commission or designee by the posted closing time.
13. Picnic tables are not to be moved; the five (5) tables must always remain in their original position under the Pavilion.
14. All tents must be secured and inspected by the Code Enforcement Officer at least 24 hours in advance of the event. All tent and equipment deliveries must be scheduled between 8AM - 3PM. Copies of the contracts for deliveries must be forwarded to the Recreation Commission/Town Clerk at least one week prior to the event.
15. Set-up or break-down dates other than the date(s) of the event must be noted in the application. A rental fee will be added for each additional day. Any deliveries must be done between 8AM - 3PM. Copies of the contracts for deliveries must be forwarded to the Recreation Commission/Town Clerk at least one week prior to the event.

16. All amplified sound must be arranged to face West towards the River only.
17. Vehicle access within Mayor's Park Fields and the Pavilion is only permitted in the areas marked on the site map provided on page 6. If there is rain on the day of the event (including set-up dates) and/or any of the 2 days prior to the event (including set-up dates), no vehicles, other than emergency services vehicles, will be allowed on any portion of the Mayor's Park Fields or Pavilion.
18. No vehicles, other than emergency service vehicle(s) in the event of an emergency, are allowed beyond the eastern end of the Pavilion in the Pavilion area. A maximum of 15 vehicles, with official Persons with Disabilities placards or license plates, will be allowed to park in the Pavilion area between the Pavilion and the fence on the eastern end of the park.
19. Alcoholic beverages are prohibited on Village sites unless an NYS-SLA Permit has been obtained.
20. Reservations apply only to the facility for the event; adjacent areas or facilities are open to the public during the event. When reserving the Bandstand, be appraised that the waterfront is a popular tourist destination in addition to being frequented by local residents. The Village dock is also used by large ships for docking, loading and unloading of passengers, especially during the fall season. When reserving the Mayor's Park Pavilion, the Mayor's Park Fields are open to Village residents unless the fields are also rented for the event.
21. The Applicant receiving approval agrees to, and acknowledges, the responsibility for compliance with all applicable rules, regulations, ordinances, and statutes. The Applicant expressly agrees that they will not use the Village Facility to which the permit applies for any activity proscribed by the laws of the U.S., State of New York, the County of Putnam or the Village of Cold Spring. The Applicant further agrees to accept the total responsibility of preserving proper order and decorum, the protection of Village property, and the restoration of the facility to the condition in which it existed prior to the event. The Applicant agrees to comply with the instructions and directions of the Village Board or their authorized designee and all Village of Cold Spring staff. The commission of any act in violation of Federal, State, County, or local laws by the Applicant shall be deemed a material breach of the terms of the approval and shall be sufficient grounds for the Applicant's Approval to be revoked.
22. **FORFEITURE OF DEPOSIT MAY RESULT FROM THE FOLLOWING:** Failure to comply with the Policies and Procedures; failure to leave the area in the condition it was in before the event; failure to remove all trash. Any necessary repairs to the grounds and facilities will be performed by the Village of Cold Spring or a designated professional of their approval and the cost will be deducted from the deposit. If cost exceeds deposit, an invoice will be sent to the Applicant who will be responsible for the additional cost of repairs.

APPLICATION FOR NON-TICKETED USE OF MAYOR'S PARK FIELDS, MAYOR'S PARK PAVILION, MCCONVILLE PARK, OR BANDSTAND

Applicant: _____

Sponsoring Organization: _____

Address: _____ Email: _____

Phone: _____ Cell: _____

Please check if applicable:

___ Cold Spring Village Resident ___ Philipstown Resident ___ Not-for-Profit Org.*

**If this is a 501C-3 Not-For Profit organization, please attach proof*

Site(s) Requested: _____

(Mayor's Park Fields, Mayor's Park Pavilion, McConville Park, Bandstand)

Date(s) of Event: _____ Start Time: _____ End Time: _____

All locations open at 8AM and close at 9PM. The facilities are carry-in and carry-out.

All clean up must be completed by the end of each event day (9PM).

Additional Date(s) and Time(s) for Set-Up and Break-Down:

Estimated Attendance: _____

(Mayor's Park Fields and Pavilion - maximum 1,500 occupants)

Will there be Amplified Sound? _____ Yes _____ No

Will there be a tent or canopy? _____ Yes _____ No

Size: _____ (Square Feet) Location: _____

The undersigned is over 21 years of age and has read this form and all included information and agrees to comply with them. Individual or Organization Representative does hereby agree to be responsible to the Village of Cold Spring for the care and use of the facilities. I, on behalf of _____, do/does hereby agree to indemnify and hold harmless the Village of Cold Spring from any and all claims, suits, or demands and any expenses incurred by said Village for investigation, legal fees, or otherwise, which arise out of or are connected with the Village facility applied for herein and said Village shall be held harmless and indemnified regardless of whether the acts are the fault of the applicant or the Village.

I, _____, and/or the organization I represent, _____, agree to pay for any and all damages to equipment or property of the Village of Cold Spring by said organizations, members, guests, or visitors.

Signature (Individual or Organization Representative)

Date _____

*******THE FOLLOWING TO BE COMPLETED BY THE VILLAGE OF COLD SPRING*******

Approval by Recreation Commission: Date _____ By _____
Notes:

Approval by Village Board: Date _____ By _____

Village Board to check appropriate Notations for Recreation Commission distribution:

_____ Village of Cold Spring Police
_____ Village of Cold Spring Highway Department
_____ Village of Cold Spring Fire Department
_____ Philipstown Ambulance Corps

FEE & SECURITY DEPOSIT FOR NON-TICKETED EVENTS				
Village Site	Cold Spring Village Resident	Philipstown Resident	Non-Resident	Event Fees
Mayor's Park Fields (Athletic Events)	\$0	\$50*	Not Permitted	
Mayor's Park Fields (Other Events)	\$50*	\$100*	Not Permitted	
Mayor's Park Pavilion	\$100*	\$200*	Not Permitted	
Bandstand and Driveway (Weddings)	\$125	\$250	\$500	
Bandstand Only (Other Events)	\$50*	\$100*	\$250*	
McConville Park (Excluding Tots Park)	\$50*	\$100*	Not Permitted	

