



VILLAGE OF COLD SPRING

85 MAIN STREET, COLD SPRING, NY 10516

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KATHLEEN E. FOLEY, MAYOR
TWEEPS PHILLIPS WOODS, DEPUTY MAYOR
LAURA BOZZI, TRUSTEE
CATHRYN FADDE, TRUSTEE
ELIZA STARBUCK, TRUSTEE

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

Board of Trustees - Monthly Meeting
Village Hall, 85 Main Street
Wednesday, February 15, 2023 @ 7:00 PM

The Board of Trustees values input from the Village community. When you speak, please state your name and address for the record. Please keep your comments to three minutes or less and remember that we are all neighbors.

1. Opportunity to request a vote to add/modify agenda items
2. Announcements
3. Update on Work of the Ad Hoc Committee on Community Policing
4. Board Business
 - a. Review of Application for Docking - Hudson River Sloop Clearwater
 - b. Discussion on Penalty for Endpoint Replacement Non-compliers
 - c. Request to hold Kids Fishing Derby on May 7th
 - d. Update on Recreation Commission membership
 - e. Update on Dockside Park
 - f. Update on Communications with Hudson Highlands Fjord Trail
 - g. Approval of Minutes – 1/4/23, 1/11/23
 - h. Approval of Bills - Batch # Amount: \$
5. Public Comment
6. Adjournment

Members of the public are invited to attend the meeting in-person at Village Hall (85 Main Street) or via Videoconference. To join the meeting via Zoom:

<https://us06web.zoom.us/j/88983853791?pwd=NG1RWU5VVG9RVTRZaStQaW9kMXBMZz09>

Or by phone: 646-558-8656

Meeting ID: 889 8385 3791 Passcode: 365616

AD Hoc Advisory Committee on Community Policing

**To: MAYOR KATHLEEN FOLEY,
VILLAGE BOARD OF TRUSTEES**

From: AD HOC ADVISORY COMMITTEE ON COMMUNITY POLICING

Date: June 8, 2022

Re: REVIEW OF VILLAGE OF COLD SPRING SURVEY RESULTS

BACKGROUND

The Ad Hoc Advisory Committee on Community Policing (the “Committee”) responsibilities stem from NYS Executive Order #203¹ and as part of the Plan mandated and adopted by the Village of Cold Spring’s (Village) Board of Trustees (VBOT) on March 23, 2021, the Village will convene a Community Stakeholders Group to review documents and make recommendations to the Mayor and VBOT.

The plan specifically states that the Committee is formed to:

(1) provide comment and feedback on the ongoing review of police policies; (2) assess areas of concern identified in the surveys; (3) address the key questions in the executive order; and (4) make periodic reports to the Village Board and the public.

This memorandum serves to report the ADHAC’s review (“the review”) of the Village’s Community Survey, which was created on March 4, 2021, and completed on May 15, 2021².

The Review

The ADHAC focused the review on two principal areas, **Community participation** and **Community comments/concerns**; no methodology beyond these areas was employed.

Additionally, Committee member Gretchen Dykstra met with Office in Charge Larry Burke (the OIC) on April 17, 2022, to discuss actions he may have taken in response to the Survey results.

¹ https://www.governor.ny.gov/sites/default/files/atoms/files/EO_203.pdf

²https://www.coldspringny.gov/sites/g/files/vyhlf416/f/uploads/vcs_police_reform_survey_presentation_052521.pdf

AD Hoc Advisory Committee on Community Policing

Community participation

The survey produced a total of 382 responses, 367 submitted by email and 15 submitted via paper.

Considering the population of the Village of Cold Spring, as based on 2010 and 2020 US Census reports, approximately 19% of residents participated.

No corresponding community demographics were solicited, as consequence, none are reported.

Villagers had to request a survey, so results can be interpreted as not representative of all, just survey respondents.

Committee recommendations:

Future surveys should **always** include analysis, correlating responses with demographic information. For example, soliciting participation from teenage community members could reveal their thoughts on matters of great concern to them, such as public safety and drug use in the Village.

Community comments/concerns

Current survey demonstrates a need for ongoing communication from the Mayor to the public, as it relates to the role of the Cold Spring Police Department (CSPD). When and what roles other Law Enforcement Agencies play in Village Public safety. For example: a confusion about role/jurisdiction of CSPD and Putnam County Sheriff's office seems to be a common comment.

Committee recommendations:

Transparency is good, but elected officials must educate and inform the public on an ongoing basis about how the Village works...inform with facts before expecting informed opinions. It is the Committee's view that the onus for openness and robust communications rests with the elected officials. They need to go to the audience, not the reverse. Perhaps a paid monthly column in the Highland Current or the Putnam County News and Recorder; not unlike head of teachers' union in NYT, and/or and Ask the Mayor column on a regular basis.

And/or hold in-person/zoom meetings to facilitate attendance. Email notices could go out reminding people of VBOT meetings with proper link.

Community comments/concerns

Mental health incidents were not listed as a major public safety concern, but respondents put it first for training of officers.

AD Hoc Advisory Committee on Community Policing

Committee recommendations:

Future surveys should enhance and gauge public awareness of current issues and, as much as possible, be based on experience, not “feelings.” However, the Committee recognizes that survey participants will likely share personal experiences/interactions with VCPD that contain emotional relevance. In the current survey, respondents seem to conflate issues that garner national attention with CSPD, rather than reporting their direct experiences with officers in the Village.

OIC’s role and response to the Survey:

Without daily rollcall of officers and, indeed, rarely, if ever, a department wide meeting, how does OIC communicate on an ongoing basis with officers on the values and goals of the CSPD? Is there a standard procedure for internal communications? What is it?

The Committee asks if the OIC could be asked to submit a regular, perhaps a quarterly written report to VBOT and posted on website that would compile key statistics with comparables from months or years before.

Committee recommendation:

The OIC should be provided resources to develop a simple, easy-to-use program where each officer would input daily activities and such data would be compiled automatically.

Advisory Committee compliments OIC for expecting officers to walk, weather permitting, at least once a shift.

Perhaps, a version of Park, Walk and Talk could be beneficial e.g., park car at one end of a street and walk up one side and down the other, talking to people as you go.

