

**Board of Trustee Monthly Meeting
December 9, 2008**

The Board of Trustees for the Village of Cold Spring held their regular monthly meeting on Tuesday, December 9, 2008 at 7:30 pm at Village Hall, 85 Main Street, Cold Spring, NY.

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

Also: Stephen Gaba, Village Attorney, J. Ralph Falloon, Fire Inspector and Assistant Building Inspector

Absent: Ellen Mageean, Village Accountant and George Tompkins, Building Inspector

Members of the Public: Peter Henderson, Wayne Robertson, David Cooke, Karen Dunn, and Ann Chestnut of the Putnam County News and Recorder

Mayor Phillips called the meeting to order followed by the Pledge of Allegiance. Todd Loucks, Senior Account Manager Energy Marketing for Hess Corporation was introduced. Mr. Loucks attended at the request of the board to provide additional information on the purchase of electrical power through MEGA. Mr. Loucks described in detail the components of the electrical bill and the process for purchasing energy. According to Mr. Loucks, the advantage of proceeding with a MEGA contract is that the village would obtain the buying power of the whole group. The electric bill for one month at the waste water plant was reviewed and it was estimated that the village would receive a twelve percent savings on this monthly bill. Board members had many questions such as: the length of the contract, variable versus fixed, the effect on service from Central Hudson, purchase of green energy, municipalities that have backed out of this service, and any penalties if the village decides to produce its own power. Attorney Gaba added that the contract needs to be worked on.

Approval of Minutes

The minutes of the following meetings were submitted for board review: 11/18/08 public hearing and monthly meeting, 11/25/08 workshop, and 12/2/08 workshop. Trustee Teagle requested two changes: 1) In the 11/18/08 minutes, the amount of the bid from MetroCom should be changed from \$22,000 to \$2,200. 2) In the December 2nd minutes, Trustee Teagle asked for the addition of his name to the section on comments from board members and the public, as he was responsible for these comments. Trustee Robertson moved to accept the minutes as amended and seconded by Trustee Teagle and unanimously approved.

Financial Report

The board voted on and unanimously approved **Resolution 2008-46** making budget adjustments for revenues and expenses for a POCR Grant, as per attached.

A six month budget analysis was scheduled for the January monthly meeting.

Trustee Mancari moved to accept the financial report and seconded by Trustee Robertson and unanimously approved.

Building Department -No report was available.

Fire Inspector- Mr. Falloon attended two days of service training to complete his annual recertification.

The **attached** correspondence about alarm permit fees and fines was considered. S. Gaba explained that fees for alarms can be increased by resolution and offered to prepare a resolution to accept the proposed alarm fees changes. Increases in fines and penalties must be changed by adoption of a local law. Mr. Falloon will work on a proposal for fines and penalties along with suggestions to update other parts of the Automatic Alarm Law. Trustee Mancari moved to accept the Fire Inspector report and seconded by Trustee Robertson and unanimously approved.

The **Police reports** for the months of October and November were reviewed and accepted. The Justice Court collected \$7,230 during the month of November. The **attached** correspondence from Village Justice Thomas Costello related to the handling of parking fines was considered. Board members suggested that Justice Costello be invited to a workshop on 1/6/08 to have additional discussion. Also, it was recommended that Justice Costello discuss this issue with S. Gaba. Trustee Mancari moved to accept the Justice Court report and seconded by Trustee Robertson and unanimously approved.

Water report- A significant leak in the distribution system was discovered near the intersection of The Boulevard and Constitution Drive. Repairs will begin tomorrow. Trustee Mancari moved to accept this report and seconded by Trustee Teagle and unanimously approved.

Wastewater report- No problems encountered.

Recreation report- The tree lighting ceremony was held on December 5th. D. Cooke of the Cold Spring Antique Dealers Association donated the tree which was decorated by members of the Recreation Commission. Members of the Cold Spring Fire Department escorted Santa and provided hot chocolate. The Haldane School Chorus performed. Mayor Phillips thanked all for a good ceremony. Trustee Teagle moved to accept this report and seconded by Trustee Gallagher and unanimously approved.

Comprehensive Plan/LWRP Special Board – The Special Board is recommending that the Village Board accept the DOS DCR Revised Work Plan. Pending approval by the Village Board, the Special Board will continue developing an RFP for submission to the DOS for approval. The last stakeholder’s meeting will be held on January 8, 2009 at the Cold Spring Fire House and will be facilitated by the Village Character, History, and Historical Preservation working group. Trustee Mancari moved that the Mayor and Village Board accept the revised working plan for the Cold Spring Comprehensive Plan Special Board and seconded by Trustee Teagle. Trustee Robertson asked for more time to review prior to going forward. No vote was taken on accepting the revised workplan. The issue will be discussed at the first workshop meeting in January. Trustee Gallagher moved to accept the Special Board report and seconded by Trustee Teagle and unanimously approved.