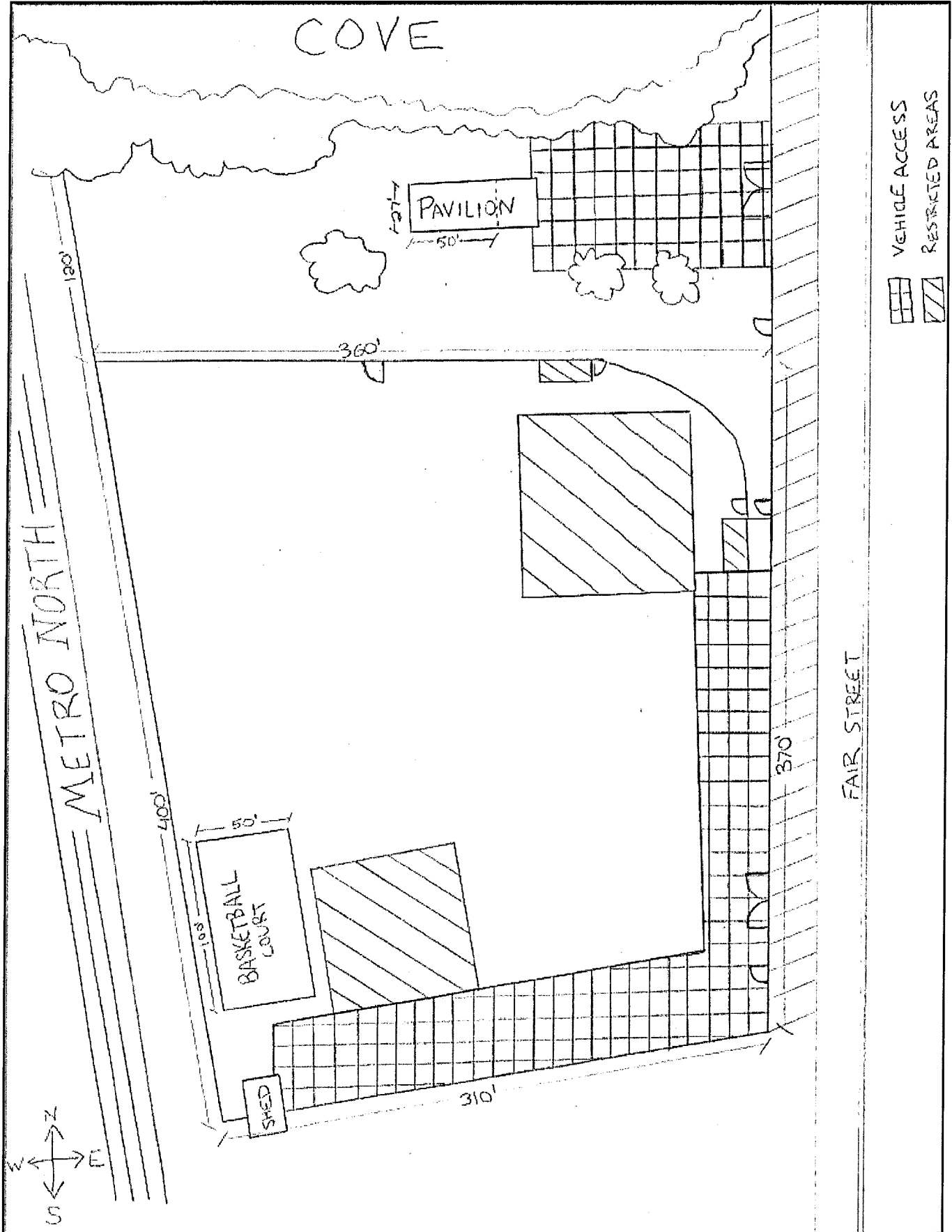
*Security Deposit Equal to Rental Fee (Due with Application) No Security Deposit is needed for Set-Up or Break-Down days All reservations are a maximum of four (4) hours. Additional time will be \$25/hour	
The Village of Cold Spring may impose additional requirements prior to the issuance of the permit as required by the nature of the use for the event. Any costs associated with these additional requirements will be incurred by the permittee.	
Total Amount Due with Application Checks made payable to <i>Village of Cold Spring</i>	

Date Approved: _____

Date of Certificate of Insurance: _____

Fee to be charged: _____ Date fee received: _____

Permit issued by: _____



Village of Cold Spring

Policies and Procedure for Ticketed Events

1. The following uses require an application:
 - All ticketed event on Village of Cold Spring Property
 - All events where use and access to Cold Spring Village property is closed to the public and charges are levied for admission, sales, or entry fees.
2. An application must be completed and submitted to the Recreation Commission at least 8 weeks prior to the event.
3. The Recreation Commission reviews applications at their monthly meeting and provides recommendations to the Village Board. The Recreation Commission meets the third Wednesday of each month. The Village Board receives recommendations and makes the final decision. The Recreation Commission will notify the applicant of the final decision.
4. Registered 501C-3 not-for profit organizations with branches located in Cold Spring may reserve locations, if available. Reservations should be requested at least 3 weeks prior to the scheduled event.
5. Organizations or clubs utilizing the facility must provide the Village of Cold Spring a liability insurance policy naming the Village of Cold Spring as a named insured on said policy. The policy shall have limits of \$1,000,000 for any one injury and \$2,000,000 for any one event and be written by or through an insurance company licensed by the State of New York. Insurance coverage shall include all days that the site is to be used. This includes all days from initial set-up until all items brought in for the event are completely removed from the site.
6. All fees and deposits must accompany the completed application. (Fees for usage listed on page 6)
7. Rain date(s) cannot be reserved unless paid for in addition to the regularly scheduled event date(s).
8. All locations open at 8AM and close at 9PM. All occupants must vacate the site by the closing time. The Applicant or representative must be on site from the time when attendees and/or vendors/staff enter the site until which time all have exited the site.
9. If the event includes Inflatable(s), the applicant must include a certificate of insurance from the company supplying the inflatable(s) prior to the event.
10. If live animals are included in the event, the applicant must include a certificate of insurance from the company supplying the animals prior to the event.
11. Event signage may be displayed a maximum of one week in advance of the scheduled event on the Mayor's Park Fence. Signage may be placed at the corner of Fair and Main Street advertising and directing ticket holders to the event on the day of the event only. Signage is prohibited from being attached to trees or poles within the Village or in the tree planters/utility stays on Main Street. Stapling or nailing items to the structure or defacing property in anyway is strictly prohibited. All signage must be removed by the day after the event.
12. The facilities are carry-in and carry-out. Trash cans or dumpsters will not be provided. Remove all refuse at the end of each rental day to the satisfaction of the Recreation Commission or designee by the posted closing time.
13. Picnic tables are not to be moved; the five (5) tables must always remain in their original position under the Pavilion.
14. All tents must be secured and inspected by the Code Enforcement Officer at least 24 hours in advance of the event. All tent and equipment deliveries must be scheduled between 8AM - 3PM. Copies of the contracts for deliveries must be forwarded to the Recreation Commission/Town Clerk at least one week prior to the event.
15. Set-up or break-down dates other than the date(s) of the event must be noted in the application. A rental fee will be added for each additional day. Any deliveries must be done between 8AM - 3PM. Copies of

the contracts for deliveries must be forwarded to the Recreation Commission/Town Clerk at least one week prior to the event.

