



VILLAGE OF COLD SPRING

85 MAIN STREET, COLD SPRING, NY 10516

TEL: (845) 265-3611 FAX: (845) 265-1002

WEB: WWW.COLDSRINGNY.GOV

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, October 11, 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. Pledge of Allegiance
2. Roll call
3. Opportunity to request vote to Add/Modify Agenda
4. Announcements
5. Reports from Village Departments
 - a. Accountant
 - b. Roadways & Facilities
 - c. Water & Wastewater
 - d. Code Enforcement
 - e. Police Department
 - f. Fire Company
 - g. Justice Court
6. Reports from the Standing Boards & Committees
 - a. Historic District Review Board
 - b. Planning Board
 - i. Recommendation for new Planning Board member
 - c. Zoning Board of Appeals
 - d. Tree Advisory Board
 - e. Recreation Commission
 - i. Approval of Application for Use of Mayor's Park Pavilion
7. Updates/News from Municipal and Government Partners

8. Report of the Mayor and Board of Trustees
9. Board Business
 - a. Approval of Minutes – 6/26/23, 9/6/23
 - b. Resolution 35-2023 Suspending On-Street Parking Regulations on Marion Avenue
 - c. Discussion on Winter Parking Program
 - d. Request to Purchase Village Owned Property Adjacent to 207 Main Street
10. Public Comment
11. Adjournment

Members of the public are invited to attend the meeting in-person at Village Hall (85 Main Street) or via Videoconference pursuant to Chapter 56 of the Laws of 2022. To join the Zoom Meeting:

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

Or by phone: 646-558-8656

Meeting ID: 889 8385 3791 Passcode: 365616



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ROBERT DOWNEY, HIGHWAY DEPARTMENT CREW CHIEF
CHARLOTTE MOUNTAIN, CODE ENFORCEMENT OFFICER

Village of Cold Spring Highway Department September Monthly Report

For the month of September, we cleaned VCB (16X), Dockside (9X), Subway (6X), Riverfront (8X), MPP (2X), and catch basins (3X). We helped out with Community Day by removing the benches at Village Hall, leveling the dunk booth, boarding up the windows around the tank, and distributed (14) extra garbage cans on Main St. We finished off the sidewalk on Craigside Dr. with soil & seed. We eradicated two bee's nests, and had Buggsie's Pest Management onsite to remove a hornet's nest. I submitted all of the pictures & information of the items we are looking to auction off. We had Cook onsite to vactor out (5) catch basins around the Village. We installed (19) pavers at the Bandstand, removed (2) piles of brush for TAB, and set up pump, hoses, barricades, and sandbags for a potential storm on 9.28 - 9.29. We had Garrison Tree & Philipstown Tree onsite to remove multiple dangerous limbs at (3) locations. We assisted PD by moving their trailer to the R&F garage, Tot's Park Committee with removal of toys & debris, and Managed Technologies with the camera reboot at MPP. I met with Haldane & Recreation re: MP field fertilizing, Trustee Starbuck re: Residential Permit Parking layout & mapping, and Village Board / TAB / & St Mary's church re: tree issues. We painted (1) stop & stop bar on Railroad Ave., (9) yellow no parking zones, (5) 15-minute quick stops, and (8) setbacks on Main St.

Continuing work from the 7.9.2023 storm we had Pizzella onsite to install a new storm water culvert under the patio at the Visitor's Center where we replaced the bluestone patio when he was done. We temporarily repaired the wash out at the North end of Fishkill Ave., where we also repaired some of the washed-out asphalt, and created a safe asphalt walkway from the road to Haldane's sidewalk. We removed (6) yards of silt & debris from Village roads, and repaired sinkholes on Parsonage St., & Fair St. We installed barricade fencing along the entire length of Mayor's Park field.

We installed a new back up alarm on the 2019 Ford F-250, sealed a leak in the water tank of our paving roller, and solved the issue we were having with our mudflaps on our Kenworth dump truck. I want to extend a special thank you to Adam Hotaling of the Philipstown Highway Dept. for hauling our Bobcat skid steer to Summit Bobcat in Walden, NY.

