

**Village of Cold Spring
Village Board of Trustees
85 Main Street, Cold Spring, New York 10516**

**Monthly Meeting
12-13-16**

The Village of Cold Spring Board of Trustees held its monthly meeting at the Cold Spring Village Hall, 85 Main Street on Tuesday, December 13, 2016 at 7:30pm. Present were Mayor David Merandy and trustees: Marie Early, Lynn Miller, Frances Murphy and Steve Voloto.

Mayor Merandy made a motion to add an executive session to the agenda. F. Murphy seconded and the motion passed unanimously.

MONTHLY REPORTS

- **Recreation Commission** – In a written report noted November’s activities.
- **Planning Board** – in a written report the board noted:
 - A public hearing for 2 Depot Square was held on Nov. 10, 2016. Approval was granted subject to the Village Board’s granting of the parking waivers recommended by the Planning Board.
 - A public hearing for Scenic Hudson’s West Point Foundry Preserve was held on December 8, 2016. Approval was granted subject to review by the State Historic Preservation Office and Department of Environmental Conservation.
- **Zoning Board of Appeals** – None
- **Town of Philipstown** - Robert Flaherty informed the board of several ongoing topics:
 - Town budget has been passed and is within the State mandated cap
 - Work continues toward consolidation of Town and Village building departments
 - Bids have been issued for the renovation of Dahlia House and the Town will make an application for the Historic District Review Board.
- **Historic District Review Board** – Vice-chair Kathleen Foley noted that:
 - The HDRB has “had a very busy fall”
 - A meeting has been scheduled with Tilly Architects to establish focus groups and the general organization of their work.
 - A draft of the revised ordinance has been submitted to the village attorney and his comments have been incorporated into the document. HDRB will coordinate the revised ordinance with the Code Update Committee.
 - Digitalization of HDRB files is ongoing.
- **Putnam County** – None.
- **Cold Spring Boat Club** – None
- **Cold Spring Fire Company** – None
- **Parking Committee** – None.
- **Tree Advisory Board** – In a written report Chair Jennifer Zwarich noted:
 - Implementation of the Main Street Beautification Zone – Phase I continues
 - Eight trees were planted by the village highway department
 - The second part of the fall planting project has been rescheduled for December 14, 2016.
 - Four members of the Advisory Board and a representative of the highway department will attend a December 15, 2016 workshop on “Managing Street Trees.”
- **Code Update Committee** – Trustee Early noted that:

- Two meetings were held in November where the CUC continued preparation into topics in the “Appearance” category
- Committee member Ethan Timm has resigned.
- Two candidates for membership in the CUC were interviewed.
- 5th quarterly progress report was approved by NYSERDA. The first reimbursement request was submitted on November 11, 2016.
- **Water and Wastewater Department** – In a written report from Superintendent Gregory Philips it was noted that:
 - Installation of new water meters began on November 29, 2016.
 - Phase 1 of the Upper Dam Repair Project is proceeding. Completion of Phase 1 is anticipated for mid-April 2017.
 - The Sewer Rehabilitation Project for Fair, market, Fish and North Streets is being advertised for bids, which close on February 3, 2017.
 - The West Street Pump Station fence enclosure is complete and fencing around the controls and emergency generation on New Street is 75% complete. FEMA has given approval to amend the scope of work to include rehabilitation of the steel floor in the pump chamber on West Street (by December 2017.)
- **Code Enforcement** – in a written report William Bujarski listed the activities and actions for October and November 2016, including: permits issued, alarm permits, building and fire complaint inspections, certificate of occupancies issued, complaint/violations, referrals, records searches, building and fire inspection plan reviews and meetings, and other matters. Fees collected in October were \$2,361. Fees collected in November were \$4,599
- **Cold Spring Police Department** – In a written report PO George Kane noted that:
 - Officers responded to 63 calls for service.
 - 63 parking tickets were issued for various infractions on village streets.
 - 60 tickets were issued to drivers for various vehicle and traffic infractions
 - Two arrests were made, both for criminal activity.
- **Justice Court** – a written report identified ongoing court cases, monies received from fees, fines, etc. (\$7,177), and a distribution summary.
- **Highway Department** – in a written report for October 2016 it was noted that:
 - 50.28 tons of garbage were picked up at a cost of \$3,988.46
 - 17.36 tons of recyclables were picked up
 - Repair work was performed on Benedict Road, and the intersections of Mountain Ave & Fishkill Ave, Northern Ave & Fair St., Northern Ave and Garden St., and Orchard St. & Church St.
 - Leaf pick-up has begun and the department is looking into options to save money.
 - The department purchased two new chain saws (to replace saws that were at the end of their useable life.
- **Highway Department** – in a written report for November 2017 it was noted that:
 - 58.4 tons of garbage were picked up for a cost of \$4,632.61.
 - 12.4 tons of recyclables were picked up.
 - Clove Excavating began work on Wall, St., Paulding Ave, Oak St., and Bank St. on November 16, 2016. Estimated project cost was \$53,000 but reduction of work on Oak St. has reduced the amount spent to \$47,000.
 - “Stop” bands and “STOP” have been painted on newly paved roads

