



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
TWEETS 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

Village of Cold Spring Board of Trustees
Workshop Meeting
Wednesday, June 7th @ 6:30 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 vote to Add/Modify agenda items
2. Announcements
3. Board Business
 - a. Proposal for 4th of July Parade and Event – Tara Flagler
 - b. Approval of Change Order for Catskill Aqueduct project – Hahn Engineering
 - c. Approval for Mayor to sign Royal contract addendum for Saturday pickup
 - d. Approval for Mayor to sign IMA with Putnam County for CSPD radio upgrade
 - e. Selection of Credit Card Processor for Parking Kiosks
 - f. Request by Clearwater for Docking Dates
 - g. Estimate for Pavers for Bike Rack
 - h. Recommendations of Rec Commission for use of Mayor's Park
 - i. Birthday Party 6/17/2023, 8:30am to 12:30 pm by Philipstown Resident Michael Farkas
 - ii. Birthday Party 7/29/2023, 12:00pm-5:00pm by Philipstown Resident Fernando Da Cunha
 - iii. Philipstown Cub Scout Pack 137 6/11/2023, 12:00 pm to 5:00 pm by Philipstown Resident David Marzollo
 - i. Approve Hiring of Quinn Close as Seasonal Laborer @ \$16/hour
 - j. Approval of Minutes – 5/10/23, 5/16/23, 5/24/23
 - k. Approval of Bills
 - i. FY 2022-2023 Batch #:6949 Amount: \$77,400.82
 - ii. FY 2023-2024 Batch #:6950 Amount: \$3,531.96

4. Chapters 76 (Noise), 104 (Signs) and 134 (Zoning)
 - a. Board Discussion
 - b. Continuation of Public Hearing
5. Public Comment – Correspondence from Jane Timm received 6/6/2023
6. 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

From: Tara Flagler <[REDACTED]>
Sent: Thursday, June 1, 2023 3:27 PM
To: Mayor <Mayor@coldspringny.gov>
Cc: VCS Treasurer <Treasurer@coldspringny.gov>
Subject: Re: Parade Route

Sounds good. Yes we will do the map tonight.

Thank you,

Tara

Tara Flagler, MS, MA
Exercise Physiologist
Professor, DCC
Developed and Chair Exercise Science and Wellness Program
Owner, Beacon Dlites, Hudson River Healing
and Sweet Harvest Shoppe

On Jun 1, 2023, at 12:08 PM, Mayor <Mayor@coldspringny.gov> wrote:

Tara,

To complete your proposal and ensure clarity in our discussion, would you kindly mark up the attached map, noting the staging area for the parade, the proposed route, and the finish? Also Write:

Proposed Routh of July Parade 2023
Submitted by Tara Flagler, Resident

Color markup would be helpful. Do you think you could get this back to me by midday tomorrow so we can provide it in meeting backup materials.

Also, I spoke with the Village Accountant about a contribution to the effort from the Village. We are able to make direct contributions to the American Legion for the Memorial Day parade because the Legion is a 501(c)(3). In this case, you're a private resident planning the event, so we cannot make a monetary gift. We can, however, provide a contribution of goods or services. So for example, the rental of a dunking booth. The provision of drinks for sale at a booth.

We gave the veterans \$400. That is what I will propose we contribute to this effort for parity. As you plan the event, perhaps you could come back to the board with a proposal for a particular item Village sponsorship. Sound good?

Gratefully,
Kathleen

Kathleen E. Foley, Mayor
Village of Cold Spring
85 Main Street
Cold Spring, New York 10516
Office Tel 845 265 3611

From: Tara Flagler <[REDACTED]>
Sent: Sunday, May 28, 2023 9:27 AM
To: Mayor <Mayor@coldspringny.gov>
Subject: Re:

Thank you,

Tara

Tara Flagler, MS, MA
Exercise Physiologist
Professor, DCC
Developed and Chair Exercise Science and Wellness Program
Owner, Beacon Dlites, Hudson River Healing
and Sweet Harvest Shoppe

On May 28, 2023, at 8:00 AM, Mayor <Mayor@coldspringny.gov> wrote:

Supervisor van tassel: supervisor@philipstown.com

I gave them each a heads up that you'd be reaching out.

Get [Outlook for iOS](#)

From: Tara Flagler <flagler52009@yahoo.com>
Sent: Saturday, May 27, 2023 7:27:52 PM
To: Mayor <Mayor@coldspringny.gov>
Cc: Kathleen Foley <kefcoldspring@gmail.com>; VCS Clerk <vcsclerk@coldspringny.gov>; Trustee Starbuck <Trustee.Starbuck@coldspringny.gov>; Trustee Bozzi <trustee.bozzi@coldspringny.gov>; Trustee Woods <trustee.woods@coldspringny.gov>; Trustee Fadde <trustee.fadde@coldspringny.gov>; Larry Burke <lburke@coldspringny.gov>; Greg Wunner <gwunner@philipstown.com>; CSFC Chief <coldspringfdchief@gmail.com>; Nicholas Falcone <nicholas.falcone@philipstownvac.org>
Subject: Re:

Good evening and thank you so much for your reply. Terrific I'd love to start a conversation. Who do I reach out to for Philipstown? I know Nelsonville is Chris Winward.

Thank you,

06/02/2023 7:20 PM

Tara

Tara Flagler, MS, MA
Exercise Physiologist
Professor, DCC
Developed and Chair Exercise Science and Wellness Program
Owner, Beacon Dites, Hudson River Healing
and Sweet Harvest Shoppe

On May 27, 2023, at 1:32 PM, Mayor <Mayor@coldspringny.gov> wrote:

Tara,

This is great news, and exactly the way community events work in the village! Volunteers step up and make the magic happen! I'm grateful!

The parade will need village board approval and close coordination with Officer in Charge Larry Burke. He is copied here. We don't have a regular weekly meeting this week but may need to convene a quorum for a small bit of business and could vote at that time. I'll coordinate with the clerk and get it on the calendar this week or next.

Holding the event at St Mary's is smart, as you can proceed without event permits on that private property. However, if you intend to install any tent more than 10x10, each will require a permit and advance inspection by the code enforcement officer, Greg Wunner. He's copied here as well.

OIC Burke can give you guidance on securing pedestrian and traffic assistance from Putnam REACT and EMS/fire readiness from PVAC and CSPD. I've copied their leads as well.

I will speak with the village accountant about a contribution and make a proposal to the trustees. I recommend you ask Philipstown and Nelsonville as well. They are usually generous with events that benefit the larger community.

It would be great to bring back the bike decorating contest!

Again, THANK YOU for taking the lead on the festivities. I am happy to volunteer day of! And of course the village will promote on social media, website and email. Do share graphics!

Here's to community!
Kathleen

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From: Tara Flagler <Tara.Flagler@coldspringny.gov>
Sent: Friday, May 26, 2023 3:04:10 PM
To: Mayor <Mayor@coldspringny.gov>; Kathleen Foley <kefcoldspring@gmail.com>
Subject:

06/02/2023 7:20 PM

Afternoon!

As per our conversation earlier today I am interested in organizing a parade for Independence Day. In addition, with St. Mary's church I will be planning a community celebration. Both would ideally take place on Saturday, July 1st. I'm am soliciting sponsors from the community to offset some costs. The theme will be carnival with food trucks, music, face painting, games, and slides. I'm anticipating at least an additional \$4000 in expenses above the sponsors funds. If the village was able to assist at all it would be much appreciated.

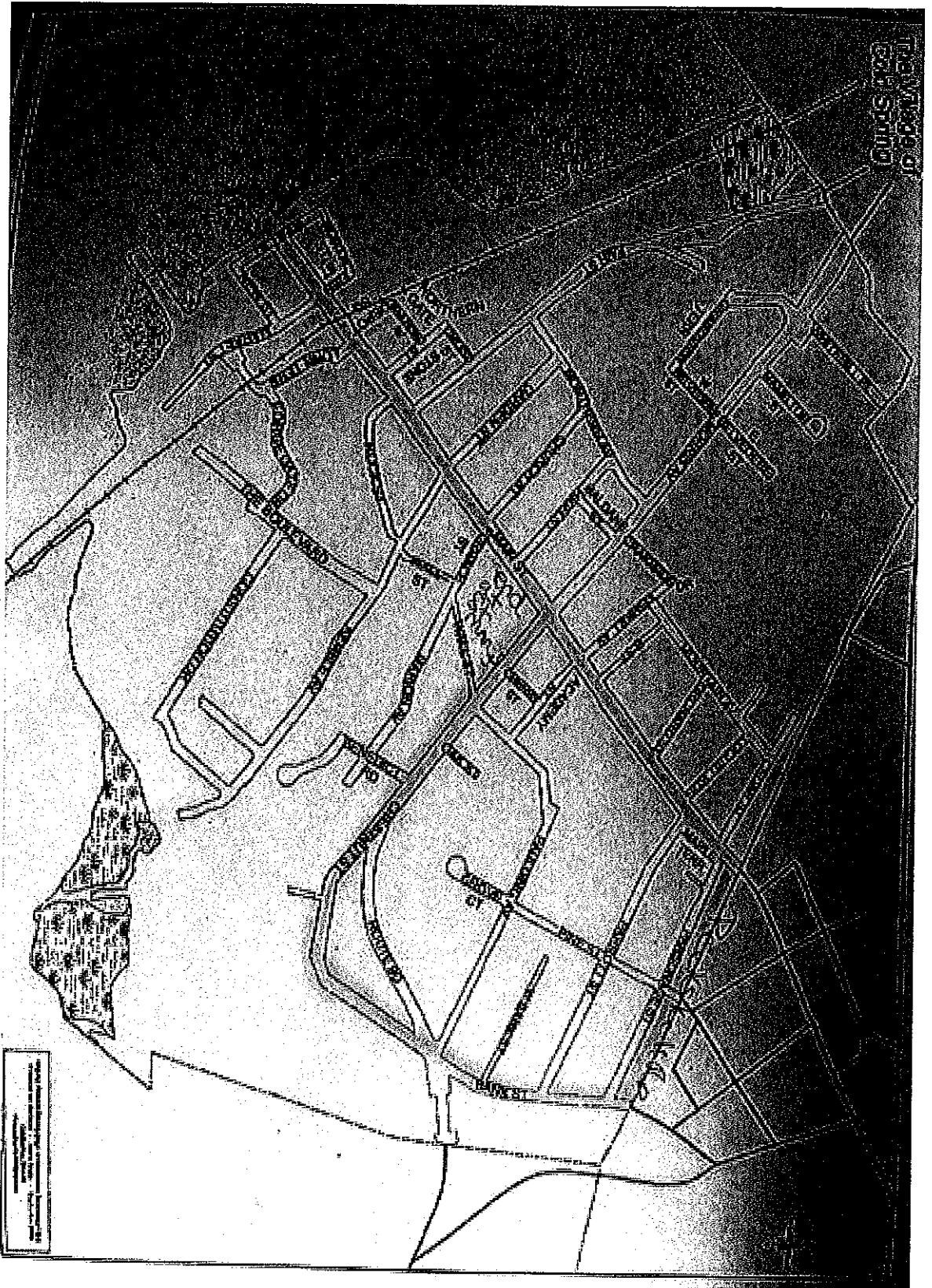
Please let me know any steps I need to take to have this run smoothly.