Community comments/concerns

Public needs to understand hiring challenges: Part/time with no benefits so turn over with young, women or people of color officers is high and difficult to address.

Therefore, if CSPD is going to consist primarily of retired NYPD what is the ongoing process for inculcating a diverse set of goals.

Committee recommendation:

Greater communications between OIC, Mayor, VBOT and the community on these challenges and steps being taken to address could be helpful.

AD Hoc Advisory Committee on Community Policing

Data: Although the survey did not ask specific questions about how the CSPD reports on a regular basis, the Committee feels strongly that a new concise and computerized system for data collection be developed.

For example, current system for non-traffic incidents is a long, non-alphabetized list, useful for large jurisdictions. OIC knows it well, but it is proven unwieldy and time consuming.

Committee recommendation:

Is it possible to develop a simple, easy-to-use program where each officer would input daily activities and such data would be compiled automatically? Perhaps, a VBOT could be recruited to help OIC develop such a program compatible with computer already in police cars.

The Committee thanks the current administration for asking us to provide this assessment and advice, and the OIC for his willingness to provide all relevant information openly and comprehensively.

Respectfully,

ADHAC
Victor Burgos
Gretchen Dykstra
Sean Conway
Lithgow Osbourne
Doron Weber
Karen Jackson

Ad Hoc Committee on Community Policing Second Report to Board of Trustees: Recommendations on Proposed Lexipol Departmental Policy Chapters

As requested by the Mayor and Board of Trustees, our committee has reviewed the policy chapters proposed by Lexipol for adoption by the Cold Spring Police Department. Generally, the policies appear adequate and comprehensive. We do agree it is important, however, that any policies adopted by the Village for the Department reflect the scale and realities of the personnel and equipment the Department relies upon, as well as the scale and the character of the villagers and visitors they are hired to serve.

After a round of initial feedback from our committee, we met with Officer-in-Charge Burke on July 25th for clarifications on existing policies and general policing methods. Our comments, and in some cases, our remaining questions, were added to each document on our shared drive.

While we will not address each individual comment, there are some areas of particular interest to our committee we wish to point out here:

Gender inclusive language: Throughout these and any future written policies, language should always reflect expansive, nonbinary, gender-inclusivity. He/she, him/her, his/hers, himself/herself, etc. must always be replaced with they, them, theirs, themselves, etc.

Use of Force (Chapter 300): This policy must “raise the bar” for officers failing to intercede when observing an unnecessary use of force by a fellow officer. Officers failing to prevent an unnecessary use of force should be punished as thoroughly as the officer committing the offense.

Use of Force Boards (Chapter 301): The Use of Force Board must include civilian members either with existing knowledge of law enforcement, or who are trained for the purpose of serving on this board, and not be limited to departmental staff, the PBA, and the VBOT.

Handcuffing and Restraints (Chapter 302), Control Devices (Chapter 303), Conducted Energy Devices (Chapter 304): Per OIC Burke, both collapsible batons and “night sticks” are allowable for use by department members. The Village should adopt a clearer policy on precisely what equipment is allowable, as it does for firearms, and create a table identifying these items. Regarding the call for on-scene medical attention, a clearer policy must be written to outline exactly when outside medical attention should be called. (ie: for every use of a TASER or pepper spray vs. at the discretion of the officer vs. the request of the detainee).

Domestic Violence (Chapter 310): This is an area of particular concern to this committee as we recognize domestic violence as a crime which is often easily concealed by both perpetrators and victims. We will have additional recommendations for domestic violence-related resources in our final report. We have added a few points about investigations and record keeping to this

policy chapter: minimally, it is important that subsequent follow-up visits for domestic violence calls are mandatory, consistent, and well-documented, particularly when it comes to the potential for signs of injury, and tracking households where calls occur repeatedly.

Media Relations (Chapter 323): Currently, any requests of details of CSPD arrest or activity are only released to the media through the Freedom of Information Act, or if the investigation is taken over by another department (state or county¹.) While this policy is covering a lot of information, it should be much more explicit in what information is able to be released, when, and by whom, as all detainees are presumed innocent until proven guilty.

Community Relations (Chapter 339): This policy chapter has a great deal of overlap with the recommendations that will appear in our final report, so this chapter should not be considered complete at this time.

Immigration (Chapter 413): Our committee recommends that the CSPD remove itself entirely from any form of immigration enforcement. Unless explicitly directed by a judge on an individual basis, there is no reason for our officers to enforce, or detain in aid of the enforcement of, the civil proceedings of Federal immigration law. It is beyond the scope of expected knowledge for our officers, and phrases such as “reasonable suspicion” or “probable cause” are impossible to prove without discriminatory considerations or a suspect’s outright admission. Further, in discussion with OIC Burke, it is also clear that this policy must address the very clear need for CSPD to provide “mutual aid” to any Federal actions, when the safety of our residents is in question. While we do not wish to see our officers engaged in enforcing federal immigration laws, we do see the value in having our officers on the scene to provide local context and information, and keep our residents safe in potentially dangerous scenes.

Respectfully submitted,

Victor Burgos, Chair
Sean Conway
Gretchen Dykstra
Karen Jackson
Lithgow Osborne
Doron Weber

¹ Since our discussion with OIC Burke, the Putnam County Sheriff McConville issued a statement clarifying a new policy standard for releasing the names of arrested individuals:
<https://putnamsheriff.com/update-regarding-the-release-of-names/>

Ad Hoc Committee on Community Policing Third Report to Board of Trustees: Recommendations on New Departmental Policies to Consider

After reviewing the community survey results, the proposed policy chapters provided by Lexipol, and through discussions among our committee, we have put together a list of further recommendations for the Village and the Police Department to explore and implement. Some of these are little steps while others are substantial; some are short term fixes, while others are long term projects. While these recommendations represent views expressed by a majority of the members of the committee, it should be stated that not every recommendation as presented has the unanimous support of the entire committee.

COMMUNITY RELATIONS

Enhanced Police Department Website – The Village shall create a comprehensive website for the department, including contact information, an introduction from the Officer In Charge, names and headphotos of the officers, information about upcoming events (“coffee with a cop”, CPR Trainings, etc.), a portal for service requests such as “dark house” supervision, a portal for submitting officer conduct reports, monthly reports to the Trustees, and information about how to request copies of Departmental Policies, contracts, or other public records.