16. All amplified sound must be arranged to face West towards the River only.
17. Vehicle access within Mayor's Park Fields and Pavilion is only permitted in the areas marked on the site map provided on page 7. If there is rain on the day of the event (including set-up dates) and/or any of the 2 days prior to the event (including set-up dates), no vehicles, other than emergency services vehicles, will be allowed on any portion of the Mayor's Park Fields or Pavilion.
18. No vehicles, other than emergency service vehicle(s) in the event of an emergency, are allowed beyond the eastern end of the Pavilion in the Pavilion area. A maximum of 15 vehicles, with official Persons with Disabilities placards or license plates, will be allowed to park in the Pavilion area between the Pavilion and the fence running parallel with Fair Street on the eastern end of the park.
19. Alcoholic beverages are prohibited on Village sites unless an NYS-SLA Permit has been obtained. If food and/or alcohol is to be sold, the applicant must provide the Health Department and/or NYS-SLA permit(s) at least two (2) weeks prior to the event.
20. Pavilion restrooms will not be available during ticketed events. Portable restrooms shall be provided by the Applicant.
21. A Site Plan for Ticketed Events must be submitted utilizing the form provided. The applicant and a member of the Recreation Commission or designee must meet at least one week prior to the event on location to do a final review of the site plan to ensure guidelines will be met.
22. The Village of Cold Spring Highway Garage site must be rented for each ticketed event in the amount of \$350 per day to be used for event staff and vendors. Applicant must supply signage for vendors to display on dashboard of their vehicles. Applicant must have a person directing traffic/parking at Highway Garage site and checking vendor display signs. The Village of Cold Spring will install temporary signage for parking at Highway Garage site near Fair Street entrance and will install traffic cones designating area where parking will not be allowed. Access to gas pumps and passage to the rear of the garage must always be kept free of obstruction.
23. The Applicant receiving approval agrees to, and acknowledges, the responsibility for compliance with all applicable rules, regulations, ordinances, and statutes. The Applicant expressly agrees that they will not use the Village Facility to which the permit applies for any activity proscribed by the laws of the U.S., State of New York, the County of Putnam or the Village of Cold Spring. The Applicant further agrees to accept the total responsibility of preserving proper order and decorum, the protection of Village property, and the restoration of the facility to the condition in which it existed prior to the event. The Applicant agrees to comply with the instructions and directions of the Village Board or their authorized designee and all Village of Cold Spring staff. The commission of any act in violation of Federal, State, County, or local laws by the Applicant shall be deemed a material breach of the terms of the approval and shall be sufficient grounds for the Applicant's Approval to be revoked.
24. **FORFEITURE OF DEPOSIT MAY RESULT FROM THE FOLLOWING:** Failure to comply with the Policies and Procedures; failure to leave the area in the condition it was in before the event; failure to remove all trash. The Applicant is responsible for any damages that occur to the site during the event and event set-up and break-down. Any necessary repairs to the grounds and facilities will be performed by the Village of Cold Spring or a designated professional of their approval and the cost will be deducted from the deposit. If cost exceeds deposit, an invoice will be sent to the Applicant who will be responsible for the additional cost of repairs.

APPLICATION FOR TICKETED USE OF MAYOR'S PARK FIELDS AND/OR MAYOR'S PARK PAVILION

Applicant/ Contact: _____

Sponsoring Organization: _____

Address: _____ Email: _____

Phone: _____ Cell: _____

Please check if applicable:

Cold Spring Village Resident Philipstown Resident Not-for-Profit Org.*

**If this is a 501C-3 Not-For Profit organization, please attach proof*

Site(s) Requested: _____

(Mayor's Park Fields, Mayor's Park Pavilion)

Date(s) of Event: _____ Start Time: _____ End Time: _____

All locations open at 8AM and close at 9PM. The facilities are carry-in and carry-out.

All clean up must be completed by the end of each event day (9PM).

Additional Date(s) and Time(s) for Set-Up and Break-Down:

Estimated Attendance: _____

(Mayor's Park Fields and Pavilion - maximum 1,500 occupants, including event staff and vendors)

Will there be Amplified Sound? _____ Yes _____ No

Will there be a tent or canopy? _____ Yes _____ No

Size: _____ (Square Feet) Location: _____

TICKETED EVENT INFORMATION:

Event Name: _____

Type of Event: _____

Maximum number of tickets to be sold: _____

Activities Planned: _____

How will the event be advertised? _____

Will there be a stage? Yes No

If yes, where: _____

Will alcohol be sold? Yes No

If yes, a separate NYS SLA permit is required

Will food be sold? Yes No

If yes, a separate NYS Health Dept. permit is required

Will any goods be sold? Yes No

Describe: _____

The undersigned is over 21 years of age and has read this form and all included information and agrees to comply with them. Individual or Organization Representative does hereby agree to be responsible to the Village of Cold Spring for the care and use of the facilities. I, on behalf of _____, do/does hereby agree to indemnify and hold harmless the Village of Cold Spring from any and all claims, suits, or demands and any expenses incurred by said Village for investigation, legal fees, or otherwise, which arise out of or are connected with the Village facility applied for herein and said Village shall be held harmless and indemnified regardless of whether the acts are the fault of the applicant or the Village.

I, _____, and/or the organization I represent, _____, agree to pay for any and all damages to equipment or property of the Village of Cold Spring by said organizations, members, guests, or visitors.

Signature (Individual or Organization Representative)

Date _____

*******THE FOLLOWING TO BE COMPLETED BY THE VILLAGE OF COLD SPRING*******

Approval by Recreation Commission: Date _____ By _____

Notes:

Approval by Village Board: Date _____ By _____

Village Board to check appropriate Notations for Recreation Commission distribution:

- _____ Village of Cold Spring Police
- _____ Village of Cold Spring Highway Department
- _____ Village of Cold Spring Fire Department
- _____ Philipstown Ambulance Corps

FEE & SECURITY DEPOSIT FOR TICKETED EVENTS			
Village Site	Not- For Profit	For Profit	Event Fees
Mayor's Park Fields	\$500	\$2,000*	
Mayor's Park Pavilion	\$0	\$500	
Highway Department (Vendor Parking)	\$0	\$350	
Note: fee is per day, unless noted otherwise			
Police: \$38 per hour. Hours to be determined by the Officer in Charge.			