Thank you,

Tara

Tara Flagler, MS, MA
Exercise Physiologist
Professor, DCC
Developed and Chair Exercise Science and Wellness Program
Owner, Beacon Dlites, Hudson River Healing
and Sweet Harvest Shoppe

<2009 Village of Cold Spring Street Map.pdf>



Proposed July 4th Parade Route 2023/Tara Flager

Map of the Town of...
Scale: 1 inch = 1 mile
Source: Google Maps

MEMORANDUM

To : Kathleen Foley
Village Mayor

From : Douglas J. Hahn, P.E.
Village Consulting Engineer

Dated : June 2, 2023

Subject : Change Order 1 – Insertion Valve
Emergency Interconnection to the Catskill Aqueduct
Village of Cold Spring

This change order is to install a specialty valve in place of a standard gate valve due to unforeseen conditions. On May 16, 2023, the site contractor attempted to drain the existing emergency feed line that carries water from the Catskill Aqueduct to the Village water treatment plant. The watermain did not drain and appears to have a connection to a source of water. This change order work includes installing a specialty valve in the pressurized pipe to complete the connection between the Catskill Aqueduct and emergency feed watermain. Without this valve it may be required to shut the water treatment plant down to install another type of valve.

The cost of the work is \$36,882.12 that will be offset with some of the work not needed at this time. The cost of the change order includes a deduct of \$27,000.00 for Alternative 1, which was to install a 2-inch emergency connection if the reservoir was below a required level. The cost of the change order is \$9,882.12. Further information for this change and upcoming work is provided below.

The original work included cutting the existing 6 inch main, draining any water from the main, and installing a gate valve to complete the connection to the aqueduct. The contractor attempted to drain the main, but the flow and pressure remained constant. All known upstream valves were closed, or attempted to be closed, which did not stop the water flow. Flow remained steady the following day and a temporary coupling was placed on the main to stop the flow.


It was apparent there is still a connection to the reservoir, aqueduct, or potentially an unknown source. The NYCDEP confirmed the known connection to the aqueduct was removed, and the source is not anticipated to be from the aqueduct. There is an unlikely possibility of an illegal connection to the aqueduct. Based on the information available, we believe the valves along the emergency connection cannot be properly closed and the source of water is the Foundry Brook Reservoir.

Kathleen Foley
Emergency Interconnection to the Catskill Aqueduct
June 2, 2023
Page 2

At this time, a valve needs to be installed at this location to rule out a connection to the aqueduct and confirm if the main is hydraulically connected to the reservoir. If this main is connected to the reservoir as it appears, the aqueduct would be able to supply water to the reservoir and treatment plant. This means the aqueduct would be able to provide water to the Village in a drought or an emergency condition when the reservoir is low.

Further work and investigation will be required after the valve is installed. The main and valve locations east of the insertion valve are unknown and may need to be traced and uncovered. A valve and separate connection to the reservoir may also be required.

Following Board approval, please sign the attached change order and return. If there are any questions or concerns, please do not hesitate to contact me at your earliest convenience.



DHeay

Enclosure

cc: Jeff Vidakovich (vesclerk@coldspringny.gov)
Matt Kroog (veswater@coldspringny.gov)

P:\Village of Cold Spring\Water\Catskill Aqueduct Interconnect\Reqs & COs\CO-1 - memo.docx

CHANGE ORDER NO. 1
June 2, 2023

PROJECT: **The Proposed Emergency Interconnection to the Catskill Aqueduct
Village of Cold Spring, NY**

CONTRACTOR: **Con-Tech Construction Technology, Inc.
1961 Route 6
Carmel, NY 10512**

TO: Antoinetta Carino, President

You are directed to make the following changes to the referenced project. The work should be paid for as per the prices shown below.

DESCRIPTION:

Furnish and install all labor and material to install an insertion valve along with traffic control and restoration of the disturbed area. All work is to be completed in accordance with the Contract Documents.

COST SUMMARY:

Description of Work

Inst all insertion valve (see attached breakdown)	\$36,882.12
Deduct for Alternative 1	(\$27,000.00)
TOTAL COST OF CHANGE ORDER:	\$ 9,882.12

Change Order No. 1
The Proposed Emergency Interconnection to the Catskill Aqueduct
Village of Cold Spring
June 2, 2023

NEW CONTRACT PRICE:

Contract price prior to this Change Order:	\$373,365.00
Increase resulting from this Change Order:	\$ 9,882.12
New Contract price including this Change Order:	\$383,247.12

The above changes are recommended for approval:

James J. Hahn Engineering, P.C.
Village Consulting Engineer

By:

James J. Hahn, P.E.

Dated:

The above changes are accepted:

Village of Cold Spring

By:

Kathleen Foley
Mayor

Dated:

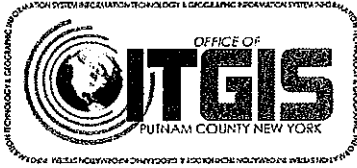
The above changes are accepted:

Con-Tech Construction Technology, Inc.
General Contractor

By:

Antoinetta Carino, President

Dated:



Office of
Information Technology &
Geographic Information Systems



Thomas C. Lannon, Sr.
Director

Kevin M. Byrne
County Executive

MEMO

To: Mayor Kathleen E. Foley, Village of Cold Spring
From: Tom Lannon, Director, Putnam County Office of IT & GIS
Date: May 23, 2023
Re: Memorandum of Agreement

Attached to this memo is the most recent version of our Memorandum of Agreement (MOA) specific to the Village of Cold Spring Police Department and the delivery and usage of radio equipment as it relates to the Putnam County Radio Project.

As an overview, Putnam County has acquired and is currently installing the necessary equipment for a county-wide radio system. This includes the necessary infrastructure equipment, which is primarily located at numerous towers throughout the County, and subscriber equipment, which is commonly referred to as two way radios. The project has been primarily funded through New York State grants for which we had applied and were approved.

After working with the Village of Cold Spring Police Department, subscriber equipment was purchased and allocated. This includes:

8 APX8000 Portables
5 APX8500 Mobiles
1 APX Base Station

An MOA was generated to allow users to take possession of the equipment while maintaining our obligation under the grant guidelines. As each agency takes custody of the equipment, they will sign for the specific equipment including the serial numbers assigned.

Please let me know if any additional information is required.

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (hereinafter, "Agreement") is made as of 5/23/2023, by and between the County of Putnam, acting by and through the Putnam County Office of Information Technology & GIS (hereinafter "County") and the Village of Cold Spring (hereinafter "Bailee"), collectively referred to as the "Parties."

WHEREAS, County is the lawful owner of certain items of radio communications equipment, as described more fully hereinafter; and

WHEREAS, County desires to deliver said items of radio equipment to Bailee, in order that County may realize its goal of improving radio communications for county emergency services, as well as to assist "Bailee" in performing emergency services; and

WHEREAS, Bailee desires to accept possession of said items of radio equipment, hold items of radio equipment in trust for County, and to use items of radio equipment for Bailee's emergency services purposes; and

NOW, THEREFORE, in consideration of the terms and conditions herein contained, the parties agree as follows:

Section 1. "Radio Equipment" shall mean equipment of the following specifications: Mobile Units: APX 8500 - Portable Units: APX 8000 - Control Station(s). Bailee agrees to accept certain enumerated items of Radio Equipment ("Items of Radio Equipment"), which shall be listed and tracked upon a manifest, signed by Bailee or Bailee's authorized agent or employee, upon Bailee taking possession of Items of Radio Equipment. Bailee accepts Items of Radio Equipment in "as is" condition. The County makes no representation as to the condition of Radio Equipment or Items of Radio Equipment, except that the parties acknowledge that County has no knowledge or notice of any flaws or defects to the Radio Equipment or Items of Radio Equipment, nor does County have any continuing obligation or duty to inform Bailee of any flaws or defects that the County may become aware of after the execution of this agreement. Bailee assumes full responsibility for: (i) inspecting Items of Radio Equipment for flaws and defects; (ii) keeping apprised of recall notices from manufacturer(s) of Radio Equipment; and (iii) warning foreseeable users of flaws and defects which Bailee may discover or become aware of.

Section 2. County is the lawful owner of all Items of Radio Equipment. County shall, at all times relevant to this Agreement, maintain full right, title, and ownership of all Items of Radio Equipment. County agrees to deliver certain Items of Radio Equipment to Bailee and Bailee agrees to accept and hold Items of Radio Equipment, in trust for County, for the particular purpose of using Items of Radio Equipment for emergency services. County shall not be responsible for installation or the cost of installation of Items of Radio Equipment.

Section 3. Bailee shall hold the enumerated Items of Radio Equipment in trust for County for a term commencing on the date that this Agreement is fully executed and concluding on December 31, 2043, or otherwise upon the early termination of the Agreement, in accordance with the terms of section "4," herein. Upon the conclusion or early termination of this Agreement, all of Bailee's rights to use and possess Items of Radio Equipment shall immediately cease and Bailee shall promptly return all Items of Radio Equipment to County's Possession.

Section 4. Either party, upon thirty (30) days prior written notice to the other party may terminate this Agreement, when such party deems it to be in its best interest. County may further terminate this Agreement upon seven (7) days prior written notice due to Bailee's failure to strictly comply with the terms of this Agreement. Bailee's duties and/or obligations herein shall survive the conclusion or early termination of this Agreement. Bailee shall be responsible for costs associated with uninstalling and returning Radio Equipment.

Section 5. County reserves the right to remotely disable any and all Items of Radio Equipment, upon seven (7) days prior written notice, in the event of Bailee's failure to strictly comply with any provision of this Agreement,

Section 6. County grants Bailee all of the rights of use of Items of Radio Equipment as enjoyed by County, except as otherwise limited or conditioned by this Agreement.

Section 7. Bailee's use and possession of Items of Radio equipment shall be in strict compliance with all provisions of this agreement, including, but not limited to, the following limitations and conditions: (i) Upon taking possession, Bailee shall promptly install Items of Radio Equipment and/or prepare Items of Radio Equipment, such that they are ready for operation, under no circumstance later than ninety (90) days after Bailee's receipt of Items of Radio Equipment, at Bailee's sole expense, and provide County with prompt, written confirmation of installation; (ii) Bailee shall have sole responsibility for the maintenance of Items of Radio Equipment during the term of this Agreement and Items of Radio Equipment shall be maintained by Bailee in good working condition and repair; (iii) Bailee shall use Items of Radio Equipment in compliance with the Putnam County Interoperable Communications System Governance Manual, upon receipt of same; (iv) Bailee shall not permit Items of Radio Equipment to be transferred to the custody or possession of a third-party, except as may be agreed to by County, provided such agreement is in writing, or as necessary for routine maintenance; (v) Bailee shall ensure non-negligent storage and transportation of Items of Radio Equipment; and (vi) Bailee shall use Items Radio Equipment in compliance with all applicable laws, rules, regulations, ordinances, codes, and industry standards.

Section 8. Bailee agrees to defend, indemnify, and save harmless the County of Putnam, its officers, employees, and agents from and against any and all liability, loss, damages, claims, for bodily injury, and/or property damages, to the extent permissible by law, that may occur or that may be alleged to have occurred in connection with the use, misuse, or condition of Items of Radio Equipment.

Section 9. During the term of this Agreement, Bailee, at its own expense, shall carry out general liability insurance, as outlined in Schedule "B", naming County as an additional insured. Bailee shall provide County with a copy of the certificate of such insurance policy prior to taking possession of Items of Radio Equipment.

Section 10. In the event of damage or destruction to Items of Radio Equipment, directly or indirectly caused by Bailee's negligence or otherwise, should such damage or destruction render the use of Items of Radio Equipment impossible, impractical, dangerous, and/or unreliable, for emergency services purposes, Bailee shall reimburse County up to the full replacement value of Items of Radio Equipment.

Section 11. Bailee understands and acknowledges that certain radio frequencies and/or channels are restricted for exclusive, special operations use and purposes, and Bailee's use of such channels is prohibited. Upon County providing Bailee with written notice containing a list of such restricted channels, Bailee shall immediately cease the use of all restricted channels. For the purpose of this section, "use of restricted channels" shall be construed broadly, and shall include transmission over restricted channels,

receipt of transmissions over such restricted channels, or retransmission or publication of transmissions made over restricted channels.

Section 12. Bailee shall not at any time permit or suffer a lien to be attached to Items of Radio Equipment, and shall, in any event, cause any such lien to be discharged within thirty (30) days of attachment.

Section 13. If any provision of this Agreement or its application shall be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of all other provisions and applications hereof shall not be affected or impaired in any way.

Section 14. The failure of the County to insist, in any one or more instances, upon strict performance of any term or condition herein contained shall not be deemed a waiver or relinquishment for the future of such term or condition, but the same shall remain in full force and effect. No waiver by the County of any provision hereof shall be implied.

Section 15. All notices of any nature referred to in this Agreement shall be in writing and either sent by registered or certified mail, postage pre-paid, or sent by hand or overnight courier, to the respective addresses set forth below or to such other addresses as the respective Parties may designate in writing. Notice shall be effective on the date of receipt.

To the County:

Sheriff
Putnam County Sheriff
3 County Center
Carmel, NY 10512

Copy to:

Director of IT & GIS
Putnam County Office of IT & GIS
110 Old Route 6, Building 3
Carmel, New York 10512

Copy to:

County Attorney
Putnam County Law Department
48 Gleneida Avenue
Carmel, New York 10512

The Village of Cold Spring
85 Main Street
Cold Spring, NY 10516

Section 16. This Agreement contains the entire understanding between the Parties and constitutes the whole agreement of the Parties. Except as otherwise agreed to between the Parties, none of the covenants, provisions, terms or conditions of this Agreement shall be in any manner modified, waived, abandoned or amended except by a written instrument duly signed by the Parties, or their assigns.

Section 17. Bailee's undersigned represents that he or she possess the authority to enter into this Agreement and legally bind Bailee to all terms and conditions contained herein.

IN WITNESS WHEREOF, the Parties have executed this Agreement in the State of New York, on the date hereinabove set forth.

THE COUNTY OF PUTNAM

Kevin Byrne
County Executive

Date

Read & Approved:

Compton Spain
Putnam County Attorney

Date

Mat C. Bruno, Sr.
Risk Manager

Date

Thomas Lannon
Director of IT & GIS

Date

Kevin McConville
Sheriff

Date

The Village of Cold Spring

Kathleen E. Foley
Mayor

Date: _____

PUTNAM COUNTY INSURANCE REQUIREMENTS

THE FOLLOWING MUST APPEAR ON EACH INSURANCE CERTIFICATE:

UNDER THE CERTIFICATE HOLDER SECTION:

**COUNTY OF PUTNAM
48 GLENEIDA AVENUE
CARMEL, NEW YORK 10512
ATTN.: LAW DEPT./RISK MANAGER**

**ADDITIONALLY, IN THE SPACE (DESCRIPTION OF OPERATIONS/LOCATIONS)
ON THE INSURANCE CERTIFICATE, IT MUST BE NOTED AS FOLLOWS:**

***“PUTNAM COUNTY IS INCLUDED AS AN ADDITIONAL INSURED except for
Professional Liability and Workers’ Comp.”***

It is the requirement of the County of Putnam and/or Putnam County Highway Department that for work performed under contract and/or permit authorized by the County and/or Highway Department and/or any event or performance conducted on County property that the contractor or permittee procure and maintain at their own expense and without expense to the County, until final acceptance of the work by the County, the insurances listed below.

Before commencement of any work, event or performance a certificate or certificates of insurance must be furnished to the County and/or Highway Department in forms satisfactory to the County and/or Highway Department.

All insurance coverages must be from an A.M. Best Rated “secured” (B+-A++), New York State admitted insurer.

All certificates of insurance must provide that the policy or policies shall not be changed or canceled until at least thirty (30) days prior written notice has been given to the County and/or Highway Department.

When required by the Highway Department the “XCU” exclusion of the policy or policies shall be eliminated or show proof that “XCU” is covered.

**The Contractor shall provide and maintain at its own expense the following
minimum insurance coverage:**

- A. **Workers’ Compensation Insurance** - This is statutorily required and is required for all contracts. Each policy must cover all operations and all locations involved in the contract. If applicable, the policy should also include New York State Disability Benefits. Proof of Workers’ Compensation Insurance is required and should be received by Putnam County on a **C105.2 form, SI 12 form, form or U-26.3** - all of these forms are available through your carrier.
- B. **Commercial General Liability** - covering all operations and all locations involved in the contract, including the following coverages:
 - \$2,000,000 General Aggregate
 - 5,000 Medical Expense Limit
 - \$1,000,000 Personal & Advertising Injury Limit
 - \$1,000,000 Each Occurrence
 - \$2,000,000 Products/Completed Operations Aggregate
 - \$50,000 Fire Damage Legal Liability Limit

- C. **Commercial Automobile Liability** - Covering all operations and locations involved in the contract, including the following coverages:
(1) Owned Automobiles (2) Hired Automobiles (3) Non-Owned Automobiles
Unless specifically required, each policy shall provide limits of not less than \$1,000,000 Combined Single Limits for Bodily Injury and Property Damage.
- D. If applicable, Professional Liability (errors and omissions) in the amount of at least \$1,000,000 per claim.
- E. **Excess Liability or Umbrella Policy**
Limits depending on the following contract size
\$100,000 - \$250,000 - 1 million
\$250,001 - \$500,000 - 5 million
\$500,000+ 10 million
- F. **Bid, Performance/Payment, Labor & Material Bonds**
Required for any contract in excess of \$250,000. These bonds shall be provided by a New York State admitted surety company in good standing. Only the (AIA) - The American Institute of Architects- A312 form- will be accepted. In addition, pursuant to NYS Insurance Law Section 1111 all bonds must include a certificate of solvency for the surety which shall be updated annually. In addition, the Surety must be on the U.S. Treasury List (Circular 570) of acceptable sureties.

STANDARD INSURANCE REQUIREMENTS AND INDEMNIFICATION REQUIREMENT:

All policies and certificates of insurance of the contractor shall contain the following clauses:

1. Putnam County is named as an additional insured and as Certificate Holder. Insurers shall have no right of recovery or subrogation against the County of Putnam (including its agents and agencies), it being the intention of the parties that the insurance policies so effected shall protect both parties and be primary coverage for any and all losses covered by the above described insurance.
2. The Clause "other insurance provisions" in a policy in which the County of Putnam is named as an additional insured, shall not apply to the County of Putnam.
3. The insurance companies issuing the policy or policies shall have no recourse against the County of Putnam (including its agents or agencies) for payment of any premiums or for assessments under any form of policy.
4. Any and all deductibles in the above described insurance policies shall be assumed by and be for the account of, and at the risk of the contractor.

Parking Kiosk Credit Card Merchant Options

Vendor	Card Connect	Chase 1	Chase 2	Heartland	TD
Contact	Carter Gilmore	Scott Harris	Scott Harris	Mark Shapiro	no response
Platform Fee - Inc reporting	10.00	0.00	0.00	30.00	
Regulatory Fee	3.50			3.50	
Chargeback fee	30.00	25.00	25.00	25.00	
Interchange % Fee Credit	variable		variable	variable	
Interchange Fixed Fee Credit	variable		variable	variable	
Flat Interchange %		2.6%			
Flat Authorization Fee		0.1	0.1		
Vendor Fee %	0.00%		0.55%		
Vendor Fee Fixed per Transaction	0.03			0.15	
SAMPLE TOTAL	\$ 0.130	\$ 0.204	\$ 0.222	\$ 0.250	
SAMPLE FEES ON \$4 interchange @ 2.5%	\$ 0.100	\$ 0.104	\$ 0.100	\$ 0.100	
SAMPLE FEES ON \$4 excl interchange	\$ 0.030	\$ 0.100	\$ 0.122	\$ 0.150	

NOTES:

- Heartland has been used previously, VCS terminated contract for Parkmobile App
- TSYS (not contacted) has been used previously and VCS dropped due to high transaction costs
- Card Connect is the preferred vendor by T2 systems
- Card Connect appears to be the lowest additional fees
- Interchange rates are set by credit card compaies based on brand/rewards program of the card

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 6/23/23 TO 6/25/23

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 W. Kane

REPRESENTATIVE (if other than Captain) Amali Knobloch

STREET 724 Wolcott Ave TOWN/CITY Beacon ZIP 12508

PHONE (HOME) _____ PHONE (BUS) _____

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

PURPOSE OF VISIT Clearwater Sail Programs

SCHEDULE OF VISIT Arrive morning 6/23, depart morning 6/25

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.

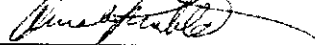
* The Vessel Owner/Operator is responsible for ensuring that the passengers are informed of applicable boating safety procedures and that all appropriate safety equipment is available for all passengers.

* 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 05/18/23

Approved by the Village Board: By _____

Date _____

Fee:\$ _____

MG's Lawn Green, Inc.
 85 Woodland Road
 Pleasantville, NY 10570
 (914) 747-9116
 lawngreenny@gmail.com
 https://lawngreenny.com

Estimate 8903



ADDRESS

Eliza Starbuck
 Cold Spring, New York 10516
 United States

DATE	TOTAL
04/11/2023	\$2,500.00

PRODUCT/SERVICE

QTY

RATE

AMOUNT

04/11/2023

The Following pricing is for the installation of brick for a bike rack for the Village of Cold Spring

Pavers	1	2,500.00	2,500.00
---------------	---	----------	----------

Furnish all labor and materials to install Brick Paver area for base of bike rack: Area size as discussed with Eliza Starbuck Approximate size 5' x 13'

Excavate, install compacted gravel base and set bricks in mortar bed with mortar in joints.

Price is based on use of Belden - Red Pavers: Belcrest 530 Paver SPL ID: 20002140 (2 1/4" x 3 5/8" x 7 5/8")

Terms (payment & exclusions)	1	0.00	0.00
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Payment schedule: 1/3 upfront deposit with returned signed document, 1/3 Progress payment and 1/3 upon completion

Excluded from our scope of work are; fees for or acquisition of any permits, bonds, surveys and as-builts, private utility mark-outs, relocation of any underground utilities, breaking or removal of any rock/ledge, traffic control, compaction testing, site restoration, soil stabilization, dewatering, nighttime or weekend work, prevailing wage rates and any applicable taxes, unless otherwise stated.

Due to an unpredictable market, estimates can only be guaranteed for 30 days. Prices may be subject to change.

TOTAL	\$2,500.00
--------------	-------------------

THANK YOU.

Let us know if you need any estimates on new projects,
 Masonry, Irrigation, Landscape Design, Landscape Lighting, Fences and Tick and Mosquito Spray.

Accepted By

Accepted Date

Let us know if you need any estimates on new projects,
Masonry, Irrigation, Landscape Design, Landscape Lighting, Fences and Tick and Mosquito Spray.

NYS DEC 07053 - CERT. #C3643927 - NYC BIC #3425

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

Applicant: Michael Farkas
 Sponsoring Organization: Birthday Party (1st)
 Address: 22 Division St CS. Email: MichaelFarkas44@gmail.com
 Phone: 718-415-1327 Cell: _____

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

Date(s) of Event: June 17th 2023 Start Time: 8³⁰ a.m End Time: 12³⁰ p.m
 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: one hour

Estimated Attendance: 30-50
 (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: _____

RECEIVED
 MAY 30 2023
 Village of Cold Spring

✓ 114 \$200.00
 fee

PAID
 MAY 13 2023
 Village of Cold Spring

✓ 112 \$200.00
~~100.00 fee~~
 100. Dep

RECEIVED
 MAY 16 2023
 Village of Cold Spring

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 Michael Farlas, 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, Michael Farlas, 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)

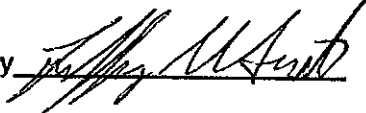


Date May 16, 2023

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

Approval by Recreation Commission:

Notes: Philipstown Resident fee
insurance certificate

Date 5/18/23 By 

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

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

Applicant: Fernando DaCunha - 1st Birthday party

Sponsoring Organization: _____

Address: 108 Hustis Road CS 10516 Email: Bsecret01@gmail.com

Phone: 845 325 8550 Cell: 914 384 4240

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

Date(s) of Event: 7/29/23 Start Time: 12:00^{Setup} End Time: 5:00^{Takedown}

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:

Event will be 1-4 and just leaving time for set up & clean up!

Estimated Attendance: 50 kids/adults
 (Mayor's Park Fields with Pavilion - maximum 1,500 occupants)

Will there be Amplified Sound? Yes No But will have music under pavillion

Will there be a tent or canopy? Yes No

Size: 12x12 (Square Feet) Location: Near pavillion
 (possibly, if needed)

RECEIVED
 MAY 4 2023
 Village of Cold Spring

PAID
 MAY 15 2023
 Village of Cold Spring

8828
 \$200 fee
 \$200 Deposit

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 Fernando DaCunha, 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, Fernando DaCunha, and/or the organization I represent, N/A, 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)

Fernando DaCunha

Date 5/2/2023

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

Approval by Recreation Commission:

Date 5/18/23 By [Signature]

Notes: verify tent size
notify authorities

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

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

Applicant: David Marzollo
Sponsoring Organization: Philipstown Cub Scout Pack 137
Address: Little Stony Point, Cold Springs, NY Email: dmarzollo@gmail.com
Phone: 914 330 7027 Cell: 914 330 7027

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)*
Charter Organization: Little Stony Point Citizens Association

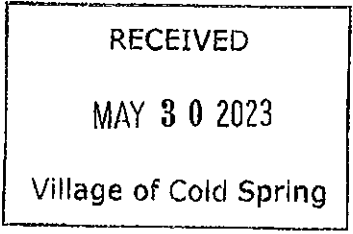
Site(s) Requested: Mayor's Park and fields and pavilion
(Mayor's Park Fields, Mayor's Park Pavilion, McConville Park, Bandstand)

Date(s) of Event: June 11th, 2023 Start Time: 12 PM End Time: 5 PM
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: N/A
all set up and clean up will occur between 12 and 5 pm

Estimated Attendance: 50
(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: _____



*Payment to follow?
Ins cert to follow*

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 Philipstown Cub Scout Pack 137, 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, David Marzallo, and/or the organization I represent, Philipstown Cub Scout Pack 137, 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)

[Handwritten Signature]
Date 5/24/2023

*****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

Good afternoon, folks,

At this time, I would like to recommend we hire Quinn Close as our summer help employee. I interviewed him last week, and think he will work well for us. He knows how to operate our zero-turn riding mower, Bobcat, push mowers, weed whackers, and a good general knowledge of construction as he is currently studying to become a mechanical engineer. He has his own car, and is willing to start ASAP. Please let me know if you have any questions. I would like to get him working ASAP.
Thank you,

Robert Downey
Roadways & Facilities Crew Chief
(845) 265-3611 Ext. 8
highway@coldspringny.gov



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

**Village of Cold Spring Board of Trustees
Monthly Meeting Minutes
May 10, 2023**

The Board of Trustees of the Village of Cold Spring held the Monthly Meeting on Wednesday, May 10, 2023 at Village Hall. Present were Mayor Kathleen E. Foley, Trustees Laura Bozzi, Cathryn Fadde (arrived 6:40), Eliza Starbuck and Tweeps Phillips Woods (arrived 6:57). The meeting was called to order at 6:35 pm by Mayor Foley.

Request to Modify Agenda - None

Announcements

K. Foley noted the following:

- Lawn & Leaf Pick Up is on 5/11
- Next scheduled Board meeting is on Tuesday May 16th @6:30pm

L. Bozzi reminded residents that we are in the Opt-Out period for the Community Choice Aggregate (CCA) program. Mailers were sent to all eligible residents.