- Department is currently keeping leaves collected at the highway garage for savings of over \$1,100.
- A new Smith 9' electric salt spreader has been ordered for the new Ford F350 dump truck. Three quotes were received (\$8,800, \$8,600 and \$7,600) ESP was the low bid and selected vendor.
- Installed village holiday decorations.
- Two of the department's 6-wheel trucks are in need of repairs. Department will develop a maintenance plan for its vehicle fleet to meet new federal regulations.
- Snow equipment has been installed

- **Bond Resolution #29-2016**

BOND RESOLUTION OF THE VILLAGE OF COLD SPRING, NEW YORK AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE VILLAGE WASTEWATER SYSTEM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$875,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$875,000 TO FINANCE SAID APPROPRIATION

Recitals

WHEREAS, on March 11, 2014 the Board of Trustees of the Village of Cold Spring, in the County of Putnam, New York has heretofore adopted a bond resolution authorizing the issuance of bonds in the principal amount of \$1,615,000 to finance the cost of improvements to the Village wastewater system; and

WHEREAS, on February 9, 2016 the Board of Trustees determined that the estimated maximum cost of the project would be \$2,028,000 and adopted an amending bond resolution increasing the principal amount of bonds authorized from \$1,615,000 to \$2,028,000; and

WHEREAS, on February 24, 2015 the Board of Trustees adopted an additional bond resolution authorizing the issuance of bonds in the principal amount of \$297,000 to finance additional improvements to the Village wastewater system; and

WHEREAS, the Village proposes to issue bonds and/or bond anticipation notes in the principal amount of \$875,000 to finance certain improvements to the wastewater system through the New York State Environmental Facilities Corporation ("EFC") in order to obtain the benefit of subsidized interest rates available through EFC; and

WHEREAS, the Village desires to provide a single bond authorization to be used as the source of borrowing through EFC;

NOW, THEREFORE,

THE BOARD OF TRUSTEES OF THE VILLAGE OF COLD SPRING, IN THE COUNTY OF PUTNAM, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Cold Spring, in the County of Putnam, New York (herein called the "Village"), is hereby authorized to construct improvements to the Village wastewater system. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$875,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$875,000 bonds of the Village to finance said appropriation, the collection of sewer rates and the levy and collection of taxes upon all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$875,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

- (a) The period of probable usefulness of the object or purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 1 of the Law, is forty (40) years.
- (b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.
- (c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption hereof, to cause to be published, in full, in the "Putnam County News and Recorder," a newspaper having a general circulation within said Village

and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF COLD SPRING, NEW YORK

PLEASE TAKE NOTICE that on December 13, 2016, the Board of Trustees of the Village of Cold Spring, in the County of Putnam, New York, adopted the bond resolution entitled:

“Bond Resolution of the Village of Cold Spring, New York, adopted December 13, 2016, authorizing the construction of improvements to the Village wastewater system, stating the estimated maximum cost thereof is \$875,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$875,000 to finance said appropriation,”

an abstract of such bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Village of Cold Spring to construct improvements to the Village wastewater system; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$875,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of \$875,000 bonds of the Village to finance said appropriation, the collection of sewer rates, and the levy of taxes upon all the taxable real property within the Village to pay the principal of said bonds and the interest thereon;

SECOND: AUTHORIZING the issuance of \$875,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING that (a) the period of probable usefulness of the object or purpose for which the bonds are authorized is forty (40) years; (b) the proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized; and (c) the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof;

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum; and

SEVENTH: STATING that the adoption of this bond resolution shall not increase the aggregate principal amount of bonds or notes authorized to be issued by the Village to finance the projects intended to be financed through EFC and any excess amounts of bonds or notes heretofore authorized to be issued pursuant to the prior bond resolutions adopted on March 11, 2014 (as amended on February 9, 2016) and February 24, 2015 shall not be issued.