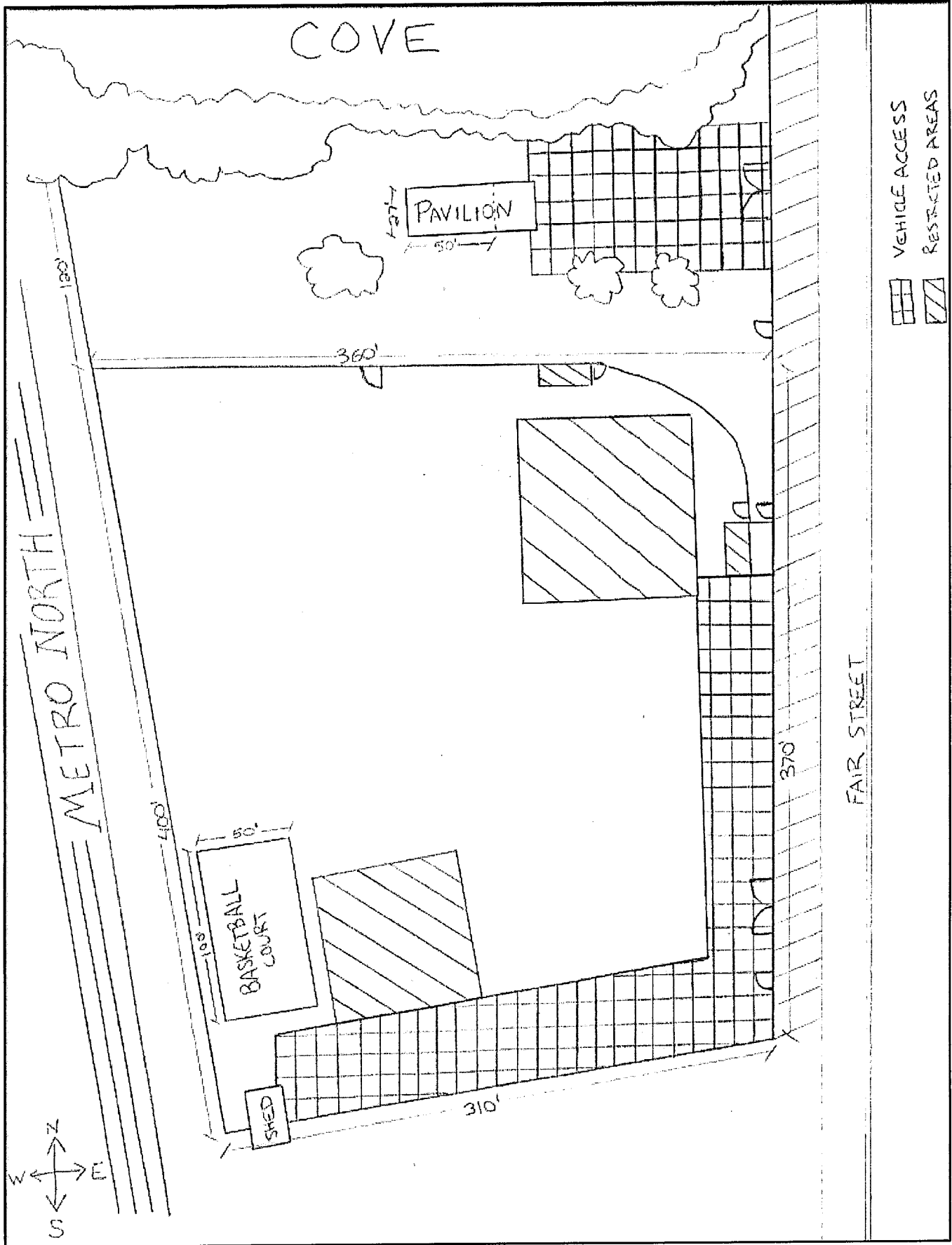
*Security Deposit \$500 per event day(s) only (Due with Application)	
Note: No Security Deposit is needed for Set-Up or Break-Down days	
The Village of Cold Spring may impose additional requirements prior to the issuance of the permit as required by the nature of the use for the event. Any costs associated with these additional requirements will be incurred by the permittee.	
Total Amount Due with Application Checks made payable to <i>Village of Cold Spring</i>	

Date Approved: _____

Date of Certificate of Insurance: _____

Fee to be charged: _____ Date fee received: _____

Permit issued by: _____



**Zoning Board of Appeals
Cold Spring, N.Y.
Monthly Report: October 2021**

Nov. 5, 2021

To: Mayor and Board of Trustees

From: Eric Wirth, Chair

The ZBA held no meetings in October because it had received no applications.

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 NOVEMBER 2021

CURRENT APPLICATIONS

In October, we met twice. We conducted the public hearing for an application to build an addition on the front of 17 Parsonage Street, and the application was approved. We reviewed and approved an application for new windows and doors at 36 Kemble Avenue, and an application for a new solar array at 39 Church Street. We also met with the owners of 4 Garden Street about new siding for their building, however more information about the project is needed before we can approve that application.

For our monthly meeting in November, we have received applications for a new window at 6 Cherry Street, along with several exterior improvements at 9 Orchard Street.

BOARD WORK/PROJECTS/NOTES

- Due to notice posting requirements, we were unable to schedule our public hearing for the District Map in October. It is scheduled for November 10th.
- We would like to congratulate Trustee Foley, Trustee Woods and Trustee-Elect Starbuck on their successful election. We look forward to working with them and the rest of the Board.

Respectfully submitted,

Sean Conway

**Albert G. Zgolinski, Chair; Sean Conway, Vice Chair
Andrea Connor Hudson, Lloyd L. DesBrisay, Todd Seekircher**

TREE ADVISORY BOARD

Village of Cold Spring

Members: Tony Bardes; Charles Day; Kory Riesterer; Taro Ietaka.; Jennifer Zwarich

REPORT TO THE VILLAGE BOARD OF TRUSTEES

11/9/2021

The Tree Advisory Board held their regular meeting on Oct 27th both in-person in the Village Hall and on Zoom.

MISC UPDATES:

1. FALL PLANTING

Unfortunately we have decided to pause our normal annual fall planting due to the workload and staffing shortage in the Highway Dept. We hope to try to make up for it with a larger spring planting next season.

2. BOSCOBEL TREE INITIATIVE

The village has been invited by Boscobel to participate in an educational/outreach role in an as-yet-to-be-named community tree planting initiative that their organization is planning.. TAB members have have met with Boscobel board member and director to informally discuss and will report back once there is a formal invitation to participate.

3. TREE REMOVAL

Our chairperson had a site visit at the end of October with Mayor Merandy to discuss the impact of the Main St wall repair project on the row of village trees adjacent to the site. The Board met and recommended the removal of 3 trees in the row that would be severely impacted by the excavation: one structurally damaged tree and two other trees suffering adverse site conditions due to the grade erosion. The board recommended as a condition of removal the replacement of these trees with 6 new trees offset from the removals . Please see the attached recommendation letter for full explanation..

4. PROBLEMS ON VILLAGE PROPERTY ADJACENT TO 230 MAIN ST

- a. *Tree Cutting Damage:* We would like to advise the VBOT that 4 village trees fully on village property adjacent to 230 Main St that were planted in 2017 to replace a row of removed trees continue to be inexpertly pruned without permission every single year into a compact and short "shrub" formation by the homeowner at 230 Main St in spite of several friendly verbal requests and written requests by TAB chairperson over the last two years to stop any and all cutting of them. The latest pruning has undone hours of corrective work that our board members spent trying to rescue these trees from the damage. The illegal pruning has ruined the natural structure of these Amelanchier trees, which are supposed to be allowed to grow to their natural shape and size (15+ ft) as a replacement for the canopy lost. Public objections to the 2017 removal during our hearing were specifically mitigated by the mutual agreement to place these 4 understory trees in this location. We have received complaints from neighbors of the property who participated in the original public hearing and were promised some light understory canopy to mitigate the negative effects of the original removal on the neighborhood. Since our friendlier conversations and letters have failed to stop this activity, we'd like to request involvement by the code enforcement officer to prevent the adjacent

TREE ADVISORY BOARD

Village of Cold Spring

Members: Tony Bardes; Charles Day; Kory Riesterer; Taro Ietaka,; Jennifer Zwarich

homeowner from continuing to damage village property in violation of village law.

- b. *Clarity on Uplighting:* We'd also like to advise that there is uplighting installed on two other village trees on this same village property (with presumably underground electric powering them) and we are advised by our arborist that this artificial lighting is not advantageous to the health of these trees and is potentially damaging. We'd like to inquire about the permit process under which this lighting was installed and how the TAB should go about requesting changes to this lighting system (i.e. a timer, alternate wavelength bulbs, etc.).

