

## Village of Cold Spring

### Special Meeting of the Board of Trustees

November 5, 2013

The Board of Trustees of the Village of Cold Spring held a workshop on Tuesday, November 5, 2013 at 7:30 pm at the Village Hall, 85 Main Street, Cold Spring, NY.

Attending were Mayor J. Ralph Falloon and Trustees Bruce Campbell, Charles Hustis III, Matt Francisco and Stephanie Hawkins.

Before the meeting began, the Mayor's truck was hit by a car in front of the Village Office. Trustee Campbell presided over the meeting as Deputy Mayor until Mayor Falloon's return.

Betsy Pugh, representing **Constitution Island Association**, was present to provide more information to the Board about their interest in purchasing a building on Main Street. The purpose of having this on Main Street would be to promote the interest of Constitution Island and the Warner family. The association would be there 365 days a year instead of seasonal on the Island and be open normal shop hours. It would serve as a retail store, office space and possibly a meeting place. There are also apartments on the upper floor which we would keep as such. Although the association is a 501C3, taking the building off the tax rolls, when we know what our financial situation is, they would gladly contribute money to the Village.

Thinking down the road, it would be lovely to have tours off the Village dock to the Island. Right now, we hire a bus that travels the road through the parking lot of Metro North alongside the tracks to the Island. The tourists view the Island and their gardens. The 14 room house, at present, is closed to tourist because of its disrepair. The house belongs to the US Government and is under the jurisdiction of West Point.

Ms. Pugh requested a letter of approval from the Mayor and Board to allow the Association to move forward in getting their grant that was approved at a prior time but has now been stalled because they are not going to be located on the Island. Deputy Mayor Campbell said that they could not do that at this time.

Deputy Mayor Campbell thanked Mrs. Pugh for coming and providing additional information regarding Constitution Island Association's intentions. He said that they should provide a plan and present it to the Planning Board to move the project forward.

A discussion of **docking fees** started with information received in the Village office that at one point in time, there were three boats docked, one at the pier, a second one on the outside of the first one and still a third on the outside of the second. This is called "Piggybacking". The boat was contacted to pay docking fees for all vessels. Trustee Campbell spoke with NYMIR, our insurance company, and they said that this should not be allowed. Trustee Hawkins brought up the point that the Village is getting docking fees based on the length of the boat while a boat can carry anywhere from 100 to 400 persons depending on the size of the boat. It seems that we (the Village) should be taking in more revenue than just the docking fees.

Mark Patinella, Commodore of the Boat Club, said that Cape May and Lake George charge a percentage of a boat's revenue.

Trustee Hawkins believes that there is a possibility for more revenue but that the burden should be on the Captain of each boat and not the policing of our dock by a Village employee.

Debbie Milner said that they would like to provide maps of the Village for the Captain to hand out so the passengers can map out their route before landing. Feedback from the Village merchants is positive but the restaurants would like to know in advance when a boat is docking with large numbers of passengers. It was suggested that a calendar be posted in the PCNR noting the dates of each such docking.

The request from the **Town of Philipstown to support the hazard mitigation plan** was tabled until the Mayor's return.

Central Hudson has approved installing two outlets per pole in an attempt to get the Village's Holiday **lighting up before the holiday**. Trustee Campbell said he was waiting for a return call from Andrew Pidala, Pidala Electric, with a price for the work on every other pole rather than every pole to keep the cost down.

Debbie Milner of the Chamber of Commerce has purchased 42 sets of lights and has had people step forward with the promise of providing up to \$1,200 toward any work for the installation of the lights. They are looking to light up the trees along Main Street and she wondered if the lights could remain on the trees throughout the year.

Trustee Hawkins will contact Village Attorney, Mike Liguori, to write a resolution for the establishment of a **Tree Advisory Committee**. Their responsibilities would include choosing trees appropriate for planting in specified places and working with Central Hudson, etc.

Trustee Campbell made a motion to approve payment for the **audited bills** brought before the Board. Trustee Hustis seconded the motion and the motion was carried with a unanimous vote.

Two revisions of the **Formula Business Local Law** were prepared by Attorney Replansky to reflect the comments from the Public Hearing and Planning Board members. Trustee Hawkins said that Warren Replansky suggested that a formula business could consist of 10 or more stores with no "branded" products advertising the store's name.

Formula Business Local Law will be brought up at a workshop on November 19, 2013.