Most importantly, the website should include a comprehensive FAQ section, compiled with the advice of the OIC and other officers, outlining the most frequent or misunderstood questions to triage requests to the appropriate resources, such as information about parking regulations, contact information for the village and town courts, or which non-emergency services are provided CSPD, Putnam County Sherrifs, or the fire and ambulance corps. With time invested on the front end, this resource will hopefully reduce the queries outside of our jurisdiction which otherwise get directed to the OIC or the Village Clerk.

Officer Name Tags – The Village shall phase-in universal name tags for each officer showing their first name or first initial, as well as their last name.

Accessible Police Department – As the Village explores long term capital planning projects, it is critical that the Police Department be housed in an ADA-compliant space accessible for all visitors and employees.

Impartial Officer Conduct Feedback Venue – The Village shall establish an impartial partner, such as the Philipstown Hub, to receive “anonymized” but trackable complaints or praise regarding officer conduct, for anyone uncomfortable addressing those matters directly with the Officer In Charge or the Mayor and Board of Trustees, or using an online portal. The Village

shall reimburse said partner for all reasonable expenses incurred, and shall and announce publicize this alternative venue to the community.

INFORMATION GATHERING & INFORMATION SHARING

Incident Reporting & Record Retention – To easily and efficiently track the types of calls and actions in which CSPD is engaged, and to spot long-term trends or isolated spikes, the Village shall develop and utilize a more streamlined and relevant digital record keeping system, which will allow the Department to compare rates of calls against previous months or years, and to compare rates of calls occurring during specific shifts (day, evening, overnight).

Once this is implemented, OIC monthly reports to Trustees should be limited to a highlighted analysis of the following:

- Number of calls vs number of arrests or summonses issued
- Number of traffic stops vs number of traffic tickets issued
- Number of calls occurring during each shift
- Number of traffic stops occurring during each shift
- Number of parking violations
- Number of moving violations
- Number of aided calls with some sense for what
- Number of times CSPD needed aid and for what
- Number of domestic violence incidents
- Number of drug-related calls
- Number of arrests, and for what
- Number and nature of any service complaints or compliments

Domestic Violence Reporting – Until this system is developed, all Domestic Violence calls, however minor, shall be highlighted in monthly reports by OIC to Trustees.

ADDITIONAL NEW POLICIES AND SERVICES TO CONSIDER

Post-traumatic Event Support Intervention: The Village shall partner with local community resources (Mental Health, Public Health, Chaplains, Philipstown Hub, etc.) to engage and train a team of volunteers who can be mobilized in moments of crisis to provide proactive emotional support, and as an additional resource for the CSPD when responding to, or in the aftermath of, potentially traumatic calls, such as a homicide, suicide or hate crime.

CSPD Mutual Aid Expenses: The Village shall research policies in similar “outdoor recreation” communities to determine whether and how to recover expenses for CSPD rescue calls on public or private parkland through directly billing the recipient of aid, or the State Department of Parks and Recreation, and modify all future mutual aid agreements accordingly.

Traffic Court Disclosures: The Village shall review and modify the entire “pre-trial” conference for traffic and parking violations, providing all participants with thorough, unbiased information about the process and their options, and removing uniformed officers from the proceedings. The Village shall examine the actual requirements of NYS Law and establish a policy which reduces the opportunity – or perception of an opportunity – for bribery, coercion, miscommunication, or unfair treatment, particularly as it pertains to non-native English speakers.

FINALLY, THE BIG QUESTION

Do villagers want a police department? While individual members have their own views on whether, how, and to what extent the Village should maintain an independent police department, as a Committee we will not issue an opinion. We do recognize, however, that a critical data point missing from the discussion is the opinion of each villager, not just the most vocal advocates or skeptics. As such, the Village shall develop a strategy and tactics to impartially educate the public about the costs, responsibilities, and consequences of maintaining or absolving the department, and the Village shall commit to placing a non-binding referendum on the 2024 general election ballot asking the very simple question “Should Cold Spring have its own police department?” Only through a village-wide vote can we understand the scale of support – or desire for change – and make future plans accordingly.

Respectfully submitted,

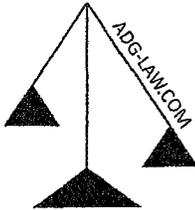
Victor Burgos, Chair
Sean Conway
Gretchen Dykstra
Karen Jackson
Lithgow Osborne
Doron Weber

**NOTES ON RECOMMENDATIONS OF THE AD HOC COMMITTEE ON COMMUNITY POLICING
WORKSHOP PRESENTATION 2/15/2023**

RECOMMENDATION	STATUS	NEXT STEPS
<p>ADOPT UPDATED POLICIES</p> <p>Adopt Policies in Compliance with Executive Order 203 and for Best Practices</p>	<ul style="list-style-type: none"> In late 2020, the Village entered into a contract with Lexipol, a subscription service that provides model policies for local police departments and aggregates policy updates from the Federal and State level. In Spring 2021, policy topics relevant to Cold Spring were prioritized and review begun by the Officer in Charge. The Ad Hoc Committee reviewed those chapters and made comments in their second report to the Board of Trustees, 8/2022. 	<ul style="list-style-type: none"> A staff member is being trained to use Lexipol software so that updates can be moved through the review process more efficiently. Staff to incorporate recommendations of the Ad Hoc Working Group and prepare policy text for public review by the Board of Trustees. After VBOT approves policies, they will be made public on the CSPD section of the updated Village website.
<p>COMMUNITY RELATIONS</p>		
<p>Enhanced Department Website</p>	<p>Requested content in development</p>	<ul style="list-style-type: none"> Trustee Bozzi working with Civic Plus on new website template for entire Village website; updates will be integrated as part of this process (likely launch late spring/early summer 2023).
<p>Phase-in universal nametags for officers</p>	<p>Officers currently have tags with last name only.</p>	<ul style="list-style-type: none"> OIC Burke to present a photo inclusion proposal to the PBA. Consideration by Board of Trustees: beginning with all new hires, phase-in use of first initial.
<p>Accessible Police Department</p>	<p>Wish List/Capital Project</p>	<p>As Village Hall repairs and renovations are carried out, include feasibility of elevator installation (may be required by code; code analysis will determine). This investment in Village Hall would have to be considered: is it the best use of public dollars? Are there better options for locating the police department, perhaps in a shared EMS facility for police, fire and ambulance. The 2012 Comprehensive Plan calls for this consideration in long-term planning.</p>
<p>Impartial Officer Conduct Feedback Venue</p>	<p>Existing. The Officer in Charge and/or the Mayor and Board of Trustees will accept a complaint or praise in any form or fashion that an individual is comfortable with—</p>	<ul style="list-style-type: none"> Develop content on newly designed website to describe methods and options for filing complaints, including links to

