

**Board of Trustee Monthly Meeting
May 12, 2009**

The regular monthly meeting of the Board of Trustees for the Village of Cold Spring was held on Tuesday, May 12, 2009 at 7:30 pm at Village Hall, 85 Main Street, Cold Spring, NY 10516.

Attending: Mayor Seth Gallagher Trustees: Lynn Miller, Gordon Robertson, Bruce Campbell and Ralph Falloon

Also: Stephen Gaba, Village Attorney, Ellen Mageean, Village Accountant, James Hartford, Building Inspector and Stephen Smith, Fire Inspector

Members of the Public

Mayor Gallagher opened the meeting.

The minutes of the following meetings were submitted for board approval: 4/6/09, 4/7/09, 4/14/09, 4/21/09, 4/28/09, 4/30/09, 5/4/09 and 5/5/09 . Trustee Campbell moved to accept the minutes as submitted and seconded by Trustee Robertson and unanimously approved.

Financial Report

Monies for The Grove (H08) have been deposited in Wachovia. The current balance is \$804.77 and we are being charged \$20/month because of the low balance. Ms. Mageean would like to transfer these monies to M & T Bank. The board had no objection.

Budget Amendment Resolution 2009-17

Introduced by: Trustee Robertson

Seconded by: Trustee Miller

The Board of Trustees of The Village of Cold Spring hereby resolves to make the following Budget Adjustment(s) for the 2008/2009 fiscal year:

To:	A00-1010-400	Board of Trustees Contractual	\$150.00
From:	A00-1010-410	Board of Trustees Newsletter	\$150.00
To:	A00-1210-400	Mayor Contractual	\$1,400.00
From:	A00-1010-410	Board of Trustees Newsletter	\$350.00
From:	A00-1450-400	Elections – Contractual	\$700.00
From:	A00-1620-430	Shared Services: Water Usage	\$200.00
From:	A00-1620-450	Shared Services: Sewer Usage	\$150.00
To:	A00-1620-400	Shared Services: Contractual	\$1,000.00
From:	A00-1410-400	Clerk Contractual	\$1,000.00
To:	A00-1620-420	Shared Services Telephone	\$1,500.00
From:	A00-1620-411	Shared Services: Heating Oil	\$900.00
From:	A00-1410-400	Clerk Contractual	\$600.00
To:	A00-1930-400	Judgments and Claims	\$15,000.00
From:	A00-1420-110	Attorney – Special	\$4,500.00
From:	A00-9060-800	Medical Insurance	\$10,500.00
To:	A00-3410-450	Fire Department: Electricity	\$350.00

From:	A00-3410-412	Fire- Heating Oil/Service	\$350.00
To:	A00-3410-460	Fire Department – Bldg Repairs	\$610.00
From:	A00-3410-412	Fire- Heating Oil/Service	\$610.00
To:	A00-3410-470	Fire Department Service Awards	\$294.00
From:	A00-3410-412	Fire- Heating Oil/Service	\$294.00
To:	A00-5142-100	Hwy Snow Removal – Per. Service	\$430.00
From:	A00-5110-100	Hwy St Maint – Personal Service	\$430.00
To:	A00-5182-400	Street Lights Contractual	\$2,000.00
From:	A00-5182-410	Street Lights: Haldane/Butterfield	\$600.00
From:	A00-5182-420	Street Lights: Gazebo	\$250.00
From:	A00-1620-412	Shared Services: Electric	\$300.00
From:	A00-5110-420	Hwy St Maint. Equipment	\$850.00
To:	A00-5182-440	Street Lights Subway	\$700.00
From:	A00-1620-412	Shared Services: Electric	\$700.00
To:	A00-7140-100	Recreation Personal Service	\$2,000.00
From:	A00-5110-100	Hwy St. Maint – Personal Service	\$2,000.00
To:	A00-8160-100	Refuse & Garbage Personal Service	\$2,100.00
From:	A00-8160-400	Refuse Removal: Recycling Personal Ser	\$1,300.00
From:	A00-5110-100	Hwy St. Maint – Personal Service	\$800.00
To:	A00-8170-100	Street Cleaning – Personal Service	\$7,700.00
From:	A00-5110-100	Hwy St. Maint – Personal Service	\$7,700.00
To:	A00-7140-440	Recreation Lawn Care	\$200.00
From:	A00-7140-410	Recreation Water Usage	\$200.00

The accountant is hereby authorized to transfer such funds immediately.

