

**Board of Trustees Public Hearing
November 29, 2011**

The Board of Trustees of the Village of Cold Spring held a public hearing on the revised draft (11-10-2011) of the Comprehensive Plan on Tuesday, November 29, 2011 beginning at 7:30 p.m. at Village Hall, 85 Main Street, Cold Spring, NY.

Attending: Mayor Seth Gallagher and Trustees Charles Hustis, Bruce D. Campbell, J. Ralph Falloon and Airinhos Serradas

Members of the public as per **attached** list.

After a short delay related to a power outage, Mayor Gallagher opened the meeting followed by the Pledge of Allegiance. Mayor acknowledged that public hearing notices were published and then proceeded to open the floor to public comments on the current version of the Comprehensive Plan.

Michael Reisman, resident of 30 Rock Street, presented a summary of his email that was transmitted on this date and is **attached**. He encouraged the board to adopt the Comprehensive Plan and pointed out that the planning process is ongoing, never finished. He believes that the version of the plan that is in front of the board today is improved from the version created by the Special Board last year. He attributed this to the line-by-line review and the planning and legal advice obtained by the board. He cited specific examples of improvements such as recommendation 1.10.6 that refers to incorporating OSHA and workplace safety regulations. There seems to be concern about natural gas and hydrofracking. Natural gas potential is mentioned in item 3.5.3 and this is another study or possibility item and all possibilities should be on table. The plan doesn't speak to the source of the natural gas that may be piped to the village or support the issue of hydrofracking. Given the fact that most people in village use heating oil, which in the long run is not good for the environment, and natural gas is generally better, he stated that it is a good idea to consider. There are other methods that are better than natural gas and the plan considers those as well. The Comprehensive Plan advocates for energy audits for residential and municipal sites. The Special Board had discussions about PACE bonds (Property Assessed Clean Energy Bonds) which are a very innovative way of helping people retrofit and develop energy efficient practices in their homes. The PACE bond movement has been halted but there is currently a legislative push for these bonds. PACE bonds are not specifically mentioned in the plan but there is mention in the energy section about promoting energy efficiency and when the PACE bond issue clears, it is a good thing for the village to get in front of.

Mark Wildonger, Planner for Scenic Hudson read the **attached** statement. In his summary he commented that Scenic Hudson is pleased to support the recommendations of the Comprehensive Plan. It sets a clear and proactive approach to achieving smart and sustainable growth in the community. Scenic Hudson would like to help the Village accomplish these goals and will work with Village officials, residents, and other stakeholders to solicit additional ideas.

Susan Peehl, resident of 13 Fair Street, expressed numerous concerns regarding the inclusion of natural gas as an avenue of study in the Comprehensive Plan. She read the top priorities of residents from the Comprehensive Plan survey and compared them to highlights presented in the summary. She objected to the use of the words alternate energy instead of alternative energy in the summary. (Bullet 3, page 3)

She stated that recommendation 3.5.3 regarding the study of piped natural gas to the Village was inconsistent with objective 3.5. She doesn't understand why this recommendation was included as Village residents want to protect the environment and our water which could be adversely affected by hydrofracking. Also, she had concerns about the message we would be sending to the industry by studying this. Ms. Peehl submitted the **attached** map showing the location of the New York City Water supply and the location of the Marcellus shale formation. She also expressed concern about increased seismic activity as a consequence of fracking. Lastly, she called for deletion of section 3.5.3. If the board will not remove it, then she asked for a way to balance this recommendation.

Thomas Rolston, resident of 10 Grove Court, stated that the Comprehensive Plan takes into consideration the sensibilities of the people in Cold Spring. The plan approached every issue that was mentioned or brought up. He urged the board to vote on this plan soon. Several grants are available that could provide an opportunity to implement recommendations. If the plan is still being considered, it doesn't give much weight. The development of the plan has been going on since 2006 and he thinks it is time to go ahead. It can be changed in the future but it's a good plan. If all these things could be implemented, Cold Spring would be a better, safer and more beautiful place. He urged the board to take haste.

Dar Williams, resident of 25 High Street, stated that she came to support the plan as well. Many of the initiatives of Scenic Hudson and the Hudson Highland Land Trust are supported by this plan. Her concerns about making a more car free, accessible environment are supported by this board. With regard to the issue of introducing natural gas into Cold Spring, she doesn't feel ready to comment comprehensively on this issue. However, without a counter weight to the recommendation (3.5.3) it is disturbing. There is an inordinate haste to go ahead with fracking. She is trying to get clear picture about the dangers of fracking but it is very opaque. She echoes Sue Peehl's concern about how we talk about the pipeline without a secondary clause.

Michael Armstrong resident of 7 Morris Avenue stated that it is important to look at natural gas as many of the homes in Cold Spring were constructed prior to 1935 and are relatively energy inefficient. There is essentially a monopoly with fuel oil and if there is a way to introduce competition with an alternative to heating oil, it would be good for the village. We need to look at this in the context that this is a long term plan and we don't know what will happen with the price of natural gas.