DATED: December 13, 2016

Mary Saari
Village Clerk

Section 8. The Village Clerk is hereby authorized and directed to cause a summary of this Bond Resolution to be published after this Bond Resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 9. The adoption of this bond resolution shall not increase the aggregate principal amount of bonds or notes authorized to be issued by the Village to finance the projects intended to be financed through EFC and any excess amounts of bonds or notes heretofore authorized to be issued pursuant to the prior bond resolutions adopted on March 11, 2014 (as amended on February 9, 2016) and February 24, 2015 shall not be issued.

Mayor Merandy made a motion to adopt Resolution #29-2016. M. Early seconded the motion. The motion passed 5-0.

Mayor Merandy	Aye
Trustee Early	Aye
Trustee Miller	Aye
Trustee Murphy	Aye
Trustee Voloto	Aye

- **Mayor and Trustees**

- Mayor Merandy noted that:
 - He has met with Town Supervisor Shea about the ongoing work to consolidate the Town and Village Building departments.
 - He has met with members of the Fjord Trail Steering Committee
 - He has had his new water meter installed and it only took 15 minutes
- Trustee Miller said that she has completed the film permit brochure that includes photographs and text extolling the virtues of filming in Cold Spring. The brochure also includes a list of homes and/or other sites amenable to host filming. Miller asks village residents who wish to have their names added to this list to contact her directly.
- Trustee Voloto is continuing research into Community Power Aggregation to determine the actions required should the Village elect to pursue participation in this program. He noted that NYSERDA grants are available.

CORRESPONDENCE

- The Little Stony Point Citizens Association submitted their project proposal for a Volunteer's Center and Maintenance Shed and requesting a letter of support from the Village to be used in their grant applications. Mayor Merandy has written the letter. M. Early made a motion to authorize the Mayor to sign the letter. L. Miller seconded the motion, which passed unanimously

OLD BUSINESS - None

NEW BUSINESS

- Parking waiver request for 75 Main Street.
 - Applicants presented the project and asked for a reduction in the fee since the application only represents a small portion (105 SF) of the total square footage (appx. 1,800 SF) of the store. Applicants stated that the floorplan submitted two years ago included the space in

question. Trustees cited a lack of documentation as a hindrance to their consideration of the waiver and possible fee reductions, if any.

- M. Early made a motion to grant a parking waiver for (12) spaces and that the board will continue to investigate the history of the application and the possible reduction in fees. F. Murphy seconded and the motion passed unanimously
- Applications for Code Update Committee
 - Bonnie Carmicino and Elizabeth Bengal have applied to become members of the committee.
 - The CUC has interviewed both applicants and recommend that both be named to the committee. Mayor Merandy made a motion to appoint both Bonnie Carmicino and Elizabeth Bengal to the CUD. L. Miller seconded and the motion passed unanimously.
- Approve amended computer maintenance agreement to add computer and printer for use by the Highway Department.
 - M. Early made a motion to approve the agreement. L. Miller seconded and the motion passed unanimously.
- Lease agreement for purchase of new police vehicle.
 - M. Early made a motion to approve purchase contingent upon closing by the end of January 2017. S. Voloto seconded and the motion passed unanimously.

PUBLIC COMMENT

- Dave Marzollo expressed his opinion that a full fee for the parking waivers for 75 Main Street is inappropriate.
- Kathleen Foley asked the status of the new traffic sign at Mountain Ave. She also asked the trustees to contact the county legislature about the budgeting process for the new senior center (at the Butterfield Development.) Foley would like to see more information and additional public presentations about how the space will be used, funded and its tax impact.
- Responding to Foley's comments about the senior center, S. Voloto said that he has made requests to Barbara Scuccimarra, but has not received any replies. Mayor Merandy said he would look into the matter.
- Mike Martin thanked the trustees for the letter in support of the Little Stony Point Volunteer Center and Shed.

APPROVAL OF BILLS

Mayor Merandy made a motion for payment of Batch #3852 in the amount of \$53,484.36. Trustee Miller seconded and the motion passed unanimously.

EXECUTIVE SESSION

Mayor Merandy made a motion to enter into Executive Session. F. Murphy seconded and the motion passed unanimously.

At 9:30pm Mayor Merandy made a motion to exit executive session. It was seconded by M. Early and approved unanimously.

ADJOURNMENT

Mayor Merandy made a motion to adjourn. F. Murphy seconded and the meeting was adjourned at 9:30pm.

Submitted by M. Mell

David Merandy, Mayor

Date: