

**Board of Trustee Public Hearing  
November 18, 2008**

The Board of Trustees for the Village of Cold Spring held a public hearing on Tuesday, November 18, 2008 at 7:00 p.m. in Village Hall, 85 Main Street, Cold Spring, NY for the purpose of hearing public comment on a proposed updated zoning map and table of dimensional requirements.

Attending: Mayor Anthony Phillips and Trustees John Teagle, Gordon Robertson, Edward T. Mancari and Seth Gallagher  
Also: Stephen Gaba, Village Attorney, Donald MacDonald, Chairman of the Village Zoning Board of Appeals  
Public: Jan Thacher, Chuck Hustis, Karen Dunn, Peter Henderson, Anne Impellizzeri, David Cooke, James Hartford and Kevin Foley of the Putnam County News and Recorder

Mayor Phillips opened the meeting followed by the Pledge of Allegiance. Donald MacDonald was introduced and proceeded to provide a Power Point presentation showing the format of the existing map and the proposed update. He explained that tax parcels are not shown on the existing map and several zoning amendments (made during the last thirty years) have not been added. He emphasized that the proposed map did not make any changes in zoning designations. In three areas, the line separating zoning districts goes through tax parcels e.g. Forge Gate Condominiums, Chestnut Street, and Foundry Cove. Mr. MacDonald will meet with the Planning Board for additional review and discussion.

J. Thacher pointed out that if tax parcels are used, there can be discrepancies between the survey and deed.

Stephen Gaba explained that there is a provision in the zoning code that allows the ZBA to handle discrepancies. However, when you look at the checklist in the code, it doesn't help the board to handle this problem and this should be addressed.

The zoning conformance chart was then reviewed. J. Teagle requested an amendment to building height definition, as the current code would allow a 42 foot building.

The board voted unanimously in favor of holding the public hearing open until December 9, 2008 at 7:30 p.m.

**Board of Trustee Monthly Meeting  
November 18, 2008**

The Board of Trustees for the Village of Cold Spring held their regular monthly meeting on Tuesday, November 18, 2008 at 7:30 p.m. in Village Hall, 85 Main Street, Cold Spring, NY.

All board members and residents present for the preceding public hearing attended the monthly meeting. The following individuals attended only the monthly meeting: Ellen Mageen, Village Accountant, Ralph Falloon, Fire Inspector and Assistant Building Inspector, Carol Casparian, Lillian Moser, Liz and Michael Armstrong.

Absent: George Tompkins, Building Inspector (illness related)

**Approval of Minutes-** The minutes of the 10/14/08 public hearing and monthly meeting, 10/20/08 opening of proposals for an adaptive use study, 10/21/08 public hearing and workshop and 10/28/08 workshop were presented. John Teagle requested that the minutes of the October 21<sup>st</sup> workshop be amended. He wanted the confrontation between Mayor Phillips and T. Rolston mentioned. Trustee Mancari motioned to approve of the minutes subject to J. Teagle's addition, and seconded by J. Teagle and unanimously approved.

**Financial Report-** Ellen Mageean reported that the new software program has been installed and reports for this meeting were generated in the new system. The **attached** statement of actual and estimated revenues and expenses was reviewed. Ms. Mageean pointed out that the \$40,500 received from a P.O.C.R. Grant makes the total percentage of revenue received higher than it actually is because this amount is not included in the budget. At this time, the only account that is over budget is police equipment. Trustee Gallagher asked for a six month budget analysis. It was decided that this review would occur in early December. The semi-annual mortgage tax payment from Putnam County was discussed. The anticipated amount of \$16, 119.85 is less than budgeted. Trustee Robertson moved to accept this report and seconded by Trustee Mancari and unanimously approved.

**Fire and Building Inspector report-** Trustee Teagle requested an accounting of the building permits issued during the month. Trustee Mancari moved to accept this report and unanimously approved.

Police report will be available for the next meeting as the Officer-in-Charge is away.

**Justice Court-** \$3,847 was collected during the month of October.

**Water Report-** Mr. Phillips commented that it is apparent that there are several leaks in the distribution system as evidenced by increased daily flows and overnight gallon per minute rates. He is checking the availability of leak detection services in the region. Trustee Gallagher moved to accept this report and seconded by Trustee Teagle and unanimously approved.

