

**Board of Trustees Monthly Meeting
April 14, 2009**

The Board of Trustees for the Village of Cold Spring held their regular monthly meeting immediately following the close of the tentative budget public hearing on Tuesday, April 14, 2009 at Village Hall, 85 Main Street, Cold Spring, NY.

Present: Mayor Seth Gallagher, Trustees: Lynn Miller, Bruce Campbell, Gordon Robertson and J. Ralph Falloon

Also Present: Ellen Mageean, Village Accountant, Stephen Gaba, Village Attorney

Approval of Minutes

Trustee Robertson requested that the 3-10-2009 minutes be amended to add the word marketplace in Section 7, Miscellaneous. Also, in the 3-24-2009 minutes, Trustee Robertson requested adding to Section 7 Village News Letter, that no action was taken. Trustee Robertson moved to accept the minutes as amended; Trustee Campbell seconded and motion unanimously approved.

Financial Report

All property taxes have been collected. The interest and penalties real property revenue line is over budget by \$10,000. Ms. Mageean reported that the \$379,000 cash in the General Fund will change related to obligations to other funds (due to and due from) and needs to be cleared with transfers made. Several accounts are over-budget by less than \$100. It is not necessary to do budget amendment resolutions at this time. However, the board should be aware.

Three additional accounts that require adjustments are as follows:

1. Shared services telephone over by \$469 – It is estimated that this line will be over by \$1500 by year end. Recommendation is to take \$1300 from shared services heating oil and \$200 from shared services electrical.
2. Recreation personal services line A7140.100 is over by \$190.90 and is estimated to be over by \$1,600 at year end. Recommendation is to take funds out of sidewalks personal service. Mayor Gallagher recommended taking from street maintenance personal service as this line is significantly under budget.
3. Highway Street Lighting/ subway is over-budget by \$464 and is estimated to be over by \$800 by year end.

After the budget process is complete, the accountant will focus on the balance sheet, checking payables and due to and due from other governments and to adjust for past bank reconciliations.

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

Building Inspector Report

Trustee Falloon is assisting James Hartford with the transition. The goal is to make the process easier for residents and to streamline the application process. Trustee Falloon wanted to give George Tompkins credit for his hard work and the information he gathered. He added that Mr. Tompkins set a good foundation for Mr. Hartford to work on. Mayor Gallagher commented that Mr. Tompkins worked for the village for many years in the Building Department and has a good deal of training as well. Trustee Robertson asked for preparation of a proclamation to honor his years of service and also for the service provided by Anthony Phillips, Ed Mancari, and Ransom Taggart. Furthermore, he offered to spearhead and pay for the creation of a plaque.

Fire Inspector Report

The proposed local law restricting outdoor furnaces was reviewed and approved of by the Fire Inspector. Trustee Robertson moved to accept this report and seconded by Trustee Miller and motion unanimously approved.

Police Department

Officer- in -Charge George Kane has been asked to expand on the monthly report and will be providing a monthly synopsis. Trustee Robertson moved to accept this report and Trustee Campbell seconded and motion unanimously approved.

Justice Court Report

Total Justice Court collection during the month of March was \$7030. Trustee Robertson moved to accept this report and Trustee Falloon seconded and motion unanimously approved.

Water Department

In the general remarks section, G. Phillips offered to provide interested board members with a tour of the water treatment facility to discuss operations, challenges and upcoming plans. A substantial leak was repaired by the Water and Highway Departments. The six inch supply line to Springbrook Condominiums had a circumference fracture, which was isolated and repaired quickly by our trained and dedicated staff. A bill for time and materials, used in the repair, will be submitted to the Condominium Association. The repair saved approximately 25,000 gallons of water daily. The annual drinking water quality report for 2008 is being prepared and will be distributed by the end of May. The spring hydrant flush is being planned for the beginning of May. Once the schedule is set, it will be announced in the PCN&R as well as on the village website. Mr. Phillips plans to coordinate commercial testing with the first day of the flush in an effort to minimize the inconvenience to residents while allowing vendors to certify their systems. Mayor Gallagher commented that he appreciated the services of G. Phillips. Additionally, the board is relying on the village staff, including Mr. Phillips, as they make a change in government possible.

