

## Cold Spring Village

### Board of Trustees Workshop

May 29, 2012

The Board of Trustees for the Village of Cold Spring held a workshop on Tuesday, May 29, 2012, beginning at 6:30 pm at the Village Hall, 85 Main Street, Cold Spring, NY.

Board members attending were Trustees Bruce Campbell and Charles Hustis, III and Mayor Seth Gallagher. Trustees J. Ralph Falloon and Matthew Francisco were absent.

There was a presentation with a slide show given by James Labate regarding **GIS mapping of the Village streets and water system**. Trustee Campbell and Water Superintendent Greg Phillips have met with Mr. Labate on several other occasions before this presentation. Mr. Labate completed a GEO database of surface mapping and water system of the entire Village proposing taking the existing database and finish it in different tasks.

Some of the tasks that this data system can provide are as follows:

- Specs incorporated in digital mapping facilitate maintenance and planning;
- Archive repairs and upgrades to the system;
- Internal or Public notating/reporting;
- Fire hydrant inventory: Log and Status;
- Documents and supporting images link to individual system features;
- Analyze additional water sources: planning integration with existing system;
- Parcel layer: resident to system proximity (could layer Section, Block and Lot); each layer is a file consisting of 1000 points per file; and
- Complete Village signage inventory;

Mr. Labate will send a sample agreement.

The **Hudson House Lease**, Point Number 22 change suggested by Village Attorney, Stephen Gaba, was read by Mayor Gallagher.

**DELETED: EMERGENCY TERMINATION BY LESSOR:** If an emergency arises and it is determined that due to such emergency the leased premises is needed for public use, the Lessor may cancel this lease as follows:

- a) In the event of sudden emergency whose duration is expected to be of short term, Lessor can cause Lessee to cease the use of the lease premises by giving notice reasonable under the circumstances. Lessee may resume use of the premises upon the termination of the emergency.
- b) In the event of an emergency whose duration is expected to last for a very long period or beyond the expiration of the term or renewal term, the Lessor by Resolution may terminate by giving Lessee at least three (3) months notice or longer if possible and Lessor agrees to assist Lessee to acquire substitute parking. If the emergency ceases during the lease term or renewal of the lease, Lessee shall have the right to resume use of the lease premises under the terms hereof;

**REPLACED WITH:** TERMINATION BY LESSOR: The Village of Cold Spring may terminate this notice upon ninety days (90) notice to the Hudson River Inn. Written notice to be provided by certified mail return receipt: or

In the event of an emergency, Lessor can cause Lessee to cease the use of the lease premises by giving notice reasonable under the circumstances. Lessee may resume use of the premises upon the termination of the emergency.

POINT NUMBER 18, suggested by the Village Attorney, reads as follows:

ASSIGNMENT OR SUBLEASE: The Hudson River Inn may terminate this lease upon 90 days notice to the Village of Cold Spring. Notice shall be provided by certified mail return receipt and addressed to: Seth Gallagher, Mayor, Village of Cold Spring, 85 Main Street, Cold Spring, NY 10516.

After a discussion regarding the deleted copy being replaced with the new as stated above, it was agreed to leave in the original point which reads as follows:

The Lessee shall not sell or assign this lease or

Sublet said premises or any part thereof without first obtaining the written consent of the Lessor. The parties agree that such assignment or sublease shall be granted to tenant only to the tenant's successor in interest in operation the HUDSON RIVER INN business, and only for a use of the premises for the identical purposes set forth in this lease, in which event, the Lessor's consent shall not be unreasonably withheld.

If Lessee does request such an assignment or sublease, it shall submit to the Lessor the name of the proposed assignee or subtenant and such information as to its financial responsibility and standing as the Lessor may reasonably require.

It shall be a further requirement of any such assignment or sublease that all rent, taxes, assessments and other charges of every kind shall be paid to the date of such assignment or sublease, and all covenants and agreements of the Lessor herein contained, shall be fully complied with at the date of assignment or sublease.

Additionally, in the case of such assignment of this lease, the assignment shall be in writing, duly executed and acknowledged by the assignee, wherein and whereby the assignee shall expressly accept and assume all of the terms, covenants and conditions in this agreement contained, to be kept and performed by the Lessee, and will agree to comply with and be bound by them. The assignment of the interest of the Lessee shall not in any manner release Lessee from the payment of rent, if same is not paid, or the performance of the covenants herein contained if they are not performed, or from any of the terms of this lease. Similarly, no such subletting shall release the Lessee from any of its obligations or covenants under this lease.