Monthly Reports – Village Departments (all submitted reports attached)

Financial Report: Village Accountant Michelle Ascolillo was not present. Village Clerk Jeff Vidakovich presented the report.

Roadways & Facilities: Crew Chief Robert Downey was not present. K. Foley presented the monthly report.

Water/Wastewater Department: Water and Wastewater Superintendent Matt Kroog was not present. K. Foley presented the monthly report.

Code Enforcement: Philipstown Code Enforcement Officer Greg Wunner not present. J. Vidakovich presented the monthly report.

Police Department: Officer-in-Charge Larry Burke presented the monthly report. Key items included:

- Fraud complaints are declining
- 2 arrests made in April
- Parking Enforcement Officer starts 5/28/23

K. Foley added that Lexipol updates have been completed by Karen Herbert.

K. Foley made a motion to accept the resignation of Officer Vincent D'Amato. C. Fadde seconded the motion and it passed by a vote of 4-0-0-1 (T. Woods absent)

Fire Company: No member of the Fire Company was present. K. Foley presented the monthly report.

Justice Court: No representative from the Justice Court was present. K. Foley presented the monthly report

Monthly Reports – Standing Boards (all submitted reports attached)

- **Historic District Review Board (HDRB):** No member of the Board was present. K. Foley presented the monthly report.
- **Planning Board:** No member of the Board was present. K. Foley presented the monthly report.
 - K. Foley accepted the resignation of Planning Board chair Jack Goldstein
- **Zoning Board of Appeals (ZBA):** No member of the Board was present. Nothing to report.
- **Tree Advisory Board (TAB):** No member of the Board was present and no report submitted. K. Foley presented the following updates:
 - Trees planted on Main Street in front of Village Hall and at 204 Main Street
 - Trees on Main Street were pruned
 - C. Fadde requested that the Tree Advisory Board check the health of the tree in front of 91 Main Street
- **Recreation Commission:** No member of the Board was present. K. Foley presented the report.
 - Contracts are needed for lawn care and treatment of Village Parks
 - E. Starbuck made a motion to approve the application of M. Bizzoco to use the Bandstand on 9/23/23. C. Fadde seconded the motion and it passed by a vote of 4-0-0-1 (T. Woods absent)
 - L. Bozzi made a motion to approve the application of F. Barresi and M. Sarnelli to use the Bandstand on 8/2/23. C. Fadde seconded the motion and it passed by a vote of 4-0-0-1 (T. Woods absent).
- **Town of Philipstown:** No representative from the Town was present.
- **County Legislator:** No representative from the County was present.

Report of the Mayor and Trustees:

K. Foley reported that:

- NYS DOT and Hudson Highlands Fjord Trail (HHFT) have agreed to conduct a traffic impact study and will make available meeting minutes.
- Met with Putnam County, NYS Parks and Larry Burke to address foot traffic from the Cold Spring train station to hiking trails and how to best utilize available public transportation (i.e. trolley) to minimize impact on Village infrastructure due to closure of Breakneck Metro North stop closure.
- Traffic on Fishkill Road will be subject to intermittent disruptions to allow for the work necessary to complete the emergency connection to the Catskill Aqueduct

Board Business

EFPR Group Contact

L. Bozzi made a motion to approve a one-year renewal of the contract with EFPR Group to provide independent auditing services. C. Fadde seconded the motion and it passed by a vote of 5-0-0-0.

Contract with Andres Gil

E. Starbuck made a motion to authorize the mayor to sign an agreement with Andres Gil to provide representation for the Village for Vehicle and Traffic Violations. L. Bozzi seconded the motion and it passed by a vote of 5-0-0-0.

Discussion on Placement of Parking Kiosks

E. Starbuck updated the Board on the placement of parking kiosks on Main Street and provided two recommendations for consideration pending a site visit with the vendor and feedback from the Roadways and Facilities Crew Chief:

- At the foot on Main Street adjacent to the Visitor’s Center and in front of Cold Spring Pizza
- In front of Village Hall and 156-160 Main Street

Officer-in-Charge Larry Burke suggested that the placement at the Visitor's Center and Cold Spring Pizza made the most sense from a traffic flow perspective.

Approval of Bills

C. Fadde made a motion to approve Batch # 6909 in the amount of \$73,957.25. L. Bozzi seconded the motion and it passed by a vote of 5-0-0-0.

Continuation of Public Hearing for Chapters 76, 104 & 134

Board Discussion

K. Foley reviewed progress of last week

- Draft EAF revised with new Bulk and Dimensional table calculations
- Ad Hoc Committee met to review concerns around form-based code, street standards and affordable housing within the PMU
- Adjusted colors and shading on map so areas are more distinguishable
- Planning Board meeting on 5/11

K. Foley identified goals for the meeting:

- Identification of Comprehensive Plan recommendations that can be implemented now:
 - Rezone Marathon Battery Site for Mixed-Use
 - Establish zoning mechanism to ensure that any development at Marathon does not worsen traffic
 - Make possible the development of a variety of housing types
 - Preserve Mayor's Park as recreation space
 - Assure land use and zone regulations are in keeping with the character of the Village
 - Consider form-based standards for new construction/reconstruction
- Identify Comprehensive Plan recommendations that should be addressed with a review and update of the Comprehensive Plan
 - Allow higher building heights for new construction at waterfront
 - Continued or modified use of the Highway Garage parcel
 - Future use of Boat Club site
 - Plan for resident relevant programs at Dockside Park
- Review recommendations by the Ad Hoc Committee to the Board of Trustees based on comments from the public and land use boards (see attached with recorded votes).

Ted Fink (Village Planner) provided an update and overview on the following:

- Comparability of the old and new codes and how affordable housing issues mandated by state law are forcing municipalities to review zoning codes with the goal of making communities more welcoming and accessible.
- Updates to the EAF Part 3 are made as needed. it is a working fluid document
- Edits will be shown via edit marks (redline)

Public Comment

Teresa Lagerman, 8 Stone Street, referenced two items from the Comprehensive Plan for the Board to consider as it reviews an amended Chapter 134

- Will there be a traffic study done as part of the code update?
 - K. Foley responded that a traffic study will be a requirement for any development proposal
- Is it fair to establish density limits yet not let someone build according to what is allowable by code?

Michael Reisman, 30 Rock Street, had multiple question and comments (see attached)

Bill Pugh, 3 Rock Street, had the following questions/comments:

- Kathleen, Ted Fink's involvement with the Village, does he or his organization have a contract? Was that contract put out to bid?
 - If no, why not
 - If yes, did any other person or firm respond to the bid request? and if so who and what was their response and/or proposal?
- Kathleen, Will you list and post on the web site all the questions immediately after the meeting in which they were asked, and then answer them as you are able?
 - If yes, starting when?
 - If no, why not
- Kathleen, Will you list and post on the web site all the the name and contract information of the person who answers each question?
 - If yes, starting when?
 - If no, why not
- Kathleen; who, a persons name please, is responsible for the color-coded zoning map?
- Kathleen, In an effort to be transparent with the community, when will you provide a side-by-side list of all the properties in the Village, by address, that shows their current zoning, their proposed zoning, and the impact of these changes?
- Kathleen, When will you have an independent expert to assess the financial and economic implications of each of the re-zoned properties of this proposed zoning plan?
- Kathleen, When will the Village seek and independent expert opinion on the total financial and economic impact of the proposed zoning on the Village and the tax payers?
- Kathleen, EPA Study – does each member of the board have a copy and has each member of the board read it?
- Kathleen, does the Comprehensive plan and / or proposed zoning changes address the concerns raised by the EPA report:
 - Flooding, does anything you are doing address the needs of the 76 and 105 homes noted in the EPA report?
 - If your answer is Yes how and when?
 - If your answer is No, why not?
 - And how and when do you plan to address this issue?
 - Rising sea levels and their impact on remediation efforts at the Marathon site
 - If yes, How
 - If no, why not?
 - And how do you plan to address these issues?
 - In the April 25, 2023 report, Table 5, Protectiveness Statement
 - Has the village studied this issue?
 - What Actions has the village taken?
- Kathleen, have any members of the board or other village officials or village employees or village representatives had any conversations or communications regarding selling or leasing the village property on Fair Street?
 - If yes, who specifically (name) had the conversation or communication?
 - Who (specific names, titles, organizations) did they have the conversation or communication with?
 - What specifically was discussed in each of those conversations or communications?

Marie Early, 16 Grandview Terrace, had the following questions/comments:

- The property 15 at Fishkill Ave., which is a residence, is shown on the Zoning Map as R-L. The property is 76 x 67. Why is this property zoned as R-L?
- Chapter 114 (Swimming Pools, Hot Tubs and Spas) references zoning districts R-1 and R-3.
- 134-16 D (4) (l) references "Chapter 04". There is no "Chapter 04" in the Village Code.