	<p>even dropped anonymously in the Village Hall mail slot. The OIC will address as appropriate with the Officer identified. In order for there to be formal review and administrative process, however, a formal complaint must be filed and a personnel process followed.</p>	<p>forms.</p> <ul style="list-style-type: none"> • Proposal to identify a third party to receive anonymized complaints would require collective bargaining with the PBA. As part of the CSPD's collaboration with the Philipstown Behavioral Health Hub, OIC Burke will explore possible methods with the Executive Director and report to the Board of Trustees.
<p>INFORMATION GATHERING & INFORMATION SHARING</p> <p>Develop and Utilize More Streamlined and Relevant Digital Record Keeping System</p>	<p>The Officer in Charge already reports monthly on the data requested by the Committee. Spreadsheet is overly detailed and does not provide cumulative data through the year.</p>	<p>A new computerized data tracking system (CAD) is being acquired by the Putnam County Sheriff's Department; CSPD will upgrade to and integrate with that system. CAD will provide much more detailed and flexible call data collection and reporting. As the data set in CAD is built-out, CSPD will be able to compare periods of time and identify trends as the Committee has requested. The system is expected to go-live December 2023.</p>
<p>Domestic Violence Reporting</p>	<p>CSPD receive few reports; 9 in the last 5 years. That does not necessarily reflect actual occurrence of domestic violence.</p>	<p>As requested, OIC will highlight such calls in monthly reports. Some committee members requested incident "check-backs" to ensure continued safety of victim. OIC Burke will develop a proposal and protocol based on best practices.</p>
<p>ADDITIONAL NEW POLICIES AND SERVICES TO CONSIDER</p>		
<p>Post-traumatic Event Support Intervention</p>	<p>CSPD has entered into partnership with the Philipstown Behavioral Health Hub to provide live, on call support by mental health professionals for Officers responding to, or in the aftermath of, traumatic calls. Support is available to the person requesting assistance as well as to the responding Officer.</p>	<ul style="list-style-type: none"> • Built out and document procedures for accessing and utilizing Hub support. • Arrange individual or small group meet-ups between Officers and Hub staff for relationship building. • Train officers and Hub on procedures. • Communicate with the public about the program. • Currently in design: updated training for officers on the signs of use and rescue responses to newer evolving drugs available on the market
<p>CSPD Mutual Aid Expenses (related to recreation area rescues in Parks)</p>	<p>Direct billing of costs related to rescues are not currently billed to either the recipient of aid or to New York State Parks</p>	<p>Consideration by Board of Trustees: This possibility has been explored previously with no forward motion. Is this a conversation that we'd like to try to have again with Parks? Perhaps enlist the support of our State Senator and Assembly Member?</p>

<p><i>Traffic Court Disclosures</i></p>	<p>Currently, Officers have “pre-trial conferences” with those who have received a traffic or parking violation and wish to contest the violation. Mayor Foley requested a proposal from the Village prosecutor to take on the negotiation.</p>	<p>Consideration by Board of Trustees: review proposal from the prosecutor and vote to modify practice to civilian negotiation.</p>
<p>THE BIG QUESTION The Ad Hoc Committee asked: Do Villagers Want a Police Department?</p>	<p>Committee is not issuing an opinion on this question. Individual members have their own views on whether, how, and to what extent the Village should maintain an independent police department.</p>	<p>Committee has requested the Board of Trustees to consider:</p> <ul style="list-style-type: none"> • Developing a strategy to impartially educate the public about the costs, responsibilities, and consequences of maintaining or dissolving the police department • A commitment to place a non-binding referendum question on the 2024 ballot, asking “Should Cold Spring have its own police department.”



Law Office of Andres D. Gil, PLLC

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Email: agil@adg-law.com

February 14, 2023

Kathleen E. Foley
Village of Cold Spring Mayor
85 Main Street
Cold Spring, New York 10516

SUBJECT: Village of Cold Spring Bid for Vehicle and Traffic Prosecutor

Dear Mayor Foley,

It has been my pleasure to serve the Village as the Village Prosecutor since 2021. In follow up to your request for a bid and cost analysis to prosecute Vehicle and Traffic matters for the Village of Cold Spring, please find a proposed contract and flow chart attached for your review and consideration.

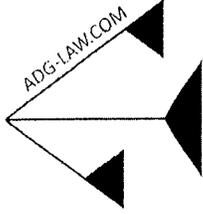
Please feel free to contact me with any questions or concerns. I look forward to the possibility of representing the Village.

Respectfully,

ANDRES D. GIL, ESQ.
Attorney at Law

Encl(s):

1. Proposed Contract; and
2. Flow Chart



Law Office of Andres D. Gil, PLLC

Honor, Integrity, Compassion, and Dignity

Prosecuting Vehicle and Traffic Matters—Generally the Village’s Vehicle and Traffic Court meets once a month. The process for prosecuting VTL matters can be broken into three phases as outlined below. Generally, our time allocated can be forecasted to total 6.5 hours a month for a general forecasted annual budget of \$11,700.00 which is in addition to the fees associated with prosecuting criminal offenses.