Catharine Square stated that she was a member of the Special Board and asked for an acknowledgement of all who worked on the plan. Also, she asked for an update of all graphs with 2010 census data.

James Hartford of 5 Furnace Street stated that the Comprehensive Plan is an incredible document that offers opportunities for the village. He serves on the board for Little Stony Point and recently assisted with a grant application to extend the trail from Fair Street into the park. It was helpful to have the plan in the pipeline because the relationship fits perfectly like hand and glove by extension to the Greenway ideas. He encouraged the board to move this forward. Sue Peehl's points are valid and he hopes that we can work around without losing the document on hold. The question is whether this is something that will happen right away or is this something that can be used in the rush toward hydrofracking. He thinks it is. Perhaps this might be tabled for later discussion as public knowledge grows on the implications.

Anne Impellizzeri, resident of High Street and Vice Chair of the Special Board/ LWRP, stated that she was speaking as individual. She commented that the plan is more than one recommendation and the village will benefit from having the plan adopted. When adopted, the village can take advantage of grants and the ideas presented. The Village Board will need to prioritize and make choices. A study regarding natural gas will surely bring up negatives and positives.

Catherine Carnevale of Fair Street stated that she was a new member of the village, moving here about a year ago. She commended everyone that put this excellent plan together. She has sympathy on the natural gas issue but we need to get the plan finalized. She stated that it would take a little editing on this recommendation to take it to balance and to account for the environmental ramifications and cost of a natural gas supply line.

Andy Chmar of the Hudson Highland Land Trust congratulated the board on the document and acknowledged the amount of work that went into its preparation. He stated that it is great that the village is considering conservation easements but there might be a better approach to this without burdening the village and still meeting the IRS requirements. The board may want to keep in mind that two organizations exist to accept conservation easements and enforce and do them correctly. The Hudson Highlands Land Trust is more than happy to accept the conservation easements. He joined everyone in encouraging the board to accept this document.

Stephanie Hawkins resident of Academy Street stated that she supports the adoption of the document.

Catharine Square agrees with Michael Armstrong and Michael Reisman that we need to look at other alternatives because energy sources will become limited. She doesn't see a problem with studying natural gas and looking at options.

Trustee Serradas appreciates the comments on recommendation 3.5.3. He thought someone else should do the study and is opposed to a utility tax. He also thought that

everyone should be recognized. He wanted updated census data in the graphs. As the village is a small community, there is very little property that could be conveyed to easements and he is opposed to this in the village because of tax implications.

Andy Chmar commented that conservation easements have no impact on real property taxes.

Catharine Square expressed disappointment that there isn't a section on transportation and that the section on economic vitality was weak.

David Hardy requested clarification between adopting the document and amending it and not adopting it and having another hearing followed by adoption. Once the plan is adopted, it would be a living document and could be used to implement all these ideas. He stated that there are good reasons to adopt it knowing that board and public will be able to amend it and have their input.

Michael Armstrong spoke about census data and the problems and challenges with obtaining village only data. Lastly, he stated that the available 2010 census data has been included in current plan.

With no further public comment, Trustee Hustis moved to close the public hearing and seconded by Trustee Falloon.

On roll call vote:

Trustee Bruce Campbell voted YES

Trustee J. Ralph Falloon voted YES

Trustee Charles Hustis voted YES

Trustee Airinhos Serradas voted YES

Mayor Seth Gallagher voted YES

Motion to close public hearing unanimously approved.

Board of Trustees Workshop

Board members discussed the advantages of adopting the plan followed by amendments versus making changes prior to adoption. After this discussion, Trustee Serradas moved to removal of recommendation 3.5.3 from the plan. There was no second to this motion.

The board considered and voted on the following resolutions:

Resolution #:2011-74

Moved by: Trustee Charles Hustis

Seconded by: Trustee Bruce Campbell

Resolved that (1) The Board of Trustees of The Village of Cold Spring hereby
approves the following Budget Adjustment(s) for the 2011/2012 fiscal
year:

(1)	To:	A00-3089-200	State Aid – New Street MGP	\$1,000.00
	To:	A00-1420-400	Attorney: Contractual: Village Board	\$5,000.00
	From:	A00-1410-451	Clerk: Comprehensive Plan- Village Board	\$4,000.00
			Reallocate expenses for attorney fees.	
(2)	To:	A00-9050-800	Unemployment Insurance	\$2,000.00
	From:	A00-1910-400	Unallocated Insurance	\$1,500.00
	From:	A00-3620-110	Building Inspector Clerk: Personal Services	\$342.00
	From:	A00-1910-100	Insurance & Risk Management: Committee Chair	\$158.00
			Increase unemployment insurance for additional claims.	