Respectfully,
Jennifer Zwarich
Chairperson



Cold Spring Fire Company No.1

154 Main Street
Cold Spring, NY 10516

www.coldspringfd.org

EMERGENCIES
911

ALL OTHER
845-265-9241

FAX
845-265-1093

Cold Spring Fire November Report

10 Calls for October

- 4 Activated Fire Alarm
- 1 EMS Assist
- 3 Motor Vehicle Accident
- 1 Marine Incident
- 1 Breakneck Incident

Annual Hose Testing Completed

Annual SCBA Flow Testing Completed



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
KATHLEEN E. FOLEY, TRUSTEE
FRANCES MURPHY, TRUSTEE
TWEEPS PHILLIPS WOODS, TRUSTEE

JEFF VIDAKOVICH, CLERK/TREASURER
MICHELLE ASCOLLO, ACCOUNTANT
LARRY BURKE, OFFICER-IN-CHARGE
MATHEW KROOG, WATER SUPERINTENDENT
ROBERT DOWNEY, HIGHWAY DEPT CREW CHIEF
CHARLOTTE MOUNTAIN, CODE ENFORCEMENT OFFICER

Building Department Monthly Report October 2021

Activity

New Building Permit Applications Received:	14
Building Permits Issued:	12
Operating Permits Issued	1
Dumpster Permits Issued	1
CO's Issued	4
Record Searches Completed:	3
Complaints Received:	1
Inspections Completed	15
Fire Inspections	0

Referrals Generated

HDRB:	5
ZBA:	0
Planning:	0

Fees

	<u>Aug. 2021</u>	<u>FY 2021-22</u>
Application and Permit Fees Collected	\$ 1,554.50	\$ 8,596.50
Record Search Fees Collected	\$ 225.00	\$ 1,625.00
Fire Inspection Fees	\$ 0.00	\$ 350.00
Other Fees	\$ 0.00	\$ 60.00
Total Collected:	\$ 1,779.50	\$ 10,631.50

Of Note:

15 Main St is completed. The CO was issued.
STR applications have been received, inspections are scheduled.

**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


OCTOBER 2021 MONTHLY REPORT

Fines, Forfeited Bails & Civil Penalties	\$ 4,450.00
Parking Tickets	5,155.00
Civil Fees	
Including Termination of Suspension Fees, Bail Poundage, Certificate of Disposition, Filing Fees, Small Claims, Transcripts of Judgment and Returned Check Fees	280.00
Mandatory State Surcharges	<u>2,501.00</u>
TOTAL	<u>\$ 12,386.00</u>

A check in the above amount is submitted herewith.

Respectfully,

Dated: November 5, 2021



Thomas J. Costello
Village Justice

Cold Spring Village Court
Summary Report of Cases Started
Judge Thomas J. Costello

10/01/2021 to 10/31/2021
All Judges

Report date: 11/01/2021

STATUTE COUNT

ADDITIONAL INFORMATION

VTL 21

Number of DWIs - 1192: 0

Number of AUOs - 511: 0

Number of Speeds - 1180: 5

Number of Defendants: 20

Total Number Charges: 21

Average Charges/Defendant: 1.05

Number of Small Claims: 0

VCS Clerk

From: Rabbi Avi Korner <rabbi@putnamchabad.org>
Sent: Wednesday, November 3, 2021 1:02 PM
To: VCS Clerk
Subject: Menorah lighting in Cold Spring - Nov 30

Hi Jeff,

As we have done in previous years, we would like to have a menorah lighting in Cold Spring on November 30th at 5:00pm.

I will get a certificate of insurance as done in the past.

This is a public event and everyone is invited. Please extend an invitation to the town board. In previous years we had around 15 people.

Thank you,

Rabbi Avi Korner



VILLAGE OF COLD SPRING
85 MAIN STREET, COLD SPRING, NY 10516
TEL: (845) 265-3611 FAX: (845) 265-1002
WEB: WWW.COLDSRINGNY.GOV

Board of Trustees
Public Hearing
Meeting Minutes – October 14, 2021

The Board of Trustees of the Village of Cold Spring held a Public Hearing on Thursday October 14, 2021 via videoconference as per Chapter 417 of NYS Laws of 2021. Present were Mayor Dave Merandy, Trustees Marie Early, Kathleen E. Foley, Frances Murphy and Tweeps Phillips Woods. D. Merandy called the meeting to order at 6:31 pm.

Public Hearing for Chapters 134 (Zoning), 104 (Signs and Placards) and 76 (Noise)

D. Merandy opened the Public Hearing by reading into the record written comments (see attached) received from the following residents:

- Sean Kearney, 24 Paulding Avenue. Family owns property known as “Marathon Property”.
- Donald MacDonald, 10 B Street
- Deborah Walker, 9 Forge Gate Dr, Unit E2
- James Labate, 9 Forge Gate Dr, Unit E5

Ken Kearney

Family owns the Marathon Property. He provided background:

- There was a large tax lien on the property at the time of the purchase with back taxes being owed going back to 1982.
- County attempted to back out of agreement. Courts ruled in favor K. Kearney
- Anticipated that implementation of recommendations made in the Comprehensive Plan would take 4-5 years, didn't expect it to be still unresolved 13 years later.
- Urges the current Board to resolve the issues as the incoming Board of Trustees will not have the institutional knowledge that the current one does.

Paul Henderson, 14 Stone Street

Stated his opposition to eliminating the MU-1 designation

Lynn Miller, 30 Bank Street

Requested that restrictions on number of trips per day for an accessory use be revisited or eliminated as this negatively impacts home-based child care businesses

John Martin, 60 Fair Street

Does not want to see any changes to the Zoning of Mayor's Park. Use of the park has increased since the start of the COVID-19 pandemic. Regarding the Marathon Property, adopting a Planned Unit

Development (PUD) as a planning tool creates traffic and access problems for any development at the site.

James Labate, 9 Forge Gate Dr, Unit E5

Access and traffic to/from the Marathon site is a key issue and should not be treated as an afterthought.

Karen Maschke, President Forge Gate Association

Whatever Zoning designation is assigned to Marathon has to be linked to access and traffic. She said that in 2003 the Village Board made Kemble Avenue a one-way street which limited access into the Marathon site and there are things that could be done to improve access such as making Kemble back to a two-way street or by managing/controlling access during development.

Joe Meyer, 46 Kemble Avenue

If site remains designated as I-1 would like to know the Kearney's intention/plan for development.

Randi Schlessinger, 15 The Boulevard, Unit H-7

Expressed concern that if used as for industrial purposes, the Marathon property will cause home values to decrease and interrupt quality of life.

D. Merandy clarified that any comments he has made should not be construed as support to change or keep the I-1 designation.

M. Early pointed out that Sean Kearney's correspondence identified controls that the Village can apply to an MU-1 designation that safeguard the Village.

K. Maschke asked if the documents that were discussed could be made available on the Village website.

D. Merandy stated that the Public Hearing will be kept open until Tuesday, October 19th at 6:30 pm.

Adjournment

D. Merandy made a motion to adjourn. M. Early seconded the motion and it passed unanimously. Meeting adjourned at 7:45 pm.

Sean K. Kearney
24 Paulding Avenue
Cold Spring, New York 10516

Mayor & Board of Trustees
Village of Cold Spring
Cold Spring, New York, 10516

Re: MU-1 Zoning District

Dear Mayor & Trustees,

By way of introduction, my name is Sean Kearney and I reside, along with my wife and daughter, at 24 Paulding Avenue in the Village. Through various business entities, my family owns the property referred to as the "Marathon Property".

There has been an incredible amount of volunteer work, as well as public input that went into the LWRS, Comprehensive Plan, and the Code Update Committee that ultimately led to the recommendation of the Code Update Committee to rezone a majority of the properties currently zoned I-1 to MU-1. Needless to say, it was very surprising when the Village Board abruptly chose to disregard the recommendations of the Comprehensive Plans and the Code Update Committee based on the comments of Peter Henderson, a neighboring property owner. Every resident is entitled to their opinion and entitled to present those opinions during a public hearing. However, one neighboring property owner's opinion should not negate and circumvent over ten years of public input, and it should not dictate planning decisions for the entire Village. While there has been mention of development of a PUD zoning tool for future adoption, I believe that if the Village Board continues on the path of removing the MU-1 zoning district and keeping the I-1 zoning district, specifically for the Marathon property, then the Village Board will be adopting zoning that is clearly inconsistent with the Comprehensive Plan.

In Mike Armstrong's letter to the Highlands Current dated September 24, 2021, Mr. Armstrong carefully summarizes the amount of work that has gone into the Village's effort to craft the MU-1 district. Mr. Armstrong has intimate knowledge of this process as he chaired the Special Board that was tasked with updating the Village's Comprehensive Plan. I implore the Village Board members to read Mr. Armstrong's letter, if you have not already done so, as it explains the extensive public process and thousands of hours of volunteer work that culminated into the Village's Comprehensive Plan, LWRS, and recommendations of the Code Update Committee. As Mr. Armstrong writes, the new code, which at the time included MU-1, was the product of over 10 years of volunteer work and community input, represented the wishes of the community, was consistent with the Comprehensive Plan, and was consistent with the LWRS. The current path of removing MU-1 and leaving I-1 would be a great disservice to all of the volunteer work and community input that has transpired over the last 10 plus years.

The comments of Mr. Armstrong regarding the work that went into the development of the MU-1 zoning district are consistent with the comments of Michael D. Reisman, a former 5-year member of the Village Comprehensive Plan/Local Waterfront Revitalization Plan Special

Board who stated at the September 7th public hearing that the MU-1 zoning district was “many years in the making”, “a lot of work of a lot of people” and “an important piece of zoning reform that was done in a very thoughtful way”.

In watching the Village Board meeting on September 28th, I was not surprised by Village’s Counsel John Furst’s and Village’s Planning Consultant Ted Fink’s description of a PUD as a beneficial planning tool in the abstract. However, on October 5th, I was very surprised to hear that Mayor Merandy’s justification for scrapping the MU-1 zoning district and retention of the I-1 zoning on the Marathon Property was predicated upon the recommendation of Mr. Furst and Mr. Fink for consideration of development of a PUD zoning tool in the future. Mr. Furst and Mr. Fink recommended a PUD as a potential option for the Village. However, neither professional made, and I highly doubt they would make, the determination or recommendation that keeping properties zoned as I-1, in direct contravention of the Comprehensive Plan, LWRS and the recommendations of the Code of Update Committee, is an appropriate or safe path for the Village on the basis that a PUD may be added to the zoning code at a future date.

I am not an attorney. I am, however, aware, as are members of the Village Board, that zoning must be adopted consistent with the Comprehensive Plan. Unfortunately, the past several meetings of the Village Board would appear to indicate that certain members of the Village Board, inspired by a neighbor’s comments, are now more concerned with ensuring that they adopt zoning to gain “leverage” over a particular property owner as opposed to being consistent with the Comprehensive Plan. There are, however, numerous other planning/zoning practices that can offer the level of control that the Village Board is seeking and yet be consistent with the Comprehensive Plan. One such practice is to have no “Permitted Uses” in MU-1. All uses allowed in MU-1 could be subject to a Special Use Permit, issued by the Village Board. The proposed Village Code has the issuance of a Special Use Permit subject to approval of the Planning Board. However, the Village Board can choose to make the issuance of a Special Use Permit for any development within the MU-1 district subject to approval of the Village Board. This is a practice that is used often in communities throughout the Hudson River Valley and gives the Village Board appropriate “control” over any proposed development plans.

Another practice is to predetermine the allowable percentages for each permitted use. For example, “The commercial/retail/office component of an MU-1 development shall comprise at least 30% of the total land area of the lots included within an MU-1 development.”. This language would ensure that any proposed development plan for the Marathon will be a truly mixed use development.

Lastly, the Village Board can incorporate language into the MU-1 district that would require any proposed development plans for any parcel within the MU-1 district, must also include development plans for any other parcels within the MU-1 district that are owned by a related party. The addition of this language would satisfy the concern that development of the Marathon site could be done in piecemeal over time with an outcome consisting of solely residential uses. This additional language is largely redundant due to the requirements of the SEQRA process. SEQRA strongly disfavors segmentation of a proposed action, the theory being that dividing a larger project into smaller components avoids review of the entire project’s

cumulative impacts and is thus generally contrary to the intent of the SEQRA regulations. By inserting the proposed language referenced above, the Village could have two levels of assurance against piecemeal development, the zoning language and the SEQRA review process.

Zoning tools and parameters within the MU-1 zoning district such as these would satisfy the Village Board's desire for more control (I believe that use of the word "leverage" in the context of adoption of zoning legislation is truly inappropriate, especially when directed at one property owner), ensure a truly mixed-use development, and yet be compliant with the Comprehensive Plan and LWRS, thereby not disregarding and negating all of the work and public input that led to the recommendations of Code Update Committee.

The current path of the Village Board to remove MU-1 and retain I-1 with respect to specified properties is a drastic and unnecessary step which, under the circumstances, I believe to be legally infirm. As set forth above, there are appropriate methods to establish levels of control within the proposed MU-1 district. The Village of Cold Spring has a deep and extensive industrial past, but I do not believe it is the desire of the community to have an extensive industrial future. For these reasons, I respectfully request that the Village Board reconsider their decision to remove MU-1 from the proposed Chapter 134 – Zoning. Thank you for your consideration.

Sincerely,



Sean Kearney
24 Paulding Avenue
Cold Spring, New York 10516

VCS Clerk

From: Donald Mac Donald <donaldarch@icloud.com>
Sent: Monday, October 11, 2021 12:00 PM
To: VCS Clerk
Subject: Mayor's Park zoning district designation
Attachments: Zoning Map Project 2008.pdf; other zoning codes .pdf

Hi Jeff,

I send this to the VBOT as comment for the meeting tomorrow regards the Zoning Code update effort.

Hi all,

I'm reaching out to comment on the proposal to **not** designate Mayor's Park as a PR-1 Parks and Recreation District.

As I understand it the reasoning goes like this: Mayor's Park and the village waste treatment plant occupy the same lot. While the PR-1 District designation exactly matches the use of the Mayor's Park portion of the lot, the I-1 industrial district designation most closely matches that of the waste treatment plant. But since the policy of the Code update effort is to eliminate multiple districts occurring within a single lot it has been decided to chose the I-1 Industrial classification to characterize the park/wastewater lot.