- 134-16 C (7) says “The use shall be consistent with the Village’s Comprehensive Plan, Design Standards, Local Waterfront...”. What “Design Standards” are meant here? How is “use” something that is or is not consistent with “Design Standards”?
- 134-16.1 D. (3) refers to “Village Planner”. Does the Village have an individual designated as the “Village Planner”?
- 134- 16.1 D. (3) refers to the “Village Engineer”. Does the Village have an individual designated as the “Village Engineer”?
- 134-7D (4) (Residential District General Requirements) says “Each lot shall be of such shape that a square 50 x 50 will fit into at least 50 percent of the lot. R-O of the Table of Dimensional Requirements does not contain this requirement. Seems like this is a conflict – do you agree?
- In the Table of Uses, for B-4 (Butterfield), why are One Family Dwellings, and 1-family to 2-family conversions and 1-Family/2-Family to Multi conversions at all?
- In the Table of Uses, B-4 is shown as not permitted to have Multi-Family structures. Does this mean that the Butterfield development (the senior citizen housing AND the rentals now under construction) are non-conforming?
- Why was 45 Fair Street zoned as B-2 instead of B-1?
- 134-7 E (2) says “The modification of existing buildings is permitted, subject to issuance of a Building Permit, if such changes result in greater conformance with the specifications of this Zoning Law.”. This would mean that any Building Permit requires the owner to also modify the existing building to make it less non-conforming – a daunting and expensive change for some buildings. It would seem that the statement should be “The modification of existing buildings is permitted, subject to issuance of a Building Permit, if such changes result in no greater non-conformance with the specifications of this Zoning Law.”. Do you agree?
- Table 6A Special Conditions 10 (3) says “compliance with age restrictions for Senior Citizen Housing in the B-4A Zoning District shall be a condition of site plan approval”. There is no Zoning District B-4A in this proposed Chapter. Do you agree this is a problem?
- Table 6A Special Conditions 6 is not referenced in the Table.
- Table 6A Special Conditions 1 should be referenced in each District which permits Retail businesses.
- In 134-2 B, there are definitions of “Gross Density” and “Net Density”. These terms are not used in Chapter 134. Should they be removed?
- 134-2 B The definition of ACCESSORY STRUCTURE - A supplemental Structure five (5) feet high or higher or, if lower than five (5) feet, one whose length, width and height combined total sixteen (16) feet or more.” The “lower than five (5) feet” is not mentioned elsewhere in the Chapter. Shouldn’t it be listed 134-17 A?
- 134-17 G (5) uses the term “One-Family Dwelling lot”. What is a One Family Dwelling lot? Should this be “The lot on which the One Family Dwelling is to be located must be occupied....”?
- Should in-ground swimming pools be calculated in lot coverage area?
- 134-17 G (5) states “It shall be a condition of every Certificate of Occupancy issued for an Accessory Apartment that occupancy of such Dwelling Unit is valid only if the unit is located in an Owner-Occupied One-Family Dwelling...” This seems to imply that an Accessory Apartment MUST be located in the Owner Occupied one-family dwelling and NOT in a detached, separate building. This conflicts with earlier statements in the chapter concerning Accessory Apartments. Can this be investigated?
- 134-17 G (Accessory Apartments) (10) states “Except for a Home Occupation, Class 1 within the One-family dwelling and/or a Home Occupation, Class 2 within an accessory structure, no additional Use shall be permitted unless a Special Use Permit has been reviewed and approved in accordance with § 134-16 of the Zoning Law.”. In the context of “Accessory Apartments”, this seems to imply that a Home Occupation, Class 1 is permitted in an Accessory apartment and/or in the one-family dwelling and a Home Occupation, Class 2 is permitted in the detached, separate Accessory Apartment structure; neither use requires a Special Use Permit. This could result in two Home Occupations occurring on one lot. Is this consistent with Village character?

- 134-7 E (1) states that nonconforming buildings (to Table 6B) can only have changes which will conform to the new residential neighborhood standards. How can a building be changed such that it conforms to Building Placement (134-7 E (4))?
- The term “outbuilding” is used in 134-7 E (4) (b) and (e). The term is not defined.
- Why was the prohibition of house trailers removed from Chapter 134? It should be reinstated.
- 134-16.1 D (1) states “...and/or Subdivision Regulations.”. I believe this should be “Subdivision of Land Law” as is stated in other sections of Chapter 134. Do you agree?
- Shouldn't 11 Main St. be zoned B-1 and not R-O?
- Why is 3 West St. R-O instead of R-N?
- Shouldn't 60 Parsonage St. be zoned MF and not R-O?
- Shouldn't 30 Marion Ave. be zoned MF and not B-2?
- Is the area which encompasses the Highway garage site, the Municipal Parking Lot, the Wastewater Treatment Plan and Mayor's Park going to be subdivided into 2 parcels? If not, why not?
- In the EAF it states “According to the Comprehensive Plan, there are about 2,500 on- and off-street, non-driveway parking spaces in the Village. This equates with nearly three (3) parking spaces for each household in Cold Spring (889 households)” – although the EAF says there are 967 dwelling units in the Village. The Comprehensive Plan's 2,500 number included private parking lots, and parking lots at Haldane, Foodtown and Metro-North, among others. The 2,500 spaces should not be used to describe available parking in the Village.
- Should there be a definition of “school” to include “Schools meeting State Department of Education requirements”?
- Should “filling station” be added to “Table of Uses”?
- Chapter 134-13 names the district “Parks and Recreation”. The Table of Dimensional Requirements shows the PR district as “Parks, Recreation & Cemeteries”. 134-13 does not talk about “cemeteries”. The Zoning Map shows one cemetery in the “Civic” district. Table 6A does not list “cemetery” as a Use. The Definitions section does list “cemetery”. Should this be addressed?
- In the spreadsheet placed on the website on May 10, the answer in row 15 does not address the question in that row. Will the question be answered at some point?
- In the May 10 version of the EAF Part 3, there is a statement that the DMV's database shows that there are 343 vehicles registered in the Village. In the same document, there is a chart that shows the US Census of 2010 identifying a total of 967 Dwelling Units in the Village. As we know, at least 50 Dwelling Units have been added since then (Butterfield) yielding a new total of at least 1,017 Dwelling Units. If those numbers are correct, that would mean that there is one vehicle for every three Dwelling Units in the Village. The 343 vehicles number can't possibly be correct. Is it possible that the DMV database was incorrectly queried or is there another explanation for this very low number of vehicles? Can someone relook at the 343 number?
- Can a red-line EAF be created comparing the April 26 EAF to the May 10 EAF?

Adjournment

C. Fadde made a motion to adjourn the meeting. T. Woods seconded the motion and it passed unanimously. Meeting adjourned at 9:05pm

Submitted by: Jeff Vidakovich

Jeff Vidakovich, Village Clerk

Date



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

Village of Cold Spring Board of Trustees
Workshop Meeting Minutes
May 16, 2023

The Board of Trustees of the Village of Cold Spring held a workshop Meeting on Tuesday May 16, 2023 at Village Hall. Present were Trustees Laura Bozzi, Cathryn Fadde and Eliza Starbuck. Mayor Kathleen E. Foley participated via videoconference. Trustee Tweeps Phillips Woods was absent. Village Attorney Jonathan Dejoy participated via videoconference. The meeting was called to order at 6:30pm by Mayor Foley.

Request to Modify Agenda

K. Foley made a motion to add a request from the Haldane Foundation to the agenda under Board Business. C. Fadde seconded the motion and it passed by a vote of 4-0-0-1

Announcements

- K. Foley reminded people that the Haldane Budget vote was going on
- E. Starbuck said she had met with vendor for Parking Kiosks to review placement sites. The kiosks will be placed in front of Village Hall and in front of 156-160 Main Street as well as at the Municipal Parking Lot.

Board Business

West Point Docking Proposal

K. Foley provided an update on discussions with West Point regarding an agreement to bring cadets and family members to Cold Spring via boat during graduation week and special event weekends. The military academy and the Village both have limitations on agreements they can enter into and how the academy can compensate the Village for use of the dock. Both parties have agreed in principle that the military academy will pay to the Village \$5/cadet and \$10/family for those using the boat to visit Cold Spring. C. Fadde made a motion approve the agreement in concept and authorize the mayor to sign the Memorandum of Understanding when finalized and approved by the Village Attorney. E. Starbuck seconded the motion and it passed by a vote of 4-0-0-1.

Film Permit Request – Tabled

Haldane Foundation Request

The Haldane Foundation requested to have a table at the foot of Main Street by the Visitors Center on Saturday May 20th from 9am – 12 noon to answer questions and assist participants in the Foundation sponsored Hudson Valley Scavenger Hunt. E. Starbuck made a motion to approve the request. C. Fadde seconded the motion and it passed by a vote of 4-0-0-1.

Approval of Minutes

E. Starbuck made a motion to approve the minutes of the 2/15/23 meeting as submitted. L. Bozzi seconded the motion and it passed by a vote of 4-0-0-1.

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

Board Discussion

K. Foley provided the following update:

- Ad Hoc Committee met 2x to review comments made to date by the public, trustees and standing boards
- Answers to posed questions will be made available as approved by the working group and Village Attorney
- Village Planner continues to update code draft based on public comments
- Planning Board met with Village Attorney and Planner
- Proposed the following recommendations made by the Ad Hoc committee for the Board to consider:
 - Form-based Zoning needs further review, is more appropriate for Historic District Design Standards and could be duplicative if incorporated into Chapter 134.
 - K. Foley made a motion to accept this recommendation. E. Starbuck seconded the motion and it based by a vote of 4-0-0-1.
 - Remove Landscape Standards from Residential Zones.
 - E. Starbuck made a motion to accept this recommendation. C. Fadde seconded the motion and it passed by a vote of 4-0-0-1.
 - Streetscape standards should be removed from the code and addressed as part of an update to the Comprehensive Plan.
 - E. Starbuck made a motion to accept this recommendation. C. Fadde seconded the motion and it passed by a vote of 4-0-0-1.

Public Comment

K. Foley noted that there will be a 3-minute time limit for each person and that people will be called on once.

Jane Timms, 3 Rock Street, asked if there are any records or studies relating to the incidence of cancer in the Village and specifically to the immediate area surrounding the former Marathon Battery Plant?

K. Foley made a motion to keep the Public Hearing open and continue it to the next scheduled Board meeting on May 24, 2023 at 6:30pm. E. Starbuck seconded the motion and it passed by a vote of 4-0-0-1.