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

On roll call vote:

Trustee Ralph Falloon voted: YES

Trustee Bruce Campbell voted: YES

Trustee Charles Hustis voted: YES

Trustee Airinhos Serradas voted: YES

Mayor Seth Gallagher voted: YES

Resolution officially adopted on: November 29, 2011 by a vote of 5-0.

VILLAGE OF COLD SPRING RESOLUTION NO. 75-2011

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

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

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

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Village Board of the Village of Cold Spring hereby suspends on-street parking regulations for the dead end portion of Marion Avenue south of Benedict Road until April 15, 2012; and

2. A copy of this resolution shall be posted at Village Hall and provided to the Village Police Department forthwith.

Trustee Airinhos Serradas presented the foregoing resolution which was seconded by Trustee J. Ralph Falloon,

The vote on the foregoing resolution was as follows:

Bruce D. Campbell, Trustee, voting	YES
John Ralph Falloon, Trustee, voting	YES
Airinhos Serradas, Trustee, voting	YES
Charles Hustis, Trustee, voting	YES
Seth Gallagher, Mayor, voting	YES

Resolution officially adopted on November 29, 2011 by a vote of 5-0.

VILLAGE OF COLD SPRING

RESOLUTION # 76 - 2011

WHEREAS, the **HUDSON HIGHLANDS LAND TRUST** is applying for a \$20,000 grant through the New York State Conservation Partnership Program, a partnership between the Land Trust Alliance and the State of New York; and,

WHEREAS, the Hudson Highlands Land Trust has been a trusted partner with, and supporter of, the **VILLAGE OF COLD SPRING** on a variety of projects during the past decade, most recently assisting the Village in the development of its Comprehensive Plan and Local Waterfront Revitalization Plan (LWRP) through extensive GIS mapping support; and,

WHEREAS, the **HUDSON HIGHLANDS LAND TRUST** has been instrumental in raising funds and providing a plan to improve the Village of Cold Spring waterfront dock, including the replacement of all of the outdoor lighting with low-voltage LED fixtures, and replacing 330 feet of railing to improve both the safety and appearance of the dock area; and,

WHEREAS, the **HUDSON HIGHLANDS LAND TRUST** has permanently protected over 1450 acres of land within its mission area through its conservation easement work with private landowners, along with at least an additional 1000 acres added to local state parks in its role as 3rd party facilitator with NYS agencies, thus furthering the conservation interests of the State of New York and the residents of the **VILLAGE OF COLD SPRING**; and,

WHEREAS, the Land Trust makes assisting local municipalities, with its unique resources, one of its primary goals for achieving its mission of protecting natural resources, rural character, and scenic beauty in the Hudson Highlands; and,

WHEREAS, the completion of updated organizational five-year strategic plan will further ensure the **HUDSON HIGHLANDS LAND TRUST** continues its unparalleled work on behalf of the **VILLAGE OF COLD SPRING** and other municipalities in the Hudson Highlands;

NOW, THEREFORE, in consideration of the foregoing be it resolved that the governing board of the **VILLAGE OF COLD SPRING** hereby does endorse the application for a grant under the New York State Conservation Partnership Program for a project known as the **Hudson Highlands Land Trust Strategic Plan--The Next Level!**.

The foregoing resolution was moved by Trustee Airinhos Serradas and seconded by Trustee J. Ralph Falloon.

On roll call vote:

Trustee Bruce D. Campbell voted: YES
Trustee J. Ralph Falloon voted: YES
Trustee Charles Hustis voted: YES
Trustee Airinhos Serradas voted: YES
Mayor Seth Gallagher voted: YES

Resolution officially adopted on November 29, 2011 by a vote of 5-0.

Correspondence: Mayor Gallagher read the **attached** correspondence regarding incidents at the Chapel of Our Lady Restoration.

Mark Villanti, Haldane Superintendent extended an invitation to the Mayor and Board of Trustees to attend a meeting on December 20th recognizing the girl's volleyball team that won the state championship.

Gordon Robertson requested trimming of a hazardous tree and repair of a hanging Central Hudson light in front of his property at 220 Main Street.

Bill Approval

Trustee Hustis moved to pay the audited bills and seconded by Trustee Serradas and unanimously approved.

The Board voted 4-0 to enter into executive session to discuss possible litigation. Trustee Hustis had stepped away at the time of the vote but joined the board for executive session.

Trustee Hustis moved to exit executive session and seconded by Trustee Falloon and unanimously approved.

Trustee Campbell moved to approve payment in the amount of \$5385 for Locust Ridge sidewalks and seconded by Trustee Hustis. Trustees Falloon, Campbell, Hustis and Mayor Gallagher voted in favor and Trustee Serradas voted no.

Trustee Serradas moved to change employee health care meeting to Wednesday, December 7, 2011 at 3:30 p.m. and seconded by Trustee Hustis and unanimously approved.

Respectfully submitted,

Mary Saari, Village Clerk