Phase 1: Before Court Appearance 2.5 hours	<ol style="list-style-type: none">1. Obtain and Review Court Calendar from Clerk2. Search DMV Database and Review Driver History3. Prepare and Print Plea Offers in Preparation for Court4. Subpoena Officers for Trial
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Phase 2: Justice Court Appearance 2.0 hours	<ol style="list-style-type: none">1. Appear for Court2. Meet with Accused in Conference Room and Negotiate Plea Offer3. Provide Signed Plea Sheet to Judge4. Accused appears before Judge to accept Plea5. Accused Pays Fine to Clerk6. Conduct Trials as Required
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Phase 3: After Court Appearance 2.0 hours	<ol style="list-style-type: none">1. Receive and Review Motions of Opposing Party2. Conduct Legal Research3. Draft and File Response with Court4. Appear in Court for Oral Arguments
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VILLAGE OF COLD SPRING
85 MAIN STREET, COLD SPRING, NEW YORK 10516
(845)-265-3611

APPLICATION FOR DOCKING AT MAIN STREET DOCK
(Please print)

DATE AND TIME OF DOCKING- FROM 05/03/2023 TO 05/07/2023

NAME AND DESCRIPTION OF VESSEL Hudson River Sloop Clearwater

VESSEL LENGTH AND DRAFT 106ft , 8ft TONNAGE 69

MINIMUM DOCK LENGTH REQUIRED 75

OWNER/OPERATOR Hudson River Sloop Clearwater, Inc

CAPTAIN Rory Kane

REPRESENTATIVE (if other than Captain) Amali Knobloch

STREET 724 Wolcott Ave TOWN/CITY Beacon, NY ZIP 12508

PHONE (HOME) (845) 265-8080 x 7107 PHONE (BUS) _____

PHONE (CELL) (845) 265-8080 x 7107 EMAIL ADDRESS amali@clearwater.org

PURPOSE OF VISIT Education Program

SCHEDULE OF VISIT Arrive afternoon 05/03, depart afternoon 05/07

FEE SCHEDULE:

Effective 1-1-2019 \$8.00 per-foot per-day, beginning and ending at 12 midnight when the Vessel does not remain docked for the duration. For the purposes of clarification: all Vessels shall pay the per-foot fee; vessels are permitted to be docked for a maximum of 45 minutes to permit passengers to embark/disembark.

Effective 1-1-2019, \$12.00 per-foot per day, beginning and ending at 12 midnight when the Vessel remains docked for the duration.

Applicant is required to remove any refuse resulting from their visit before leaving.

* Mooring bollards and/or cleats are not to be utilized by applicant to slow or turn vessels under power.

* As part of this application the owner/operator must provide the Village of Cold Spring a liability insurance policy naming the Village of Cold Spring as an additional insured on said policy. The policy shall have limits of \$1,000,000.00 for any one injury and \$2,000,000.00 for any one event and be written by or through an insurance company licensed by the State of New York.

* The undersigned does hereby agree to pay for any and all damages to equipment or property of the Village of Cold Spring used by said organizations, members, guests, or visitors.

* The undersigned 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 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. The applicant is responsible for determining if depth of water is sufficient for the docking of their vessel.

* Loud amplified music will not be permitted without the written permission of the Village Board.

* Applicant will not allow swimming from their vessel while docked.

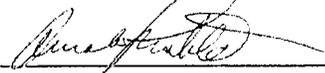
* The Vessel Owner/Operator is responsible for ensuring that the passengers are informed of applicable boating safety procedures and that all appropriate safety equipment is available for all passengers.

* The Vessel Owner/Operator is responsible for the enforcement of all safety procedures.

* The Vessel Owner/Operator is responsible for facilitating the safe transfer of passengers to and from the vessel.

* This is a revocable permit subject to change.

I, the undersigned, have read and understand the application and accept the conditions contained within it.

Signature of Vessel/Organization Representative 

Date 02/07/2023

Approved by the Village Board: By _____

Date _____

Fee:\$ _____

VCS Clerk

From: Mike Savastano <mike.savastano711@gmail.com>
Sent: Monday, February 13, 2023 2:28 PM
To: VCS Clerk
Subject: Kids Fishing Day May 7th

Jeff,

The Nelsonville Fish & Fur Club would like to hold the fishing derby on May 7th this year as it has been held for over 3 decades @ the Cold Spring Reservoir on this date. Please let me know if there is anything else needed. .

Thank you
Mike Savastano President of NFFC
mike.savastano711@gmail.com
-Cell 917-299-5486-



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

Village of Cold Spring Board of Trustees
Workshop Meeting Minutes
January 4, 2023

The Board of Trustees of the Village of Cold Spring held a workshop meeting on Wednesday, January 4, 2023 at Village Hall. Present were Mayor Kathleen E. Foley, Deputy Mayor Tweeps Phillips Woods, Trustees Laura Bozzi, Cathryn Fadde and Eliza Starbuck. The meeting was called to order at 7:03 pm by Mayor Foley.

Request to Modify Agenda

K. Foley made a motion to add to the agenda the approval to issue a Proclamation honoring Owen Carmicino. T. Woods seconded the motion and it passed by a vote of 5-0.

Announcements

K. Foley made the following announcements:

- Royal Carting will pick up holiday trees and wreaths on Wednesday January 11th
- Saks Metering will be back in the market February 16-17 and 21-25 to complete the replacement of Endpoints. Residents who did not schedule the work with Saks during the initial period will need to make an appointment. Those residents that had the replacement suspended due to a plumbing issue or because the meter has been enclosed will need to rectify these conditions in order for the work to be completed.

Presentation of FY 2021-22 Audit Results

John Costilow, EFPR Group, presented (attached) the findings of the FY 2021-22 Financial Audit. Overall, there was nothing of significance to report. Key findings included:

- Revenue up 1.1% while expenses were down 2.1%
- Fund balance increased 12.5%
- Water Fund increased \$79,000 and Sewer Fund \$39,000
- LOSAP investments increased while capital assets did not depreciate to the degree anticipated
- Recommended the Village review and close out funds/accounts related to dormant capital projects

Resolution 01-2023 Accepting the Results of the FY 2021-22 Audit

K. Foley made a motion to adopt Resolution 01-2023 (attached) accepting the results of the FY 2021-22 audit. T. Woods seconded the motion and the resolution was adopted by a vote of 5-0-0-0.

CCA Public Information Session

Jeff Domanski, Joule Assets, provided an overview of the CCA program and the plans for the program going forward.