The village received a letter from our insurance carrier regarding coverage for the village dams. Items listed need to be addressed by the board. S. Gaba was also invited to a tour of the dams and their access. Trustee Falloon mentioned that two workers are required for a flush and suggested adding a per diem employee to assist. Trustee Falloon moved to accept the water report and Trustee Robertson seconded and motion unanimously approved.

Billing issues:

Owner of 209-292 Main Street requested a reassessment in the number of units charged for water billing.

Owner of 7 Bank Street requested reassessment of water and sewer billing due to construction at the property.

Trustee Robertson moved to accept G. Phillip's recommendation of changing the water assessment from 9 to 7 units for 290-292 Main Street. The request for 7 Bank Street was tabled, subject to determining that the owner has an up-to-date building permit. Trustee Miller seconded and motion unanimously approved.

Wastewater Department Report

With regards to the aeration study, Malcolm Pirnie has developed a couple of alternatives: replace the existing coarse bubble diffusers with new variable speed blowers and second to replace the diffusers with a fine bubble type. Both alternatives should save a considerable amount of energy but payback estimates won't be received until next week.

The SPDES permit is set for final review. The modifications that have been proposed regarding inflow and infiltration are in keeping with our recommended schedule. The schedule will be costly to implement but easier than the original schedule from the NYSDEC. The other noticeable change is the addition of seasonal ammonia limits in the effluent.

There is approximately \$60,000 in unused funds from the EFC project. Modifications to the auger and grinder locations to protect the raw water pumps and improve efficiency are in the process. Trustee Falloon moved to accept the wastewater report; Trustee Campbell seconded and the motion was unanimously approved.

Recreation Department

Applications for use of village property were considered as follows:

Haldane Senior Class Picnic 6-7-09

Thomas Monroe family graduation 6-21-09

Philipstown Little League April to June for use of field for Junior Baseball Season

Philipstown Little League for use of pavilion for annual picnic, awards ceremony and games

Caryn Canova children's party 6-6-09

Trustee Campbell moved to approve of the above applications and Trustee Robertson seconded and motion unanimously approved.

Blue Book/Gloria McVey for company social event- this request was not approved by the Recreation Commission pending additional information. Request was tabled until the next board workshop.

The question of when signs will be installed posting regulations for the waterfront park was brought up. Also, the Recreation Commission recommended trimming trees at the waterfront. These matters will be addressed with the Highway Department Foreman.

Meetings will be arranged with the Tot's Committee to prepare for the installation of new equipment at the park.

J. Teagle asked the board to consider changes to the Village Code with regards to the number of members on the Recreation Commission. The code states that there are seven members but it should be changed to reflect the existing practice of having five members.

Trustee Robertson brought forth the issue of insurance coverage for the Tot's Committee. He recommended that the code should be reviewed with regards to the Recreation Commission and their role in the village government. S. Gaba will investigate.

Lastly, Trustee Robertson recommended obtaining liability insurance for parking at the Marathon Battery site on Community Day.

Michael Armstrong pointed out that there is a real need to consolidate parking and he is working with John Dunn and Tom Rolston on this. The matter of collecting money from drivers was brought up and it was pointed out that revenues could amount to \$3,000 to \$4,000.

Trustee Falloon moved to accept the Recreation Report and Trustee Robertson seconded and motion unanimously approved.

Special Board Report

The Special Board had the opportunity to meet with Joel Russell, a consultant who worked with Philipstown on their comprehensive plan and a well known planner. The board will meet with him again on April 20, 2009.

Chamber of Commerce Report- No report

Correspondence

Putnam County Soil and Water invited village officials to attend a workshop on Wetlands scheduled for April 19th.

The VFW extended an invitation to their annual Loyalty Celebration.