Robert Downey
Roadways & Facilities Crew Chief



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Water & Wastewater Departments Monthly Report

September 2023

Water:

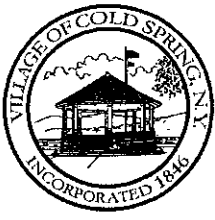
2022 Reservoir Status:	62.27% Capacity	Reservoir Status:	98.93% Capacity
2022 Flow to System:	7.43MG / 248k/day	Flow to System:	7.85MG / 262k/day
Monthly Rainfall:	8.85"	Percent Change:	5.36% Increase

- **Bacteriological Lab Tests:** All routine sampling were found in good standing.
- **Water Leak:** Residential service line repaired on Rt. 9D the week of Sept. 28th
- **Dams:** Tectonic formulating response to DEC, timeline / schedule of needed repairs to the dams at the Upper & Lower Cold Spring and Foundry Brook Reservoirs.

Wastewater:

Total Inflow to Plant:	8.52 MG / 284k/day	Liquid Sludge Hauled Offsite:	29,000 Gallons
Biochemical Oxygen Demand:	97.71% Removal	Total Suspended Solids:	99.43% Removal

- **Auger:** Taken offline on 7/22, awaiting new quote on Brush assembly from GP Jager Inc to move forward with repair
- **Kemble Ave. Pump Station:** Pump 2 offline as of 9/30, found tripped out, needs to be troubleshot further to diagnose pump failure issues.
- **Sludge Hauling:** New outfit, Fred Cook began hauling sludge offsite in September.



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Building Department Monthly Report September 2023

Activity

New Building Permit Applications Received:	15
Building Permits Issued:	9
Operating Permits Issued	0
Dumpster Permits Issued	1
CO's Issued	12
Record Searches Completed	4
Complaints Received:	2

Referrals Generated

HDRB:	4
ZBA:	0
Planning:	0

Fees

	<u>September 2023</u>	<u>FY 2023-24</u>
Application and Permit Fees Collected	\$ 1,593.00	\$ 6,615.55
Record Search Fees Collected	\$ 350.00	\$ 650.00
Total Collected:	\$ 1,943.00	\$ 7,266.55



Cold Spring Fire Company No.1

154 Main Street

Cold Spring, NY 10516

Chiefs Report For September

- 1 Structure fire
 - 1 AFA's
 - 1 Outdoor Smoke investigation
 - 2 EMS assist
 - 1 Transformer fire
 - 1 Mutual Aid to North Highlands for AFA
 - 1 Mutual Aid to North Highlands for a
Smoke investigation
 - 1 Mutual Aid to North Highlands for MVA
 - 1 mutual Aid to Garrison for a Structure Fire
- 11 Calls for the month of September

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

Thomas J. Costello
Village Justice

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

SEPTEMBER 2023 MONTHLY REPORT

Fines, Forfeited Bails & Civil Penalties	\$ 2,827.00
Parking Tickets	2,700.00
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>732.00</u>
TOTAL	<u>\$ 6,539.00</u>

A check in the above amount is submitted herewith.

Respectfully,

Dated: October 2, 2023


Thomas J. Costello
Village Justice

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

09/01/2023 to 09/30/2023

All Judges

Report date: 10/02/2023

<u>STATUTE</u>	<u>COUNT</u>	<u>ADDITIONAL INFORMATION</u>	
VTL	21	Number of DWIs - 1192:	0
TL	2	Number of AUOs - 511:	0
		Number of Speeds - 1180:	8
		Number of Defendants:	19
		Total Number Charges:	23
		Average Charges/Defendant:	1.21
		Number of Small Claims:	0



OFFICE OF THE STATE COMPTROLLER
Thomas P. DiNapoli, Comptroller

JUSTICE COURT FUND
110 STATE STREET
ALBANY, NY 12236

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

September 28, 2023

For your information, shown below is the "Distribution Summary" of all reports received by us from the Village Court for the month of August 2023.

