

**Board of Trustee Workshop  
December 2, 2008**

The Board of Trustees for the Village of Cold Spring held a workshop on Tuesday, December 2, 2008 at 7:30 p.m. in Village Hall, 85 Main Street, Cold Spring, NY.

Attending: Mayor Anthony Phillips and Trustees Edward T. Mancari, John Teagle, Gordon Robertson and Seth Gallagher

Representatives from Verizon: Michael Hepp and Attorney Keith Betensky

Members of the Public: Michael Gibbons, Mark Wildonger, Planner for Scenic Hudson, Richard Turner, James Pergamo, Bruce Campbell, Mark Hopper, Karen Dunn, Peter Henderson, Tom Rolston, John Martin, Liz and Michael Armstrong, Steve Schweikhart, Eugenie Milroy, Robbi Smith, and Jane Rapa and Ann Chestnut from the PCN& R

Mayor Phillips introduced Michael Hepp of Verizon. Mr. Hepp introduced Attorney Keith Betensky of the firm of Snyder & Snyder. Mr. Hepp explained that Verizon coverage is not complete in this area. He distributed the **attached** photograph depicting the proposed wireless communication facility considered for placement at the wastewater plant on 61 Fair Street. The proposed pole would be 120' to 140' tall depending on the number of carriers. The base would be 40" in diameter with tapering. All cables would be concealed within the pole which is designed to accommodate three carriers.

**Questions posed by members of the public:**

**Why did Verizon select this property?** Mr. Hepp explained that there is a "bowl effect" from the river up Route 301 and there is no coverage at the bottom of the bowl.

**What about emission levels generated by the cell tower?** Attorney Betensky responded that for licensure they must comply with emission standards.

**Potential revenue-** The village would receive \$1,400 per month along with twenty percent of co-location revenue. The term of the lease would be five years with four automatic five year extensions. Over the course of the lease, \$900,000 in revenue would come to the village.

**Restriction on color of the pole-** Any color can be used but it is recommended that the tower is not used as a flagpole, as this would require nighttime illumination

**Village liability-** The proposed lease agreement addresses this matter and indemnifies and holds the village harmless.

**Clause for removal** if the facility becomes outdated and the timing of same- The time period mentioned was 90 days.

Is there a **photo simulation** of the proposed pole on the site to allow residents to get a clearer picture of what is proposed? Verizon stated that they would pursue this if there is continued interest in the project.

**Other possible locations,** second or third choices - Verizon believes that the proposed location is the best location and to stay within zoning laws.

Are **other carriers committed** to this location? Response, not at this time

**How does the project fit in with the LWRP?**

M. Wildonger would like to see calculations determining the need for the tower and studies describing that there is no adverse affect on property values.

**Are other technologies** available that would be less obtrusive.

**How much of the revenue would come from co-location fees?** Response- about 1/3.

**Will screening be provided?** Response: If further along in process, plantings will be discussed.

**What will be located within the building?** Response- Equipment, cabinet and a generator that will run approximately one half hour every three weeks.

**Comments from Board members and the public:**

(Added 12-9-2008) John Teagle made the following comments along with members of the public:

The pole is ugly and it would be located in the Historic Hudson Scenic Area of Statewide Significance. The Comprehensive Board wants to see nice things by the river and we should get rid of ugly things by the waterfront.

Concerns were expressed that property values would be adversely affected by the existence of the pole.

There are better ways to come up with revenue especially an amount that is only 1% of the village budget.

Verizon responded that they are required to obtain a no adverse effect statement from the State Preservation Office. Studies have shown that there has been no adverse effect on property values. The issue is coverage and there is a significant gap.

Scenic beauty is of economic significance to the village. This tower may be state of the art but if you put it in an area of statewide significance it becomes more obtrusive. One will notice it.

Residents have not experienced problems with their cellular service.

The use of cellular phones may be a passing phase and we should keep a long term perspective.

The Comprehensive Board would like to have a moratorium and see what possibilities come out of the comprehensive plan.

Trustee Gallagher saw no need to pursue. Trustee Robertson thinks that the village should keep dialog open. Trustee Teagle moved not to pursue a 120 foot flagpole behind the sewer plant and then amended the motion that a mono pole should not be considered in the Hudson Highlands. Motion seconded by Trustee Gallagher. Vote: Trustee Mancari, Teagle, Gallagher voted in favor. Trustee Robertson was opposed as he wants to keep the dialog open. Mayor Phillips had no vote.

Members of the Tot's Park Committee attended to discuss equipment for the park as described in attached correspondence. The Friends of Tots will hire a specialist to oversee installation. Mayor Phillips asked if the footings could be inserted prior to the installation date. Trustee Robertson asked if this equipment should be accepted as a gift and would like to speak to the Village Attorney about this. Matter will be considered at the monthly meeting on December 9<sup>th</sup>.

Trustee Gallagher discussed the Village Newsletter and requested that all submissions be received by January 1<sup>st</sup>.

Respectfully submitted,

Mary Saari, Village Clerk