Putnam County Planning extended an invitation to a Share the Knowledge Seminar. The RBA Group will be presenting the results of their work on the Main Street initiative.

The Cold Spring Fire Company announced their annual Clambake scheduled for August 8, 2009 which is open to the public.

Report of the Mayor and Board of Trustees

Trustee Campbell stated that he was happy to be back on the board and looked forward to the challenges. He thanked Mayor Phillips, Ed Mancari and John Teagle for their service.

Trustee Falloon was thankful for the opportunity and thanked those who served before him.

Unfinished Business

Resolution 2009-15 S. Gaba provided an update.

RESOLUTION NO. 2009-15

WHEREAS, the Village of Cold Spring has been identified as a Potentially Responsible Party ("PRP") in regard to the remediation of the Consolidated Iron & Metal scrap yard in Newburgh, New York; and

WHEREAS, the Village has received a demand for payment of fifteen thousand dollars (\$15,000) in settlement of the potential contribution claim against it in regard to the remediation of the Consolidated Iron & Metal scrap yard; and

WHEREAS, subject to the terms of a confidentiality agreement, the Village has reached an agreement for payment of a mutually acceptable settlement amount with the representatives of the Consolidated Iron & Metal scrap yard;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board does hereby authorize the Mayor to execute on behalf of the Village the document entitled "Settlement Agreement Between Consolidated Iron

Joint Defense Group and Village of Cold Spring, New York For the Consolidated Iron and Metal Superfund Site," a copy of which is on file with the Village Clerk; and

2. That the Village Board does hereby authorize payment of the settlement amount stipulated in Section 4.1 of Settlement Agreement.

Trustee Gordon Robertson presented the foregoing resolution which was seconded by Trustee Lynn Miller,

The vote on the foregoing resolution was as follows:

Lynn Miller, Trustee, voting Yes

Bruce D. Campbell, Trustee, voting Yes

John Ralph Falloon, Trustee, voting Yes

Gordon R. Robertson, Trustee, voting Yes

Seth Gallagher, Mayor, voting Yes

Trustee Robertson recommended that a recent claim be removed from our loss experience as the matter has been resolved.

Community Day - Subcommittee has been established and rain date set for July 5th.

Recommendations for parking and traffic control- Propose closing Market Street to auto access except for handicapped and residents. Prominent signs are needed.

Parking at Marathon site-Egress is a real challenge- proposed no parking on Kemble for the day of the event with Kemble being one- way after the event.

Also, proposed was one- way traffic on Fair Street between Main and Northern, as per the practice on Sundays.

Recommendations: extended service for two trolleys with elimination of the Garrison route, prepare a map and charge for parking, address insurance, reach out to Putnam County Emergency Services for the fire police, communication between various parking areas with either cell phones or portable radios with command center at lower Main Street. S. Gaba was questioned about the collection of monies. He advised that the village could ask for donations and target to offset expenses.

New Business

Federal Stimulus funding- Mayor Gallagher recommended requesting monies to repair the deteriorating stone wall adjacent to Route 301.

Local Law 2009-01- Board was in favor of setting up a public hearing to consider restrictions on outdoor furnaces. S. Gaba will prepare a resolution authorizing same.

Discussion of Change in Village Insurance in Flood Zone- correspondence was received regarding properties located within an A Flood Zone. Trustee Robertson doesn't believe that any village properties are located within an A Flood Zone. However, the Boat Club should be consulted to pick up the insurance which could result in a savings for the village. He expressed his concern about the insurance for the village dams.

Correspondence was reviewed from Legislator Tamagna asking for support to maintain a county certified home health care agency. S. Gaba will prepare a resolution for consideration.

Mayor Gallagher asked board members to review the Climate Smart Community Pledge. Trustee Robertson had no problem supporting but has a problem with the statement about "primarily fossil fuels" on page one and would like this removed.

Trustee Miller moved to enter into closed session to confer with counsel on legal issues; Trustee Falloon seconded and motion unanimously approved.

Respectfully submitted,

Mary Saari, Village Clerk