- The NYS Public Service Commission oversees the CCA
- Joule Assets is the program administrator
 - Advocates for participants
 - Manages the RFP process
 - Provides community education
- The CCA is an energy buying club made up of multiple municipalities joining together to buy in bulk
- Benefits to consumers include
 - Cheaper rates due to bulk buy
 - Protection for consumers
 - Bidding process optimizes options and vets providers
 - Option for municipalities to utilize renewable energy
- In 2022, Joule selected Columbia Energy
 - Columbia Energy defaulted on payments to grid operators resulting in all customers returning to Central Hudson
- Joule preparing to issue RFP for program relaunch
 - Providers will be required to offer a Fixed Rate and Flexible Rate options to consumers
- Currently doing community outreach and education in Central Hudson markets
 - Hosting session on 1/31 at Village Hall
 - Once community outreach is complete Joule will issue RFP
- Consensus on provider by all participating municipalities required

K. Foley asked if Joule will provide quarterly outreach to community and municipal leaders? J. Domanski replied that this is something Joule will consider.

L. Bozzi asked what Joule’s communication plan is to educate the public in addition to public meetings? J. Domanski stated that Joule will be utilizing a combination of social media and direct mailings in addition to local meetings to educate and communicate with customers.

Board Business

SAM Grant

K. Foley informed the Board that the Village has been awarded a \$250,000 Grant from outgoing Assemblywoman Sandy Galef for repairs and improvements to Village buildings. The priority for the grant funds will be repairs and improvements to Village Hall. Highland Architecture is preparing a conditions analysis of Village Hall to be used to prioritize work. The Board unanimously agreed to this plan of action.

Proclamation for Owen Carmicino (see attached)

K. Foley read into the record a proclamation honoring Village resident Owen Carmicino for achieving the highest honor possible for a Boy Scout – Eagle Scout. The Board unanimously approved and signed the proclamation.

Approval of Minutes

Approval of the minutes from the 12/7/2022 meeting was tabled

Approval of Bills

L. Bozzi made a motion to approve Batch #6759 in the amount of \$163,091.74. T. Woods seconded the motion and it passed by a vote of 5-0.

Public Comment

Mike Turton, Highlands Current, asked the Board for its reaction to the Joule plan. K. foley noted that the Board needs to hear from the public before weighing in. E. Starbuck commented that while she felt the plan was a good one she was in agreement that the public needs to be heard from first.

Adjournment

E. Starbuck made a motion to adjourn the meeting. C. Fadde seconded the motion and it passed unanimously. Meeting adjourned at 8:07 pm

Submitted by: Jeff Vidakovich

Jeff Vidakovich, Village Clerk

Date

Resolution # 01-2023 Accepting Results of FY 2021-22 Audit

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

WHEREAS, the Village has engaged EFPR Group LLP, Certified Public Accounts, to conduct an independent audit of the Village's Accounting Practices, Policies and Estimates; and

WHEREAS, EFPR Group presented its findings for the Fiscal Year ending May 31, 2022 to the Village Board of Trustees on January 4, 2023;

WHEREAS, EFPR Group found that the Village's accounting practices and policies were appropriate, comply with generally accepted accounting principles and policies and were consistently applied;

WHEREAS, EFPR Group found that there were no significant changes made to the process or assumptions used to develop accounting estimates and that financial statement disclosures were neutral, consistent and clear.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT the Village Board accepts the findings of EFPR Group for the Fiscal Year ending May 31, 2022.

On roll call Vote:

Trustee Laura Bozzi voted:	Aye
Trustee Cathryn Fadde voted:	Aye
Trustee Eliza Starbuck voted:	Aye
Trustee Tweeps Phillips Woods voted:	Aye
Mayor Kathleen E. Foley voted:	Aye

Resolution officially adopted on January 4, 2023 by a vote of 5-0-0-0.

Jeff Vidakovich, Village Clerk-Treasurer

Date

PROCLAMATION

WHEREAS, the mission of the Boy Scouts of America is to prepare young people to make ethical and moral choices over their lifetimes by instilling the values of the Scout Oath and Law, and whereas Scouts achieve their ranking by fulfilling requirements in areas of leadership, service and outdoor skills; and,

WHEREAS, Village of Cold Spring resident Owen Carmicino, of Philipstown Boy Scout Troop 437, has proven to be an outstanding member of the Boy Scouts of America, attaining the highest honor bestowed on a Scout – the Eagle Scout Award; and,

WHEREAS, Owen earned the rank of Eagle Scout through many contributions to his community, as well as a specific award project: working with community members to create and install signage that draws public attention and increases visitation to Cold Spring’s previously little-known 9/11 Memorial; and

WHEREAS, Owen solicited and coordinated generous contributions from community members for the project, including the durable stainless steel and plexiglass the sign is made of; and

WHEREAS, Owen participated in the Village’s public review process for proposals, making presentations to the Recreation Commission and to the Historic District Review Board, and;

WHEREAS, even while studying engineering at Rensselaer Polytechnic Institute in Troy, New York, Owen continues to use his skills and initiative to help the Cold Spring and Philipstown communities.

NOW, THEREFORE, the Board of Trustees of the Village of Cold Spring, on behalf of all its residents, joins with Troop 437 in recognizing this bright and outstanding young man for his many accomplishments, and specifically for earning the prestigious rank of Eagle Scout as a Boy Scout of America.

Kathleen E. Foley, Mayor

Laura Bozzi, Trustee

Tweeps Phillips Woods, Deputy Mayor

Cathryn Fadde, Trustee

Eliza Starbuck, Trustee



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Village of Cold Spring Board of Trustees
Monthly Meeting Minutes
January 11, 2023

The Board of Trustees of the Village of Cold Spring held the Monthly Meeting on Wednesday, January 11, 2023 at Village Hall. Present were Mayor Kathleen E. Foley, Trustees Laura Bozzi, Cathryn Fadde and Eliza Starbuck; Deputy Mayor Tweeps Phillips Woods was absent. The monthly meeting was called to order at 7:02 p.m. by Mayor Kathleen E. Foley.

Pledge of Allegiance

Request to Modify Agenda

C. Fadde made a motion to move Item 9(b) (Discussion on 2023 project priorities) to Accountant's report. L. Bozzi seconded the motion and it passed by a vote 4-0-0-1 (T. Woods absent).