Adjournment

C. Fadde made a motion to adjourn the meeting. E. Starbuck seconded the motion and it passed by a vote of 4-0-0-1. The meeting adjourned at 6:59pm

Submitted by: Jeff Vidakovich

Jeff Vidakovich, Village Clerk

Date



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**Village of Cold Spring Board of Trustees
Workshop Meeting Minutes
May 24, 2023**

The Board of Trustees of the Village of Cold Spring held a workshop Meeting on Wednesday, May 24, 2023 at Village Hall. Present were Deputy Mayor Tweeps Phillips Woods, Trustees Laura Bozzi, Cathryn Fadde and Eliza Starbuck. Mayor Kathleen E. Foley was absent. Village Planning Consultant Ted Fink and Village Attorney Jonathan Dejoy participated via videoconference. The meeting was called to order at 6:30pm by Deputy Mayor Woods.

Request to Modify Agenda

T. Woods made a motion to remove agenda item 3b – Film Permit Request- as the applicant has decided to postpone consideration until the fall. E. Starbuck seconded the motion and it passed by a vote of 4-0-0-1.

Announcements

T. Woods made the following announcements:

- Lawn and Leaf pick up is on Thursday 5/25
- Village Hall will close at 1:00pm on Friday 5/26 for the Memorial Day Holiday weekend
- Memorial Day Parade is on Monday 5/29 beginning at 9:00 am at Village Hall

Board Business

Resolution 19-2023 Authorizing the mayor to execute Fire Protection Services agreement with the Village of Nelsonville. C. Fadde made a motion to adopt Resolution 19-2023. E. Starbuck seconded the motion and it passed by a vote of 4-0-0-1.

Approval of Bills

C. Fadde made a motion to approve Batch # 6934 in the amount of \$162,305.07. L. Bozzi seconded the motion and it passed by a vote of 4-0-0-1.

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

Board Discussion

L. Bozzi provided the following update:

- Recommendations previously approved by the Board of Trustees are being incorporated into Chapter 134
- The Ad Hoc Working Group continues its work reviewing and modifying the draft based on feedback/input from the public, land use boards and trustees.

- The Historic District Review Board (HDRB) has provided a draft of the Design Standards. These have been forwarded to the Village Attorney for consideration of how to best utilize in relation to the PMU and not make duplicative regulations relating to form-based standards.
- K. Foley and Ted Fink had a conference call with NYSERDA to review progress and confirm deliverables required by June 30th.
- Eric Wirth revising Zoning Map
- Planning Board is meeting on May 25th and will provide comments for the Board to review by June 1.
- Questions and comments from the public will be answered and released once reviewed by the Planner consultant and Village Attorney.

Ted Fink, Village Planning consultant, added the following:

- Reviewing changes to dimensional and bulk tables based on submitted comments and recommendations
- Preparing summary documents for NYSERDA and public review

Public Comment

Marie Early, 16 Grandview Terrace, submitted the following comments/questions:

- Where is the Visitor's Center/Public Rest Rooms on the Zoning Map?
- 5 Market Street, a single-family house, appears to be identified as "CIVIC" on the Zoning Map. Is this correct?
- Maple Terrace does not appear on the Zoning map.
- The property between Maple Terrace and Main Street also does not appear on the Zoning map. This is property that has been maintained by the Village especially the stairs between Main Street and Maple Terrace. Should this be reflected on the Zoning Map at "CIVIC"?
- The stone wall on Main Street which was recently rebuilt by the Village is not shown on the Zoning Map. Should it be?
- Cedar Street Spur does not appear on the Zoning Map. There is at least one parcel in the Village which has an address of Cedar Street Spur.
- In the EAF dated May, 10, there is a statement "a) a new Civic District to apply to municipally owned or operated properties". On the Zoning map, tax id 49.5-2-23 (Old Burial Ground – not municipally owned or operated) is shown in the Civic District as are properties owned by the Town of Philipstown. Should these be zoned to a different zoning district?
- The EAF also says "A PUD will allow Cold Spring to achieve a diverse and balanced community with housing available for households of all income levels." At the May 10 continued public hearing, Ted Fink implied that "affordable housing" would take quite some time to achieve, suggesting it be addressed in the next update to the Comprehensive Plan. If that is the case, should statements in either the EAF or Chapter 134 about affordable housing be modified?
- Page 10 of the EAF says "...a greater diversity of housing options and uses than would normally be permitted under the Village's standard Zoning districts, each compatible with the Village's character and consistent with the its historic development patterns.". The only apparent new housing option in the proposed Chapter 134 is "cottage courts" which would not be correctly described as "a greater diversity of housing options and uses" and does not reflect the Village's "historic development patterns". Do you agree?
- Page 11 of the EAF, it states "...the PMU district is intended to protect the historic character and surroundings of the local Village Historic District, the National Register Historic District, and other traditional Village neighborhoods". How does the PMU district achieve this?

- What is the capacity of the Village's Wastewater Treatment Plant? And is it sufficient to handle the proposed buildout of Marathon? At what point will the Wastewater Treatment Plant be at capacity?
- Page 14 of the EAF states "This includes several residential lots along Rock Street, portions of lots on The Boulevard, Chestnut Street, Kemble Avenue and Constitution Drive that are currently zoned for industrial uses (i.e. I-1 District) are proposed to be rezoned to the R District." There are no portions of lots on Constitution Drive that are currently zoned I-1.
- Why were the current B-2 and B-3 districts combined into the new B-2 district? Why are the proposed dimensions so much smaller?
- A five foot front yard setback in the proposed B-2 would be dangerous particularly along Route 9D; this would leave very little clearance between an opened door and the sidewalk. Why was this chosen?
- The EAF does not mention the disposition of current zoning districts I-2, Designated Hotel- Historic-Recreational District, B-4A, the merger of B-2 and B-3, the new district numbers assigned to the current B-4 and B-4A. Should these be described?
- What properties and uses are meant by the following statement in the EAF "A few other lots that were largely developed before Zoning was adopted in 1967 are currently zoned for uses that do not exist on the properties"? "These have also been proposed to be Zoned for the uses that exist, allowing them to be legitimized, rather than requiring the owners to obtain variances for any development or redevelopment of their properties they may seek." What is meant by that?
- The Table of Dimensional Requirements row R-MF specifies "27,000.00" as the lot area. Should it be "27,000"?
- 134-7 E (4) (f) (1) says "The private Frontage of buildings shall conform to and be allocated in accordance with Table 6B and Figure 6-5.". The word "Frontage" is not a defined term. How is Table 6B related to this?
- Table 6-5 states that attached porches must be at least 8 feet deep. Why is the proposed Code prescribing the depth of attached porches? Many current attached porches are less than that depth – does that make them nonconforming in the proposed Code?
- The Definition of FRONT PLANE is "The facade of a building nearest the front property line which is parallel to or at an angle of 45° or less to a public street or public right-of-way excluding porches, decks or patios.". Does "porches" here include both covered and uncovered porches?
- 134-17 D (3) – should "next to any portion of a Lot Line shared with a B-1, B-2 or B-3 Lot." be expanded to include B-4?
- EAF page 15 refers to "design principles". Design principles may apply to the historic districts but are not appropriate for structures outside of the historic districts.
- EAF page 15 states "Graphic standards have been added to illustrate what existing buildings, building modifications, building placement on a lot, building form, parking locations, landscape standards, and streetscape standards such as sidewalks, tree lawns, street trees and street lighting should look like." Many elements in this sentence are the responsibility of the Village and/or should not be addressed by Zoning.
- EAF page 16 (Older Neighborhoods) states "...Bed & Breakfasts would no longer be permitted by special use permit as they are at present due to the small lot sizes characteristic of the R-O District and the need to avoid nuisances from traffic, noise and lighting that Bed & Breakfasts can exhibit." Yet the paragraph goes on to say that "Family day care homes is a new use that recognizes the need for options when a working family requires care for pre-school children in the neighborhood." Family day care homes located on small lot sizes characteristic of the R-O district create similar nuisances from traffic and noise that Bed & Breakfasts can exhibit; family day care homes can attract pre-school and school age children as well as children from other neighborhoods. It seems that if B&B are not permitted for those reasons

that family day care homes should also not be permitted. This comment also applies to the Table of Uses. Do you agree?

- Similarly, if Bed & Breakfasts are not permitted in the R-O district, Short Term Rentals should also not be permitted in the R-O district.
- The paragraph also says “The remainder of the uses currently permitted in the R-1 District would continue to be permitted under the R District.” The current R-1 district permits: churches and similar places of worship; parish house; public parks and playgrounds; other municipal recreation uses; schools meeting State Department of Education requirements; public libraries and municipal building. Each of these uses seem inappropriate for the proposed R-O district for the same reasons that B&B are not permitted. In addition, places of worship, parks, schools, and public libraries have a separate zoning district in the proposed Chapter 134 – ERC. This comment also applies to the Table of Uses. Shouldn’t those uses be located only in the ERC?
- EAF page 16 (Newer Neighborhoods) states that B&B are not permitted “..., Bed & Breakfasts would no longer be permitted by special use permit, as they are at present, due to the small lot sizes characteristic of the R-N District...”. The R-N district requires larger lot sizes than does the R-O district so it seems incorrect to refer to this district as having “...small lot sizes...” to distinguish it from the proposed R-N district. This paragraph also says ““The remainder of the uses currently permitted in the R-1 District would continue to be permitted under the R-N District.” The current R-1 district permits: churches and similar places of worship; parish house; public parks and playgrounds; other municipal recreation uses; schools meeting State Department of Education requirements; public libraries and municipal building. Each of these uses seem inappropriate for the proposed R-N district for the same reasons that B&B are not permitted. Do you agree?
- Similarly, if Bed & Breakfasts are not permitted in the R-N district, Short Term Rentals should also not be permitted in the R-N district. Do you agree?
- EAF page 17 says “...(which do exist but to a lesser extent in this area of the proposed R-L District)...” What is meant by “...in this area of the proposed R-L District”?
- Why isn’t property 48.8-2-26 zoned ERC on the Zoning map?
- Please provide a text description of the differentiation between B-1 and B-2.
- It appears that to operate a Family Day Care there are a number of requirements including a license from NYS. “A family day care program cares for children for more than three hours per day per child in a residence for 3 to 6 children, or up to 8 children if 2 are school-age and attend the program only when school is not in session. Generally, the provider is the only caretaker in a family day care program but if care is provided for more than 2 infants, there must be one caregiver for every 2 children under two years of age in the family day care program.” Shouldn’t the definition of Family Day Care home include the requirement for a license to operate?
- EAF page 17 says “...simultaneously relieving the burden on landowners, who must obtain ZBA approval of variances for most improvements;...” During the period from December, 2017 through May, 2023 (a 5 ½ year period), the ZBA met 60 times. 26 applications were reviewed – some in a work shop(s) only (that is, they did not proceed to a public hearing), and some in a work shop and then in a public hearing(s). Of the 26 applications, 3 would not have been required under the proposed zoning while one is questionable as to whether it would have been affected by the proposed zoning. The remaining 22 or 23 applications would still be required under the proposed zoning – so only 15% of the applications would be eliminated by the proposed zoning. It seems as if the burden referred to are not that significant. Do you agree?
- 134-16.1 D (2) states “Where a proposed site plan contains one or more features which do not comply with the site plan regulations, application may be made to the Zoning Board of Appeals for an area variance pursuant to Article VII of the Zoning Law, without the necessity of a decision or determination