The rent will be increased by 3% per year as previously indicated for the 3 year lease.

Mayor Gallagher made a motion to approve the Hudson House Agreement and to authorize the Mayor to sign the agreement as revised with one change, point number 22, removing the new language of point

number 18 and to include the deleted language. The motion was seconded by Trustee Campbell with a unanimous vote. Motion carried.

A written request was sent from Anne Lin of Ming Moon Grocery Store located at 112 Main Street to place a rectangular table and two different size hanging racks on the sidewalk to display items like scarves, toys, handbags, jewelry, antiques, etc. The display would be placed outside between the hours of 10 am to 9 pm.

The Mayor and Board agreed to approve this request as long as it abides by the Village codes. This request will be sent on to the Code Enforcement Officer. A motion for approval was made by Trustee Hustis, seconded by Trustee Campbell. The motion was approved unanimously pending the review and approval of the Code Enforcement Officer.

A written request was made by Carmine and Doris Ricci to hold a wedding ceremony for their granddaughter at the gazebo at the waterfront on Thursday, July 20, 2012 at 4:00 pm. As residents and tax payers of the Village of Cold Spring, they are also requesting that the fee be waived.

A motion was made by Trustee Hustis, seconded by Trustee Campbell to waive the fee for the use of the gazebo for the wedding of the granddaughter of Carmine and Doris Ricci on July 20, 2012. The motion was carried unanimously.

**Michael Reisman** was appointed to the Special Board, LWRP at a previous meeting. However, he was not able to sign his Oath of Office in a timely manner and therefore, needed to be reappointed. A motion was made by Trustee Hustis seconded by Trustee Campbell to appoint Michael Reisman to the Special Board of LWRP. The motion was carried unanimously.

**A Review of the Record of Activities Log and Resolution 23-2012** establishing the standard workday for a trustee as per New York State Retirement System requirements was scheduled for this meeting. However, since Trustee Hustis was the person on record and there was only one other board member present, it was suggested by Trustee Hustis to table this item until the next meeting as he would not vote on this and there would not be a quorum vote.

The Review of the Record of Activities Log and Resolution 23-2012 was tabled until the next meeting.

Bill Bujarski was appointed Assistant Building Inspector/Fire Inspector with a motion from Trustee Hustis and a second from Trustee Campbell. The motion was carried unanimously. They will work with the Town to see if the Town building inspector would cover for Mr. Bujarski when he is not available including payment of any fee required by the Town for this service to the Village.

### Correspondence

A letter was received from Fred Warshaw complimenting the members of the Boat Club for their immediate assistance after his 20 foot boat met with a submerged rock by Cupcake Island. Commodore Mark Patinella, T.J. Russell, Roger Chirico and Ed Trimble appeared on the dock with Dave Levi of the Coast Guard Auxiliary.

After all noted members assisted the occupants of the boat in disembarking, Mark Patinella became lead member of the team as he stretched out from the dock to remove and replace the prop.

“They accomplished the task with good humor and made these four senior citizens thankful that there still are places like Cold Spring where hospitality seems to be prevalent as exhibited at your waterfront”.

A letter was received from Laura Kaufman of 29 Pine Street requesting that Pine Street, between Parsonage and Parrott Streets, be closed for a block party on July 1, 2012. This letter will be forwarded to George Kane, Police Officer in Charge.

A Draft Supplemental Environmental Assessment for the Construction Staging Area/Multi-Purpose Academic Center at the US Army Garrison, West Point, Orange County, New York was received from DEC. If anyone is interested in this, it is in the Village Office.

Trustee Hustis made a motion to pay the audited bills, seconded by Trustee Campbell and unanimously approved.

Gordon Robertson wanted to know what has been done with the paperwork he submitted to the Board regarding a new procedure for coal tar removal. Trustee Campbell said he remembered it and would look into it and get back to him.

A motion was made by Mayor Gallagher to go into Executive Session for a discussion of personnel. Trustee Campbell seconded the motion. On a vote of 2 - 1, the motion was denied with Trustee Hustis voting Nay.

Meeting was adjourned.

Respectfully submitted,

Sandra L. Falloon