My contention is, in this instance, this stance is "warping" the zoning district map so as to characterize a relatively large physical area of our the Village (Mayor's Park) as the exact opposite of what it actually is. Is not the underlying reason for the code update effort to amend the code so as to more closely reflect the nature of our Village as it is today as opposed to the late 60's when it was first adopted?

With respect this "single lot/single zone" stance see my memos (attached) to the VBOT from 2009. My message was/is lots with multiple zoning district happen regularly, and while a municipality might arrange things so zoning district lines follow property lines, that scheme will eventually be corrupted when a lot owner happens to acquire an adjoining parcel (s) that border an adjoining different zoning district and then merges the lots and creates a single lot having 2 different zoning districts within it. Then, if said owner comes to the building department with a proposal to develop or redevelop the lot the question will be how to deal with the multi zoning district issue and the proposed redevelopment. In my opinion, as presently proposed our zoning code will not have a rational nor equitable answer to this question and the issue will be referred to ZBA for interpretation. Then the smart ZBA board will be looking at other municipal zoning codes to see how other municipalities handle this issue. And they will find other municipalities have rules and methods to decide how the issue will affect the development of the lot.

My point being, there is nothing inherently wrong with having a lot with 2 different zoning districts within it and a set of rules can be devised to deal with the situation. Further by kicking the decision to ZBA, that board's decision in the matter will likely be held as a precedent and then we get into the whole issue of ZBA in effect legislating code when, in fact that act should be by the elected members of the VBOT.

Therefore I would ask the present VBOT to reconsider the idea of slavishly trying to root out and eliminate the "single lot/single zone" situation and adopt a set of standards that would answer the question as to how to evaluate this type situation if it should arise in the future.

If so adopted the municipal waste plant portion of the lot could be designated Industrial and, the Mayor's Park area of the lot could be designated PR-1 Parks and Recreation - each area is then designated *exactly as they are*.

Is not that a worthy goal? to respect the goals of the Comprehensive Plan and at the same time weave reality into our district designations when that is possible?

Further, as a fall back solution assuming the VBOT chose to continue the "single lot/single zone" policy would it not make more sense to attribute the Park designation because that land area of the lot is larger than the waste treatment plant area?

With Respect,

Donald MacDonald
10 B Street
Cold Spring, NY 10516

914-420-5502 cell

VCS Clerk

From: Deborah Walker <dlwalker@optonline.net>
Sent: Thursday, October 14, 2021 1:59 PM
To: VCS Clerk
Cc: 'Deborah Walker'
Subject: Comment regarding Marathon Battery property

Board of Trustees, Cold Spring, NY

I understand that during the October 14, 2021 trustee meeting there may be a discussion of potential development of the Marathon Battery property located near Foundry Dock Park. I am unable to be in attendance this evening but appreciate the ability to make a concerned comment.

As an owner in the Forge Gate Condominiums, I attest that we have a special area here. Access into the private property is noted at both entrances off Lunn Terrace and The Boulevard. Despite this, we already have had issues with public trucks, buses and other private citizens using our roads as though they are for public use. It is an ongoing issue often discussed with the town. Access to and from the Marathon Battery property/site is currently via Rock Street, Kemble Avenue and Wall Street. Clearly this would be a problem for major construction vehicles and whatever other traffic would be generated by the construction of the property and any additional regular traffic from businesses and/or residents thereafter. Please make certain whatever plans are discussed entail major consideration of alternate traffic patterns to avoid traffic issues for Forge Gate residents.

Thank you,
Deborah Walker
9 Forge Gate Drive, E2

From: James Labate

October 14, 2021

Address: 9 Forge Gate Drive – Unit E5

RE: Update to Village Code Chapter 134 – Zoning.

Dear Mayor & Trustees,

The decision of what zoning classification to designate the Marathon Site on Kemble Avenue as determines the volume of traffic seeking to access the site. The decision to use a non-land use designation of PUD undoes the Zoning process all together.

If the parcel has no land-use classification, the developer has no guard rails.

I'm sorry, but a "Floating Zone" that takes shape once a developer has a conceptual plan is far from reassuring. The problem being, who's in control of leading the process gets reversed; you would now have a concept plan floating about telling the Village whatever land use ideas it could think up.

And the Comprehensive Plan seems too vague and contradictory to fall back on as a guide. You can interpret its recommendations to suite whatever type or extent of development or lack of development you want. That is what the specificity of a zoning classification seeks to avoid from the start.

And *The Start* is critical because site development and site access are inextricable. You can't have a concept plan that will increase the volume of traffic trying to access that site by five-fold and have the proposed access routes be an afterthought. Real and demonstratable Non-Impactful Site Access to the Marathon Site must be developed and conceived simultaneously with the concept plan.

The Forge Gate Condominium Site is already sorely abused by vehicles that have absolutely no business traversing a road that is paid for and maintained solely by the Cold Spring residents of Forge Gate Condominiums. I do not want a concept plan given free rein, leaving site access as an afterthought and the character of the Forge Gate Property irreparably changed for the worse.

Thank you for your consideration,

James Labate



VILLAGE OF COLD SPRING
85 MAIN STREET, COLD SPRING, NY 10516
TEL: (845) 265-3611 FAX: (845) 265-1002
WEB: WWW.COLDSRINGNY.GOV

**Board of Trustees
Public Hearing
Meeting Minutes – October 19, 2021**

The Board of Trustees of the Village of Cold Spring held a Public Hearing and meeting on Tuesday October 19, 2021 via videoconference as per Chapter 417 of NYS Laws of 2021. Present were Mayor Dave Merandy, Trustees Marie Early, Kathleen E. Foley, Frances Murphy and Tweeps Phillips Woods. D. Merandy called the meeting to order at 6:38 pm.

Public Hearing for Chapters 134 (Zoning), 104 (Signs and Placards) and 76 (Noise)

D. Merandy stated that he and M. Early had spoken with Ted Fink (Planner) and John Furst (Village Attorney) and, based on that discussion, prepared and presented a draft that replaces proposed MU-1 (Mixed Use) designation with PMU-1 (Planned Mixed Use).

K. Foley requested that T. Fink attend a public meeting to address questions from the Board and public related to the proposal. D. Merandy proposed that a meeting be held on Thursday, October 21, 2021 at 7:00pm at which time T. Fink will be available.

D. Merandy opened the hearing to public comment.

K. Foley read into the record two written comments received (attached):

- Peter Henderson, 11 Marion Avenue
- Jeffrey Amato on behalf of the Recreation Commission

Karen Maschke, President Forge Gate Association: Requested that the draft proposals being discussed be made available to the public for review. D. Merandy responded that these are working documents that still need revisions and review by the Board. They will be made available for public review and comment after the Board agrees on their content.

James Labate, 9 Forge Gate Drive: Reiterated his previously expressed concerns regarding traffic flow on any development of the Marathon Battery property and the potential impact to the residents of Forge Gate Condominiums.

Jill Golden: Concerned with vehicle traffic circulation in the area of the Marathon Battery property.