Announcements

K. Foley made the following announcements:

- January 18, 2023 - Parking Plan rollout and Ticketed events discussion
- January 25, 2023 - Ad Hoc Committee on Zoning Code to submit a progress report
- February 1, 2023 - Workshop with Short Term Rental Committee

Monthly Reports – Village Departments (all submitted reports attached)

Financial Report: Village Accountant Michelle Ascolillo not present. K. Foley read highlights of the report into the record:

- Letters for unpaid taxes mailed out. Taxes to be paid by January 31, 2023. Unpaid taxes will be sent to the County for enforcement and Village will be made whole
- Village employees and retirees have been notified about increase in health care costs
- Preliminary timeline for Village budget is attached to agenda

Resolution 02-2023 Authorizing Budget Adjustments (attached) was read into the record by K. Foley. K. Foley made a motion to adopt the Resolution. C. Fadde seconded the motion. Upon roll call vote, Resolution 02-2023 was adopted by a vote of 4-0-0-1 (T. Woods absent).

Roadways & Facilities: Crew Chief Robert Downey not present. K. Foley read the highlights of the report into the record. Service logs have been created for all Village service vehicles and equipment. Potholes have been cold-patched and further repairs will be made in the Spring after a road assessment. C. Fadde noted that the fence is down by Riverside Park.

Water/Wastewater Department: Water and Wastewater Superintendent Matt Kroog present via videoconference to present the report:

Reservoirs are up nearly to 2022 levels

- Second round of updates and relocations of endpoints is ongoing;
- Outfits continue to tour the job site at the Aqueduct Connection for bidding on January 12, 2023;
- Storage tank leaks repaired;
- Servicing done on the Facility Generator in December;
- Water valve taken out of service and service provider(s) contacted for quotes.

Code Enforcement: Philipstown Code Enforcement Officer Greg Wunner was not present. K. Foley noted that Village continues to work collaboratively with Philipstown Code Enforcement. Applications continue to be processed and fees collected.

Police Department: Officer-in-Charge Larry Burke was not present. K. Foley noted that:

- OIC Larry Burke is currently in training on the upgraded CAD system which will provide real time information to a responding officer regarding the nature of the call, and identify other responding agencies. The CAD database will also ensure improved reporting and permit law enforcement to track trends in their jurisdictions. The County will bear the cost of the database, with participating municipalities paying a maintenance cost (numbers still pending).

Fire Company: Jeff Phillips, Jr. was not present. K. Foley noted that calls to the Fire Company increased in 2022, however mountain incident numbers had decreased. K. Foley further noted the Fire Company is 100% volunteer and is actively recruiting for new members.

Justice Court: No representatives from the Justice Court were present. Report summarized by K. Foley.

Monthly Reports – Standing Boards (all submitted reports attached)

- **Historic District Review Board (HDRB):** No member of the Board was present. K. Foley summarized the report.
- **Planning Board:** No member of the Board was present. K. Foley summarized the report.
- **Zoning Board of Appeals (ZBA):** No member of the Board was present. K. Foley noted the Board had no new applications. K. Foley commended Chair Eric Wirth for working with the Ad Hoc Committee for Zoning Code updates.
- **Tree Advisory Board (TAB):** No member of the Board was present. K. Foley summarized the report.
- **Recreation Commission:** No member of the Board was present. K. Foley presented the report and noted she has meet with the Commission Chair to discuss Rec Code updates.

- **Town of Philipstown:** Deputy Supervisor Bob Flaherty presented the report of the Town and highlighted the following:
 - New Highway Garage work in the garage bays is 90% completed
 - Representative CCA spoke about starting up new program for green power
 - Discussion had with Community Preservation Fund
 - Resolutions passed with VCS for snow removal and ice control
 - Resolutions passed with Outreach worker services, new cleaning services for Townhall and Bldg. Dept.
 - Discussion had regarding Hwy. Supt. being elected v appointed
 - Resolution for new Ford F-250 and plow for Hwy Dept
 - Resolution to retain Ron Gainer as Town Engineer and max Garfield as Wetlands Inspector
 - E-waste collection continues for now (Royal Carting no longer accepting e-waste)
 - Food scrap composting has 170 enrollees thus far

- **County Legislator:** Legislator Nancy Montgomery present via videoconference and gave the report. There are two (2) new County Legislators (Erin Crowley and Greg Ellner), a new County Attorney, Compton Spain, and a new County Executive, Kevin Byrne. She noted many vacancies need to be filled: Commissioner of Emergency Services, Soil and Water Conservation District positions, Commissioner of Highways and Facilities, Commissioner of Planning and Development and Public Transportation, and Director of Real Property Services. N. Montgomery reported that the Health Department has released its 2022-2024 health assessment and improvement plan which covers the following health related areas:
 - child vaccinations
 - emerging Infectious diseases
 - algae bloom
 - mental health and well-being
 - obesity
 - opioid misuse
 - racial and ethnic disparities in birth related indicators
 - STDs and tick-borne diseases
 - Transportation as a social determinant

Putnam County will be offering immunization clinics for childhood and adult vaccines on January 5th, 21st, and 27th. Travel vaccines will be offered on January 14 and migrant vaccines on January 25th.

N. Montgomery advised that she voted against the proposed intermunicipal agreement between the County Sheriff and VCS for mutual aid response teams as it was incomplete, and poorly formatted. K. Foley confirmed that the VBOT did not have an opportunity to review it and would like to do so with the guidance of the Village Police Department. N. Montgomery stated she did not have details about the shared costs of the CAD but will look into it and advise the VBOT.

Report of the Mayor and Trustees:

E. Starbuck reported the following:

- Bids have come in for Village signage
- Lowest bid just under \$3,000
- Trustees Starbuck & Fadde have compiled a list of new signage for the Village, including those for new parking meter and resident parking permit systems, as well as signage in need of repair/replacement and safety signage
- E. Starbuck will present a full report on the big picture and timeline at the next Board meeting on January 18, 2023

L. Bozzi reported that on January 6, 2023, she and K. Foley met with Mark Lukasik of Tectonic, the original engineering firm that assessed the reservoir Dam repairs more than ten years ago.