Receipts

<u>Justice</u>	<u>Report Month/Seq</u>	<u>Amount</u>
Thomas Costello	August 2023/01	\$9,296.00
Amille S Linson	August 2023/01	\$0.00
Total Court Receipts		\$9,296.00

DISTRIBUTION SUMMARY¹

<u>Code</u>	<u>Trans</u>	<u>State</u>	<u>County</u>	<u>Village</u>	<u>Other</u>	<u>Amount</u>
AB	21	0.00	0.00	2,590.00	0.00	2,590.00
AC	12	220.00	0.00	180.00	0.00	400.00
AD	1	0.00	0.00	5,325.00	0.00	5,325.00
AJ	1	0.00	0.00	10.00	0.00	10.00
CB		420.00	0.00	0.00	0.00	420.00
FF		35.00	0.00	0.00	0.00	35.00
FL		35.00	0.00	0.00	0.00	35.00
FS		35.00	0.00	0.00	0.00	35.00
MS		446.00	0.00	0.00	0.00	446.00
TOTALS :		1,191.00	0.00	8,105.00	0.00	9,296.00

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

Village of Cold Spring Historic District Review Board

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

MONTHLY REPORT TO THE VILLAGE BOARD OF TRUSTEES

OCTOBER 2023

CURRENT APPLICATIONS

On October 3rd, we reviewed and approved a COA modification at 1756 Route 9D, aka Butterfield's "Building 1," for an additional window in the ground floor retail space. We reviewed and approved an application for signage and exterior painting at 158-160 Main Street. This application was referred to us because of a request to paint untreated brick veneer. Our guidelines discourage painting of brick and masonry, however in this instance it was allowed due to it being a later addition to the facade as storefront infill. (The property was originally a church.) We reviewed and approved continued window replacements at 6 Cherry Street, and an application for new roofing material at 10 Chestnut Street. Lastly, we reviewed and approved an application to reconstruct a more contextually appropriate storefront at 81 Main Street, next to Village Hall. While the applicant did not provide any historical documentation of how the storefront was originally constructed – nor does any physical evidence remain – the proposed design is much more in keeping with other historic storefronts around the District.

Our next meeting will be held on November 7th or November 14th pending Board availability for quorum.

Respectfully submitted,

Sean Conway

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

**Zoning Board of Appeals
Cold Spring, N.Y.
Monthly Report: September 2023**

Oct. 6, 2023

To: Mayor and Board of Trustees

From: Eric Wirth, Chair

The ZBA held one meeting last month, on September 7. The only business at the meeting was a workshop on an application for a six-foot fence in a side yard.

Eric Wirth

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

10/9/2023

The TAB held their regular monthly meeting on Sept 26, 2023.

Some updates of note:

1. **DEATH OF SHRUBS IN TREE PIT NEAR STOPLIGHT/SUNOCO:** TAB noted dramatic dieback of a dozen 2 year old aromatic sumac shrubs in the tree pit at the NW corner of 9D & Main St. We got opinions of pros and it is likely a fungal infection. The tree in the pit appears not to be infected. Local garden professional Grace Kennedy has volunteered to safely remove and dispose of the infected plants and replant with alternate species. We would like to publicly thank her and her professional crew for donating this time and the plant stock to the village.
2. **QUESTIONS OF POSSIBLE BORDERLINE TREES @ ST. MARY'S:** TAB chairperson, Ms. Zwarich, met with the leadership of St. Mary's Church as well as Mayor Foley and Mr. Downey to discuss status in relation to the property borders of trees currently understood to be on St. Mary's property that are in need of maintenance. A new property survey commissioned by the church shows several trees near the borderline. The village has agreed to public-tree status of two mature maples bordering Main St with trunks shown by the new survey to be growing fully on village property and will be maintaining these trees going forward. However, the level of detail in the new property survey was insufficient to establish any claim that the trunks of an additional 5 trees were legally on village property or were "borderline trees". Agreement was reached that St. Mary's would research cost of a survey to provide such detail. Ms. Zwarich noted that the TAB would establish protocol with the landowner for shared maintenance of any tree shown to be of "borderline" status.
3. **FALL TREE PLANTING:** The TAB will be planting 6 trees in the village this fall at a very low cost of about ½ what this project would normally cost and without the need to add to Highway Dept schedule. The cost-savings is due to an arrangement we've worked out to procure bare-root trees directly from a grower upstate and receive free shipping by piggybacking on a larger shipment to Westchester Parks. Bare-root trees are much lighter and can be planted by volunteers without the need of large equipment like the backhoe. TAB member Tony Bardes has volunteered his time to pick up the trees for this project from North Salem NY.
4. **PRUNING:** TAB volunteers completed some pruning along Main St in response to citizen complaints. The work created some issues with where to stack larger debris piles without blocking pedestrian, car, parking or hydrants. We have paused this work until a new procedure to follow for piling branches for pickup is communicated to us by the Highway Dept. We have also restarted the editing of an RFP for professional pruning of a group of non-emergency status trees during this dormant season and plan to put out this RFP next month.