**Wastewater report-** A replacement control panel for the plant water system has been ordered and will be delivered within the next several weeks. The existing panel was becoming too expensive to troubleshoot and maintain. The plant water system utilizes plant effluent for sprayers and other non-potable needs on facility grounds. It may also improve energy consumption with new controls in place.

After discussion with Trustee Robertson, G. Phillips is investigating alternate methods for processing sludge. Currently, the village pays to have liquid sludge removed from the facility. There are some area facilities that are processing sludge into forms utilized in some fertilizer applications, potentially making a profit from its sale.

Mayor Phillips presented two additional cost saving/ revenue generating items involving use of the wastewater property. The NYSDEC visited the site and discussed creating a tree farm with approximately 60 small trees planted for future use on village streets. The mayor is also investigating the possibility of installing a cell tower on the wastewater property. Verizon has proposed a 50' x 50' base with a twenty inch diameter, 120 foot high pole. Possible revenues would range from \$1,800 to \$3,000 per month depending on the number of companies participating.

Trustee Robertson discussed cost-saving energy options with the Mayor of New Paltz, including the use of solar cells. The installation of solar cells at the wastewater facility is currently being considered. Grants are available that would fund 50- 70 percent of the installation. Furthermore, Governor Patterson recently signed legislation that allows municipalities to participate in net-metering. New Paltz currently generates revenue from solar cells. Also, the firehouse in New Paltz uses a new type of geothermal energy which is more cost effective. Mayor Phillips added that the Howland Cultural Center in Beacon utilizes a geothermal heating system and the village may want to investigate this option for The Grove or other village buildings.

John Teagle spoke with the Hudson Highland Land Trust about recent legislation that allows municipalities to participate in net-metering whereby additional power generated goes back to the grid. Also brought up was the use of tidal action of the Hudson River for power generation.

Trustee Robertson moved to accept the wastewater report and seconded by Trustee Teagle and unanimously approved.

The Chamber of Commerce continues to seek written permission from Metro North to install signs directing traffic to free weekend parking. Trustee Mancari moved to accept the Chamber report and seconded by Trustee Robertson and unanimously approved.

Carol Casparian read the **attached** Comprehensive Plan/LWRP Special Board report. Mayor Phillips spoke of the problem of keeping members involved with the new timeline. He inquired about hiring consultants prior to receiving funds. Karen Dunn stated that the board needs to decide whether to proceed with a partial LWRP or an action plan. A. Impellizzeri added that in brief conversation with Bonnie Devine of the NYS Department of State, it was pointed out that partial LWRP allows development of strategies and recommendations but new or revised zoning laws would not be drafted. K. Dunn stated that B. Devine was shocked by the amount of work that has been performed by volunteers. Trustee Gallagher moved to accept this report and seconded by Trustee Mancari and unanimously approved.

**Recreation Board-** The schedule for lawn care of village parks will be unchanged in the upcoming year. The tree lighting is scheduled for Friday, December 5<sup>th</sup>. Cold Spring Antique Dealers Association has offered to donate the tree. The Recreation Commission requested that the bandstand be closed after dark for security reasons. S. Gaba recommended that the board pass a resolution authorizing the closing of the bandstand stating, it is in the public interest and for the safety of bulbs on village property to cordon off the bandstand from dusk to dawn from Thanksgiving to the end of the year and that this shall be accomplished by sign and chain across the bandstand. Trustee Mancari introduced this resolution and seconded by Trustee Teagle and unanimously approved. Trustee Teagle moved to accept the recreation report and seconded by Trustee Robertson and unanimously approved.

## Correspondence

Putnam County has rescinded the ten ton vehicle weight limit on Peekskill Road, effective November 7, 2008.

PARC described the details of their upcoming fundraiser, Cold Spring by Candlelight. Civil and Revolutionary war history groups will be in the village offering history and information about their respective groups. Also, a horse and carriage ride will be available on the less-trafficked streets of the lower Main Street district.

William Ottaway, of the New York State Department of Environmental Conservation, informed the Mayor that the soil investigation at the Boat Club will take place next week. This is the final piece of field work. The DEC will then provide recommendations to D & B for remedial alternatives.

Putnam County Department of Probation requested permission to use a conference room in Village Hall once a week for meetings with offenders who reside in Cold Spring. Attorney Gaba suggested an irrevocable license to hold the village harmless.

Putnam County Legislature forwarded information on a heating oil co-op program to assist residents with saving money on their fuel oil bills. Trustee Robertson expressed interest in this program and asked for additional investigation.