Correspondence

The owner of a vehicle hit by the Cold Spring trolley described problems encountered.

The New York State Department of Environmental Conservation, in partnership with FEMA is developing updated flood hazard data for the Foundry Brook. The study involves developing data that will be used for a future update to Flood Insurance Rate maps resulting in a more accurate depiction of flood risk to properties. At the end of the study, data and analysis will be shared to support efforts in minimizing the effects from flooding. Survey crews will be in the area until 3/31/09 and may need access to homeowners' properties.

Approval of Bills: The bills with check numbers 16544 to 16587 were audited and approved for payment. Board members requested that bills related to the police equipment budget line be withheld from payment. Trustee Mancari moved to pay the audited bills and seconded by Trustee Robertson and unanimously approved.

Unfinished Business- Local Law #3 of 2008, "Zoning, to Update the Zoning Map and Add a Table Listing Bulk Requirements."

R. Taggart, Chairman of the Planning Board submitted the planning board report on the local law. After a thorough review with Donald MacDonald of the Zoning Board of Appeals, the Planning Board voted unanimously to recommend that the updated map be adopted. The Board of Trustees proceeded to adopt the following resolutions:

Resolution 2008-47 regarding a negative declaration under SEQRA was voted on and adopted as per attached.

Resolution 2008-48 regarding adoption of the Local Law was voted on as per attached.

Report of the Mayor and Board of Trustees

RFQ's for the Main Street Lighting and Sidewalk Local Project (\$250,000) have been sent to civil engineering firms listed on the Region 8 LSDA. Mayor asked for more involvement and called for volunteers to assist in determining what is involved in getting utilities placed underground. A workshop will be set for January 20, 2009 for additional discussion.

Trustee Teagle spoke of upcoming workshops held by the Nature Conservancy and the affect of rising water on Hudson River Communities. The one-hundred year flood plain will change, along with recommendations that municipalities rethink flood plan requirements. He also asked for a workshop on zoning regulations which was scheduled for the last Tuesday in January.

Trustee Robertson recommended that the Village seek quotes for insurance coverage.

Trustee Gallagher mentioned a preliminary efficiency study done by NYSERDA and the NYPA that pointed out the energy savings potential in changing aeration blower motors at the wastewater plant. It was proposed that the village hire Malcolm Pirnie and NYSERDA would pay a portion of the cost. The cost of the study is now \$13,000 of which NYSERDA would pay \$6,000. Trustee Gallagher recommends that the village put out an RFP for this work. The Board had no objection to this. P. Henderson is currently gathering data and was thanked for his work.

The MEGA contract was again discussed. S. Gaba offered that he could make adjustments to the contract and send it back to board members. However, he wanted to be sure that the board was interested before pursuing. Trustee Gallagher proposed that S.

Gaba clarify points in the contract and also to do a non-specific renewable energy as this would save money and also try to attack the causes of climate change. Trustee Robertson objected to paying any more.

Trustee Teagle brought up the Tot's park equipment. S. Gaba advised that the board needs to adopt a resolution accepting the cost and earmarking the purchase of goods as follows:

WHEREAS the Village of Cold Spring has received an offer of donation from the Friends of Tots Park in the amount of \$12,869 to be gifted to the village for purposes of equipment and material improvements at the Tots Park; and

WHEREAS it is in the villages' best interest to accept the specific gift of funds,

NOW THEREFORE it is hereby resolved that:

- 1) The Village Board accepts the gift from the Friends of Tots Park and
- 2) That the Mayor is hereby authorized to expend said fund upon Playworld Systems Playground Equipment as per invoice from Ray Michael dated 11/14/2008 and copy annexed hereto.

ON ROLL CALL VOTE:

Mayor Anthony Phillips voted Yes

Trustee John Teagle voted Yes

Trustee Gordon Robertson voted Yes

Trustee Edward T. Mancari voted Yes

Trustee Seth Gallagher voted Yes

Six shut off notices have been sent to Village of Nelsonville and Town of Philipstown water users who are delinquent on payment.

Trustee Robertson moved to enter into closed session to discuss a personnel matter with counsel and seconded by Trustee Teagle and unanimously approved.

Respectfully submitted,

Mary Saari, Village Clerk