- Key points of the meeting are as follows:
 - Tectonic assessment on Dam repairs from 2016 remains valid until 2026
 - DEC grant for high hazard dams is not the best fit for the Village's needs at this time
 - Village will work with Tectonic regarding ongoing services, safety inspections and guidance for Dam design and repairs
 - Schematic construction cost estimate is \$5,372,000, an increase of approximately \$1,000,000 since 2017 (\$4.2 million)
 - Mark Lukasik estimated eight to twelve months for actual repair work (subsequent to securing of access, and engineering and design completion).

K. Foley reported the following:

- Bids for the Emergency Aqueduct connection work are due by 2: 00 p.m. on January 12, 2023
- Draft of the IMA with Putnam County for use of the ARPA money to repair Water Plant filters is under review by the Village Attorney
- K. Foley and M. Ascolillo have met with Architect Justin Kacur regarding Village Hall repairs being funded by DASNY and the Village. A revised proposal will be circulated among the Board
- FEAF for the Breakneck Connector on the Fjord Trail project issued a negative declaration of environmental impact. K. Foley clarifying the Village entity status with Matt Davidson. Lead agency is Parks Department. Documents will be available to the public on the Parks website and HHFT website
- K. Foley attended the swearing-in ceremony for the new County legislators, Assembly member, County Executive and State Senator
- K. Foley noted that West Point has a Host Program for West Point cadets that may be of interest to the Village community. She suggested revisiting a West Point proposal to provide boats for visiting Academy families which would help prevent Village traffic.

Board Business

Discussion on 2023 legislative priorities

- K. Foley circulated a draft spreadsheet Board Trustees for discussion of where substantive changes to the Village Code and adjustments for utility within the Code need to be made. K. Foley noted there are elements of the Code that Nelsonville may need to address separate and apart from the Village. Communication is ongoing with Mayor Windward.

Discussion on 2023 project priorities

- K. Foley is creating a list of capitol and roadway projects in preparation for the Village budget season to provide sufficient opportunity for the Board to prioritize projects, and gather cost estimates.

Approve \$.20/hour increase for Crossing Guards

- K. Foley noted NYS on track to setting a minimum wage increase from \$14.20 of \$15.00. She further noted that NYS exempts public employees from minimum wage requirements. K. Foley made a motion to increase the salary of Crossing Guards from \$14.00 to \$14.20. L. Bozzi seconded the motion and it passed by a vote of 4-0-0-1 (T. Woods absent).

Approval of Minutes – 12/7/2022

K. Foley made a motion to approve the minutes of the 12/7/2022 meeting as modified. L. Bozzi seconded the motion and it passed by a vote of 4-0-0-1 (T. Woods absent).

Public Comment

MJ Martin, HHFT, was present at the meeting, and invited Village residents to a parking and shuttle Open House at the Firehouse on February 2, 2023 from 6 to 8 p.m. The focus will be on issues raised in the December 6, 2022 webinar. Fjord Trail representatives will be present. Results of the open house will be added to the overall final report of recommendations on the HHFT Parking and Shuttle study. E. Starbuck recommended that the HHFT team attend the VBOT meeting on January 18th for the parking plan report presentation.

Adjournment

K. Foley made a motion to adjourn the meeting. E. Starbuck seconded the motion and it passed 4-0-0-1 (T. Woods absent). Meeting adjourned at 8:01 p.m.

Submitted by: Karen Herbert



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KATHLEEN E. FOLEY, MAYOR
LAURA BOZZI, TRUSTEE
CATHRYN FADDE, TRUSTEE
ELIZA STARBUCK, TRUSTEE
TWEEPS PHILLIPS WOODS, TRUSTEE

JEFFREY VIDAKOVICH, CLERK/TREASURER
MICHELLE ASCOLILLO, ACCOUNTANT
LARRY BURKE, OFFICER IN CHARGE
MATTHEW KROOG, WATER SUPERINTENDENT
ROBERT DOWNEY, CREW CHIEF HIGHWAY DEPT

January 11, 2023

RESOLUTION 02-2023 AUTHORIZING BUDGET ADJUSTMENTS

Moved by: Mayor Kathleen E. Foley
Seconded by: Trustee Cathryn Fadde

Resolved that (1) The Board of Trustees of The Village of Cold Spring hereby approves the following

Budget Adjustment(s) for the **2022/2023** fiscal year:

(1)			
To:	A00-8020-100	Planning Board: Personal Services	\$2,500
	A00-7510-100	Historical Board: Personal Services	\$500
From:	A00-1620-100	Shared Services: Personal Services	(\$3,000)
		<i>To reallocate Staff salaries to correct departments</i>	
To:	A00-4020-400	Registrar: Contractual	\$50
From:	A00-1620-400	Shared Services: Contractual	(\$50)
		<i>To reallocate for supplies</i>	
To:	A00-3620-400	Building Inspector: Contractual	\$22,400
From:	A00-3620-100	Building Inspector: Personal Services	(\$22,400)
		<i>To reallocate from Payroll expenses for change from Building Inspector employee to Philipstown Contractual Inspector services</i>	

To:	A00-1010-445	Board of Trustees: Computer Support	\$463
	A00-5110-445	Highway: Computer Support	\$262
	A00-1110-460	Justice: Software Fees	\$64
From:	A00-1620-447	Shared Services: Technology	(\$789)
		<i>To reallocate to proper expense accounts for email & Teams</i>	
To:	A00-8540-410	Storm Drain: Supplies	\$6,000
	A00-8540-100	Storm Drain: Personal Services	\$1,000
From:	A00-8540-400	Storm Drain: Contractual	(\$7,000)
		<i>To reallocate from outside contractor repairs to supplies for in house repairs</i>	

And (2) The accountant is hereby authorized to transfer such funds immediately.

On roll call vote:

Trustee Laura Bozzi voted:	Aye
Trustee Cathryn Fadde voted:	Aye
Trustee Eliza Starbuck voted:	Aye
Trustee Tweeps Phillips Woods voted:	Absent
Mayor Kathleen E. Foley voted:	Aye

Resolution officially adopted on January 11, 2023 by a vote of 4-0-0-1.

Jeffrey Vidakovich-Village Clerk/Treasurer

Date