Respectfully,
Jennifer Zwarich
Chairperson

Village of Cold Spring

Recreation Commission Report – October 2023



New Applications:

- none

Upcoming Approved Events:

- Bandstand – Halloween Parade October 28, 2023

New Recreation Commission Items:

- Eric Tipler's resignation from the Recreation Commission.
- Alexandra Laurino's appointment to the Recreation Commission.
- The Recreation Commission has elicited bids for lawn care treatment. A meeting was held with Haldane to discuss the treatment options.
- The Commission is proposing a dog park in the northwest corner of Mayor's Park. Fence quotes have been received. The proposal has been submitted for Trustee's approval prior to fundraising.
- A proposal has been approved by the Rec Commission for a boy scout to build small picnic tables with chess boards to be installed at the waterfront as part of an eagle scout project. The proposal will be submitted to the Trustees.
- A proposed butterfly garden in the Tots Park at McConville Park was approved by the Rec Commission and is awaiting a maintenance plan.
- We are working with the Friends of Philipstown to coordinate efforts. Their 501c3 is able to be used by the Village and donations can be earmarked for specific events or projects.
- Proposed modifications to the dog permit at Mayor's Park, which are in line with the suggestions from Dr. Benante. Awaiting Trustees approval.
- The Commission is discussing a comprehensive plan to document the existing conditions of Village Parks, our short-term and long-term goals, and potential avenues to secure funding. We have surveyed each site at our last couple of meetings to foster ideas and discussions.

Outstanding Recreation Commission Items:

- Recreation Commission sponsored community events are being scheduled, such as volleyball, yoga, softball, soccer, cornhole, etc. based on survey results. Liability waivers will be signed, which have been approved by the Village insurer and attorney.
- Haldane is allowing other community teams to use the field during the Spring and Fall, which requires their approval based on the Intermunicipal Agreement.
- Ongoing discussions with the Philipstown Little League regarding use and rehab of the softball field at Mayor's Park.
- Proposed changes to the Village code aligning with current responsibilities and incorporating Event Coordinator's role. Proposed revisions provided for review.
- Existing signage at Mayor's Park is being revised to consolidate and clarify access and restrictions. Awaiting sign installation.
- Proposed changes to event applications were made based on the Event Coordinator's and Mayor's feedback.
- 2023-24 Recreation Commission draft budget submitted to Village Accountant.
- Dock lights have been donated and are in the process of being ordered.