of the Code Enforcement Officer.”. Why does this go to the ZBA and not the Planning Board? In addition, it is not clear under what circumstances a proposed site plan (which does not comply with site plan regulations) would come to this point – would this occur if the CEO determines that the proposed site plan does not comply in one or more respects with the submission requirements of the Zoning Law (134-16 D (1)? Why would the only circumstance be the issuance of an area variance?

- 134-16.1 says “Such regulations are designed to protect Cold Spring from traffic congestion and conflicts, noise, lighting, odor and other forms of pollution, inappropriate design, flooding, wasteful energy use, and excessive soil erosion, to ensure that the proposed use will be in harmony with the appropriate and orderly development of the district in which it is proposed, and that its impacts can be mitigated by compliance with reasonable conditions. The regulations are also designed to ensure that new and existing development conforms with the Village's planning goals and objectives, as expressed in its Comprehensive Plan and as applicable Local Waterfront Revitalization Program, thereby protecting the natural, cultural, historic landscapes and aesthetic qualities of the Village.”. It seems as if “inappropriate design” is not an appropriate regulation for Site Plan Approval. In addition, at the time that a site plan is submitted for approval, it is not clear that “wasteful energy use” can be considered. It also seems that “aesthetic qualities” is a subjective criteria for Site Plan Approval.
- 134-16.1 D (3) (a) lists 27 required elements for a Site Plan submission although not all 27 elements are required for each Site Plan submission. In the current Chapter 134, a Site Plan submission has 7 required elements. The proposed chapter's requirements seem excessive such as “locally significant trees”, “aquifer recharge area”, “floor plans”, “location, design and construction materials of all existing or proposed site improvements, including drains, culverts, retaining walls and fences”, “a Driveway Permit” – are these really required for the Planning Board to evaluate a Site Plan?
- The Table of Uses identifies over 60 Uses that require Site Plans. In addition, Special Use Permits also require Site Plan Approval (134-16 A (2) – Table of Uses identifies 15 additional Uses that require a Special Use Permit (and thereby Site Plan Approval). This seems excessive and would lead one to assume that the Planning Board will be overwhelmed.

Bill Pugh, 3 Rock Street, submitted the following comments/questions:

- As the Board and Committee are falling further and further behind answering questions, revising and updating the proposed zoning code, etc; I recommend we pause these hearings and resume them after the board has responded to all the questions, updated the proposed zoning code, and distributed the questions, answers, and revised zoning code it to the community with sufficient time, for the community to review. It is silly that we are paying consultants to generate error ridden material and asking the tax payers to review and correct their work with this semi-real time process.
- Pause the public meetings, catch up, correct the noted errors (thank you Ms. Early), distribute the questions with useful answers and the revised proposed zoning code, then give the community 4 weeks to review the corrected material and then resume these meetings.
- Mayor Foley, will you pause the public meetings? catch up, correct the noted errors (thank you Ms. Early), distribute the questions with useful answers and the revised proposed zoning code, allow the community 4 weeks to review the corrected material and then resume these meetings. If “Yes” – when will you pause? If “No” – Why not?
- Mayor Foley, in support of your interest and effort for full Transparency, people have told me that that you have a relationship with the owner of the Marathon Site that compromises your independence – is what I am hearing true?
 - If yes, given the clear conflict of interest this represents will you recuse yourself from all future discussions regarding the proposed zoning plans and/or the comprehensive plan?

- If Yes, When? If No, why not?
- Mayor Foley, In support of your interest and effort for full Transparency, please describe in detail your relationship with the owner of the Marathon Site, his family, his extended family, his employees, his professional contacts, and anyone else who might reasonably be considered his representative.
 - Please detail all conversations & / or communications (including time and date) you have had with the owner of the Marathon Site, and any of the above-mentioned individuals. Including, but not limited to:
 - Development of the Marathon Site
 - Access to the Marathon Site
 - Employment and/or consulting opportunities
 - References, referrals and / or other professional opportunities
 - Please provide a complete list (Name, Date, amount, description) of all donations, gifts, or any form of compensation or remuneration received by you, members of your family and/or your extended family, your organizations, your running mates (and their families and/or extended families), members of this board, and/or other public figures or government employees, that you know and/or have communicated with; that any and all of these individuals and/or organizations have received from the owner of the Marathon Site, and/or any of the above-mentioned individuals.
- Members of the Board; Deputy Mayor Woods, Trustee Bozzi, Trustee Fadde, Trustee Starbuck; In support of your and the Mayor's interest and effort for full Transparency; each of you, individually Please:
 - Describe in detail your relationship with the owner of the Marathon Site, his family, his extended family, his employees, his professional contacts, and anyone else who might reasonably be considered his representative.
 - Detail all conversations & communications (including time and date) you have had with the owner of the Marathon Site, and any of the above-mentioned individuals.
 - Provide a complete list (Name, Date, amount, description) of all donations, gifts, or any form of compensation or remuneration received by you, members of your family and/or your extended family, your organizations, your running mates (and/or their families and/or extended families), members of this board, and/or other public figures or government employees, that you know and/or have communicated with; that any and all of these individuals and/or organizations have received from the owner of the Marathon Site, and/or any of the above-mentioned individuals.
 - Additionally, please describe your knowledge of the Mayor's personal relationship with the owner of the Marathon Site, and/or any / all of the above-mentioned individuals; please include when and how you learned of it.
- Finally, given everyone's interest and effort for full Transparency, has the Village attorney or his firm or his associates ever done any work for, or work that might be assumed for, the owner of the Marathon Site?
- Does the Village Attorney have any relationship or every had any conversations or communication with the owner of the Marathon Site? If Yes:
 - Please detail any and all conversations & communications you have had with the owner of the Marathon Site, and any of the above-mentioned individuals.
 - Please provide date and time of any and all conversations and/or communications with the owner of the Marathon Site, and any of the above-mentioned individuals.
- Lastly, how much has the Village Attorney billed the Village Year to Date 2023? How much of that is related to work for the comprehensive plan and/or the proposed zoning plan?

- Mayor Foley, you have previously stated that all questions will be answered, after the answers have been reviewed by the village attorney. Why do you feel the Village Attorney needs to review all your answers before they are made public?

Joe Meyer, 46 Kemble Avenue, made the following comments/questions:

- Recognizes the rights of property owners to build as they see fit within the guidelines of the code
- Wants to see traffic and road studies before any plans are proposed
- A cookie cutter approach to any development is not in keeping with Village character
- Why is the Marathon property singled out specifically in the amended code?

Michael Turton, Highlands Current, asked if comments from the Planning Board or other land use Boards will be accepted if the Public Hearing is closed?

E. Starbuck made a motion to keep the Public Hearing until the next scheduled Board meeting on June 7, 2023.

L. Bozzi seconded the motion and it passed by a vote of 4-0-0-1.

Adjournment

C. Fadde made a motion to adjourn the meeting. E. Starbuck seconded the motion and it passed unanimously.

Meeting adjourned at 7:24 pm

Submitted by: Jeff Vidakovich

Jeff Vidakovich, Village Clerk

Date

RESOLUTION # 19-2023
Authorizing Mayor to Execute Fire Protection Service Agreement with Nelsonville

The following resolution was offered by Trustee Cathryn Fadde for adoption and seconded by Trustee Eliza Starbuck, to wit:

WHEREAS, The Village of NELSONVILLE does not have a local fire department to provide fire protection services to its residents; and

WHEREAS, NELSONVILLE wishes to contract with COLD SPRING and the FIRE COMPANY #1 for fire protection services to NELSONVILLE; and

WHEREAS, COLD SPRING and the FIRE COMPANY #1 are willing to provide fire protection services to NELSONVILLE, under the terms and conditions set forth on the attached agreement.

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Cold Spring authorizes the mayor to execute the attached agreement.

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:	Absent

Resolution officially adopted on May 4, 2023 by a vote of 4-0-0-1

Jeff Vidakovich, Village Clerk-Treasurer

Date

06/06/2023

TO: Village Board of Trustees

FROM: JANE SILVER TIMM

Address: 7 Rock St Cold Spring NY 10516

Comment: My SINCERE FEELINGS, THOUGHTS, ETC.,
REGARDING LAND NOT YET APPROVED
BY EPA ARE THAT I COULD NOT
RECOMMEND ANYONE TO LIVE OR
WORK ON THAT MARATHON PROPERTY.
I COULD NOT LIVE OR WORK ON
THAT PROPERTY.

Jane Silver Timm
FOR MEETING 6-7-23
UNFORTUNATELY I CANNOT ATTEND
JST

RECEIVED
JUN 06 2023
Village of Cold Spring
12:40pm