Sean Kearney, 24 Paulding Avenue and one of the owners of the Marathon Battery site: new recommendations seem to move away from the direction Board stated at previous meeting. Draft

seems to propose a new, unique district. Believes the MU-1 as originally proposed with added safeguards for the Village would be sufficient and easier for all parties

D. Merandy continued the Public Hearing until October 21, 2021 at 7:00pm.

M. Early made a motion that the parcel of Village-owned property that encompasses the Highway Garage, Water Treatment Plant, Municipal Parking Lot and Mayor's Park (collectively Tax Map # 48.8-1-24.1) have a dual classification of I-1 and PR-1. F. Murphy seconded the motion and it passed by a vote of 5-0-0-0.

Board Business

Resolution 72-2021 (attached) awarding the bid for the replacement of a boiler at the Firehouse (154 Main Street) was offered by D. Merandy for adoption and seconded by K. Foley. On roll call, the resolution passed by a vote of 5-0-0-0.

Cold Spring A Glow

Jeff Mikkelson from the Cold Spring Chamber of Commerce, requested permission for the Chamber to coordinate Cold Spring A Glow to be held on December 10, 2021 (rain date Dec. 12, 2021). Also requested permission to hang a banner across Main Street promoting the event. D. Merandy stated that the banner could not be included as the poles are owned by Central Hudson and their permission is required.

D. Merandy made a motion to approve the request for Cold Spring A Glow. F. Murphy seconded the motion and it passed by a vote of 5-0-0-0.

Boy Scout Troop 437 Request to clean underbrush

Irene Pieza, representing Boy Scout Troop 437, requested permission for the Troop to clean up yard debris around storm drains to earn credit towards Community Service Hours. D. Merandy suggested that she coordinate with the Highway Department Crew Chief and develop a detailed plan to present to the Board of Trustees.

Winter Parking Permits

D. Merandy made a motion to approve the issuance of Winter Parking Permits. Program details include:

- Permit cost = \$40
- Limited to first 24 applications
- Allows parking in Municipal Lot from 12/1/21 – 4/15-2022

M. Early seconded the motion and it passed by a vote of 5-0-0-0.

Approval of Minutes

D. Merandy made a motion to approve the Minutes of the 9/9/2021 meeting as submitted. M. Early seconded the motion and it passed by a vote of 5-0-0-0.

D. Merandy made a motion to approve the Minutes of the 9/16/2021 meeting as submitted. T. Woods seconded the motion and it passed by a vote of 5-0-0-0.

D. Merandy made a motion to approve the Minutes of the 9/28/2021 meeting as submitted. F. Murphy seconded the motion and it passed by a vote of 5-0-0-0.

Board Comments

M. Early issued an apology for disparaging remarks she made at a recent meeting towards the Philipstown Highway Department.

D. Merandy provided an update on the Shoreline Stabilization project at Dockside Park being undertaken by NYS Department of Parks and the NYS DEC. He met at Dockside Park, at the invitation of NYS Parks, for a pre-construction meeting. Work is set to begin in Late November/early December.

Adjournment

D. Merandy made a motion to adjourn. F. Murphy seconded the motion and it passed unanimously. Meeting adjourned at 7:45 pm.

Dear Mayor and Board of Trustees,

I would like to second Karen Manschke's plea that there be no change to the zoning at Marathon until there is a solution for how vehicles will enter the site.

Let's say there's a proposal for a beautiful mixed use "village within a village" that combines all the features outlined in the LWRS. How will vehicles get in and out? It's such an important question. If there's no realistic answer then it seems like we're wasting everyone's time. A solar farm would be a good option.

Sincerely,

Peter Henderson

11 Marion Ave

Cold Spring

To the Cold Spring Village Board of Trustees,

I am reaching out on behalf of the Village of Cold Spring Recreation Commission regarding the proposed designation of the lot containing Mayor's Park to remain as I-1 Industrial rather than PR-1 Parks and Recreation. We understand that the I-1 Industrial designation is better suited for the Water Treatment facility and the Village Highway Department, however, Mayor's Park and the Pavilion meet the exact definition of the Parks and Recreation District that was "created to define areas in the Village which provide opportunities for the enjoyment of the environment including proximity to water, recreational opportunities, opportunities for relaxation, and the opportunity to enjoy the scenery. The Parks and Recreation District applies to the Waterfront Park, Dockside Park, Mayor's Park, Ronald McConville/Tot Park". A PR-1 designation for Mayor's Park and the Pavilion is also consistent with the Village Comprehension Plan and Cold Spring Local Waterfront Revitalization Strategy.

We understand that the policy of the Code update effort is to eliminate multiple districts occurring within a single zone. While the single lot/single zone approach is cleaner and more desirable, there should be exceptions for extenuating circumstances. If the entire lot in question were to remain I-1 Industrial, there is a potential for Mayor's Park and/or the Pavilion to be used for something other than a park in the future. While unlikely, a new Board of Trustees with a different agenda could feasibly develop or change the use of Mayor's Park and/or the Pavilion.

It is the mission statement of the Recreation Commission to increase the recreational use of all Village parks, particularly Mayor's Park. The recent survey sent out to Village residents was just the start of pick-up games and, eventually, leagues for various sports and activities at Mayor's Park. We are working to have the fields and courts rehabilitated to facilitate more sports and activities. We already work closely with Haldane to accommodate baseball and soccer to be played at Mayor's Park. We are also coordinating with Philipstown sports leagues to make use of one of the few available parks in our Village. Similarly, the Pavilion is a popular destination of local residents to be reserved for parties or events.

I have watched or attended the last few working sessions on 9/28, 10/5, and 10/14 regarding the code updates. It has been undisputed that Mayor's Park and the Pavilion should stay, and always remain, a park. The letter from Donald MacDonald, former chair of the Code Update Committee, clearly identified the justification for two districts within a single zone. The other alternative presented was to designate the entire zone PR-1 Parks and Recreation. Either option would be preferable to the zone containing Mayor's Park remaining I-1 Industrial. While multiple zones in a single lot may not be desired by all, concessions should be made to ensure that Mayor's Park and the Pavilion forever remain a park.

Sincerely,

Jeffrey Amato, Ruthanne Cullinan Barr, Steve Etta, John Merante, Trevor Knight
Village of Cold Spring Recreation Commission

RESOLUTION #72-2021
AWARDING BID FOR FIREHOUSE BOILER

The following resolution was offered by Mayor Dave Merandy for adoption and seconded by Trustee Kathleen E. Foley, to wit:

WHEREAS, the Village of Cold Spring (the "Village") needs to replace the boiler in the Village owned building occupied by the Cold Spring Fire Company located at 154 Main Street; and

WHEREAS, the Village received three (3) written bids as per the Village's Procurement Policy; therefore

IT IS HEREBY RESOLVED that the Village awards the bid for the replacement of the Boiler located at 154 Main Street to the lowest bidder, A.V.L. Contractors, at a cost of Nineteen Thousand Eight Hundred Eighty-Eight Dollars (\$19,888).

On roll call vote:

Trustee Marie Early voted:	Yes
Trustee Kathleen E. Foley voted:	Yes
Trustee Frances Murphy voted:	Yes
Trustee Tweeps Phillips Woods voted:	Yes
Mayor Dave Merandy voted:	Yes

Resolution officially adopted on October 19, 2021 by a vote of 5-0-0-0.

Jeff Vidakovich, Village Clerk-Treasurer

Date