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

Applicant: Chris Jolley

Sponsoring Organization: REI

Address: 1700 45th St. E Email: cjolley@rei.com

Phone: 602-478-1070 Cell: 602-478-1070

Please check if applicable:

Cold Spring Village Resident Philipstown Resident 501(c)(3) Org.*

**If 501(c)(3) organization, attach proof (EIN, certificate of incorporation, parent organization verification, or IRS tax exemption certificate)*

Site(s) Requested: Mayor's Park Pavilion

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

Date(s) of Event: 10-15-23 Start Time: 9am End Time: 2pm

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:

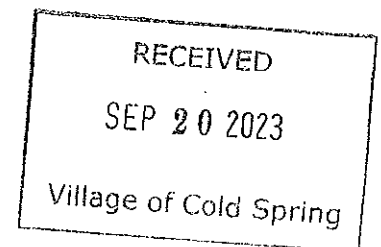
Estimated Attendance: 35-40

(Mayor's Park Fields with 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 REI, 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, Chris Jolley, and/or the organization I represent, REI, 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)

Chris Jolley

Date 09-20-23

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

Approval by Recreation Commission:

Date 9/25/23 By [Signature]

Notes: Pending -residency
-purpose/
-times (5 hours)

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

Village Cold Spring Oct 2023 Town of Philipstown Report

- 1. Resolution authorizing Supervisor Van Tassel to sign the letter of support in regard to the State and Local Clean Energy Partnership Act S6899 and A7371.**
- 2. Resolution authorizing the preparation of a report on municipal solar and storage opportunities by Joule Assets Inc.**
- 3. Discussion with CSC Martha Upton regarding the NYSERDA EV Charger Grant.**
- 4. Resolution appointing Timothy Merante Building & Grounds Maintenance Supervisor.**
- 5. Resolution approving the Length of Service Award Program submission from Philipstown Volunteer Ambulance Corp for 2022 and authorizing the Supervisor to sign all necessary paperwork associated with such.**
- 6. Resolution accepting the resignation of Rabecca Ramirez as acting Chair from the Philipstown Trails Committee.**
- 7. Resolution appointing Emily May Cheadle as Chair of the Philipstown Trails Committee.**
- 8. Resolution establishing the standard work day and reporting Resolution for Elected & Appointed Officials.**
- 9. Resolution appointing _Mary Kathryn Ephraim to the Zoning Board of Appeals to fill the vacancy of Leonard Lim, term to expire March 31, 2026.**
- 10. Resolution Introducing A Local Law To Permit The Town Board To Override The 2% Tax Cap For The 2024 Town Budget.**
- 11. Schedule Workshops/Meetings.**
 - Public Hearing – LL#2 – 2023 – October 18, 2023 @ 7:00 pm**
 - Budget Workshop – October 18, 2023 @ 7:30 pm – Fire & Ambulance**
 - Budget Workshop – October 25, 2023 @ 7:30 pm – Rec, HWY, CVPD, CVWD**
 - Regular Meeting – November 2, 2023 @ 7:30 pm**
 - Budget Public Hearing – November 8, 2023 @ 7:30 pm**
 - Final Budget Adoption – November 15, 2023 @ 7:30 pm**



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RESOLUTION #35-2023
SUSPENSION OF ON STREET PARKING REGULATIONS ON MARION AVENUE

The following resolution was offered by _____ for adoption and seconded by _____, to wit:

WHEREAS, the Village of Cold Spring has on-street parking regulations which limit or prohibit on-street parking at certain times and locations; and

WHEREAS, the Village of Cold Spring conducts snow clearing on its streets during winter months; and

WHEREAS, snow clearing activity in the vicinity of Marion Avenue and Benedict Road could be better conducted and coordinated with local residents if the Village's on-street parking regulations are suspended on the dead-end portion of Marion Avenue south of Benedict Road to allow parked vehicles to remain thereon; and

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Village Board of the Village of Cold Spring hereby suspends on-street parking regulations for the dead-end portion of Marion Avenue south of Benedict Road from November 15, 2023 until April 15, 2024; and
2. A copy of this resolution shall be posted at Village Hall and provided to the Village Police Department forthwith.

On roll call vote:

Trustee Laura Bozzi voted:

Trustee Cathryn Fadde voted:

Trustee Eliza Starbuck voted:

Trustee Tweeps Phillips Woods voted:

Mayor Kathleen E. Foley voted:

Resolution officially adopted on _____ by a vote of _____

Jeff Vidakovich, Village Clerk-Treasurer

Date