Mayor Falloon re-entered the meeting and was briefed on what happened to this point. Regarding the holiday lighting, he said that Andrew Pidala could re-purpose parts of the present lighting system.

At the meeting held on October 29th, there was a request for Village support of the **Town of Philipstown Hazard Mitigation Plan** to effectively reduce future disaster damages, public expenditure, private losses and the town's and villages' vulnerability to natural hazards. The Town of Philipstown would like to join with the Villages of Nelsonville and Cold Spring to develop a multi-jurisdictional all hazard mitigation plan. With this plan, the Village is obligated to provide \$1,000 of in-kind services.

### **Resolution 43-2013 Support of a Grant Application for Hazard Mitigation Plan**

WHEREAS, to effectively reduce future disaster damages, public expenditure, private losses and the town's and villages' vulnerability to natural hazards, the Town of Philipstown and the Villages of Cold Spring and Nelsonville would like to develop a Multi-Jurisdictional All Hazard Mitigation Plan; and

WHEREAS, federal funding administered by the State to develop a comprehensive hazard mitigation program is available through the Hazard Mitigation Grant Program to cover up to 75% of the cost;

NOW, THEREFORE, BE IT RESOLVED that the Town/Village Board hereby memorializes its intent to apply for All Hazards Mitigation Grant Program in the amount of \$40,000; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to submit a Letter of Interest to the NYS Division of Homeland Security and Emergency Services for a Multi-Jurisdictional All Hazards Mitigation Planning Grant to ensure eligibility of future hazard mitigation funding.

Trustee Francisco moved the foregoing resolution which was seconded by Trustee Campbell.

On roll call vote:

Trustee Matthew Francisco voting	YES
Trustee Bruce D. Campbell voting	YES
Trustee Charles E. Hustis, III voting	YES
Trustee Stephanie Hawkins voting	YES
Mayor J. Ralph Falloon voting	YES

Resolution 43-2013 is officially approved on November 5, 2013 by a vote of 5-0-0.

The Mayor, Trustees and Mark Patinella, Commodore of the **Boat Club**, entered into a discussion regarding the future of the club with the onset of DEC doing a hazardous material clean-up on the site. Trustee Hawkins feels that this is prime property and it should be contributing to Village revenue. One suggestion was to charge for the docking of visitor boats, keeping the Boat Club on this property with their maintenance of said property. But the question came up as to who would police this. Mr. Patinella said that the club is not in the money-making business. At present they do not charge for guest docking. Also, Village and Philipstown residents, who are not members of the club, use the ramp to launch their boats at no charge. The Club put in a new launch ramp for \$10,000 at no cost to the taxpayers. Mayor Falloon said that he had seen meters in Lake George at the entrance/exit of the dock where people paid, not unlike vehicle parking meters.

Mr. Patinella said they have come up with a design for a new building that will fit the footprint of the present building and is in keeping with the Village look. The Boat Club membership is looking for a long-term lease (49 years) to solidify their existence. They will build their own building and continue the maintenance of the building and property, again, at no cost to the Village residents.

Trustee Hawkins feels that the Boat Club should pay rent to the Village. Mayor Falloon stated that he didn't know how they could afford to do this while they were taking on the task and cost of building a new building.

Trustee Hawkins took an unofficial poll of the Board with three members in favor of the Boat Club remaining on the property and one member stating that we, as a board, represent the residents and we

should be carrying their voice as to the end result. Also, we have to take into consideration what the property will look like when DEC is finished. As we all know, there are no guarantees of a time frame or the condition of the property.

The Board will contact the Village attorney to determine what time frame can be used for a lease agreement to everyone's benefit and there will be another workshop to continue these conversations.

**Correspondence:**

Village Clerk, Mary Saari received a letter from David May of Morris Avenue. He is interested in obtaining information on the review and approval process that construction of a new firehouse at McConville Park would undergo.

An email was received by Mayor Falloon from David Reel, CIV USA IMCOM regarding Constitution Island. He states that West Point remains committed to good relations with any organization supporting the mission of the US Military Academy; Preservation of the Warner House, education of the Corps of Cadets and American public; Providing access to Constitution Island, seasonally, as is safely prudent by boat/water access; and Maintaining ownership and administration of Constitution Island within the Department of Defense.

**Public Comment:**

Ann Impelizzeri stated that she highly values the presence of the Boat Club to the Village not only to the Boaters but to have current activity going on.

Meeting Adjourned

Respectfully

Sandra L. Falloon