Cold Spring Harbor, LLC requested release of the site improvement bond in the amount of \$38,500. Mayor Phillips wanted to hold \$5,000 but had no objection to the release of the remaining bond. After brief discussion, Trustee Robertson moved to release \$33,500 of the site improvement bond for the Cold Spring Landing property. Motion seconded by Trustee Teagle and unanimously approved.

The New York Conference of Mayors has launched a public education campaign to defend property taxpayers from tax shifts that may be pushed from the state onto cities and villages. Their message will be delivered through a new website, [www.stopthetaxsift.org](http://www.stopthetaxsift.org). NYCOM urged all villages to place a link leading to the NYCOM site on their municipal website. Board members asked for time to review this site prior to making a decision.

Kathleen Foley, Karen Kapoor and Cindy Goldberg strongly encouraged the Mayor and Village Board to discontinue the use of the fire siren and described problems encountered by their young children in response to hearing this sound.

In a recent meeting, Mayor Phillips asked MetroCom for a quote to move the alarm controller to the pole, install a desktop pager, configure for tone, and install coder for the CSFD. The quoted price was \$2,200.

Ralph Falloon wants the siren to remain as it is a backup. Trustee Robertson proposed placement of the siren on the firehouse considering that the problem seems to be related to the line. The question was raised as to whether the siren needs to sound at noon and six p.m. Mr. Falloon will discuss with the fire company and get back to the village board.

Mayor Phillips clarified conversations about work on the fire house floor. He added that this issue can be worked out as it was eight years ago when the Mayor worked with others until ten o'clock to make repairs. Mayor Phillips called for volunteers so that the only costs would be the price of concrete.

In other matters, programmable thermostats have been installed at the firehouse.

**Bill approval-** The bills with check numbers 16503 to 16543 were audited. Trustee Mancari moved to pay the audited bills and seconded by Trustee Robertson and unanimously approved. Cash requirements as per **attached**.

**Unfinished Business-** Asbestos abatement at The Grove is complete. Workers removing the third story discovered an upper rafter signed by two individuals and dated on May 10, 1870. Also, fragments of wood shingles were discovered. Anticipated completion for this project is the end of the year.

Justice Costello is anxious to proceed with the parking program. After discussion, board members agreed to take \$2,100 from the attorney special budget line A1420.11 and transfer to A1110.460 justice court software. Trustee Mancari moved to introduce this resolution and seconded by Trustee Robertson and unanimously approved.

### **Report of the Mayor and Board of Trustees**

Trustee Teagle spoke with representatives of MetroCom and they are looking for payment. J. Teagle stated that they did the work and it has been a long time. He moved that the Village Board pay MetroCom and take up the issue with the Fire Company at a later time, as they are entitled to their money. Trustee Mancari recommended using the Attorney Special line for the siren repairs totaling \$696.00 Trustee Gallagher seconded. Mayor Phillips, Trustees Teagle, Mancari and Gallagher voted in favor with Trustee Robertson abstaining. Trustee Robertson stated that he agreed in principle but would like to speak to the fire company at the next workshop so that there is an understanding. Trustee Teagle congratulated the Special Board on a recent stakeholders meeting.

Trustee Robertson mentioned that the Cold Spring Boat Club is closed for the season and will be providing statistics on the number of visitors who arrive by the water.

Trustee Mancari commended the Comprehensive Board for the Economic Development Stakeholders meeting. He also thanked D. Cooke for his contribution of the holiday tree and the plaque honoring Sgt. Darrell Burris.

Trustee Gallagher talked about MEGA Electric program, where members purchase electricity at a discounted rate. S. Gallagher forwarded a sample bill from the wastewater plant and the company representative estimated a significant savings for the village. Board members had several questions about this program and representatives will be invited to attend an upcoming workshop.

Ralph Falloon, President of the Cold Spring Fire Company added that the relationship between the fire company and the village board is strong and the fire company will work through issues positively with the Village Board.

James Hartford, resident of Furnace Street, brought forth an issue regarding his neighbors. A crack pipe was recently discovered on the Furnace Street sidewalk and there is likely prostitution. Mayor Phillips saw this as a quality of life issue and responded that the police department is currently monitoring the situation.

Trustee Robertson moved to enter into closed session to seek confidential advice from legal counsel. Motion seconded by Trustee Gallagher and unanimously approved.

Respectfully submitted,

Mary Saari, Village Clerk