On roll call vote:

Trustee Ralph Falloon voted: yes
Trustee Bruce Campbell voted: yes
Trustee Gordon Robertson voted: yes
Trustee Lynn Miller voted: yes
Mayor Seth Gallagher voted: yes
Resolution officially adopted on: May 12, 2009

Mary Saari-Village Clerk/Treasurer

The village received Putnam County Resolution #145 indicating that the semi-annual mortgage tax payment to the village for the period from October 1, 2008 through March 31, 2009 will be \$8,978.51. The village anticipated receipt of \$40,000 for this fiscal year and it appears that we will receive approximately \$24,000.

Munipay asked Ms. Mageean to consider accepting credit cards. According to company representatives, there would be no cost to the village as all charges are born by the consumer. The board expressed interest and Ms. Mageean will investigate further. Trustee Campbell moved to accept the financial report and seconded by Trustee Falloon and unanimously approved.

Fire Inspector

Stephen Smith, newly appointed Fire Inspector, was introduced to public.

Building Inspector

Mr. Hartford reviewed his monthly report as follows: Five inspections were performed, one certificate of occupancy was issued, one violation was issued and one stop work order was rescinded. Mr. Hartford requested a new computer going forward.

P. Heffernan, 9 Church Street, asked if there was a requirement to display building permits. Mr. Hartford favored this idea. There was discussion about whether this change required a code change or if this requirement could be added to the building permit.

Added 6/9/09 Trustee Robertson requested that a copy of the building department applications and permits be included in the Building Inspector's report. The board concurred and the Building Inspector agreed that this was a good idea. Trustee Miller moved to accept the Building Inspector's report and seconded by Trustee Campbell and unanimously approved.

Police Department

Trustee Falloon read the monthly report and a short synopsis of police activity. Problems with speeding especially on Academy Street by the Community Nursery School and on Mountain Avenue by Haldane School were discussed. Trustee Campbell spoke with Dr. Villanti at Haldane School. Also, the police department will be stepping up enforcement. Trustee Robertson moved to accept this report and seconded by Trustee Campbell and unanimously approved.

Justice Court

The total collected during the month of April was \$3322.00. Trustees noted that this amount was significantly lower than other months, approximately half. The board felt it was worth looking at to determine the trend over the last two years.

Trustee Falloon moved to accept this report and seconded by Trustee Robertson and unanimously approved.

Water and Wastewater

The hydrant by 17 Church is scheduled for repair. Spring hydrant flush will occur the week of May 31st. Mr. Phillips is preparing a letter to the DEC in response to the inspection report of the upper and middle reservoir dams. A plan has been developed to address most of the items in-house by August of this year. For a long range approach, we will begin engineering studies of the dam.

At the wastewater plant, the grinder has been repaired and placed back into service. A short term study of the positioning and function of the unit is underway. This will help

determine if a proposed relocation of the unit will improve removal efficiencies and better protect the raw water pumps.

Mr. Phillips asked for a discussion with regard to sewer rates as revenues are on the decline and expenses are increasing.

An onsite visit to the upper and middle reservoir dams is scheduled for Saturday, May 23, 2009 at 9:00am. G. Phillips, Village Board members and S. Gaba will be attending.

Trustee Falloon moved to accept the water report and seconded by Trustee Miller and unanimously approved. Trustee Falloon moved to accept the wastewater report and seconded by Trustee Robertson and unanimously approved.

Recreation Commission

Signage at the waterfront is still an issue. Trustee Campbell reviewed the applications for use of village property. Trustee Miller moved to accept applications as per the report with the exception of the application submitted by a minor without parental signature. Motion seconded by Trustee Falloon. If an adult signs off on the application then the board has no objection to the use. Board members asked that the police department be notified. Trustee Robertson moved to accept the report and seconded by Trustee Falloon and unanimously approved.

Special Board

Trustee Miller read the monthly report as follows:

The Special Board for the Comprehensive Plan/LWRP met on April 20th and 12th and again on May 7th.

At the meeting on April 20th the Special Board had a follow-up meeting with Joel Russell, the consultant with whom they had met at the beginning of the month. Since the first meeting in early April, both the members of the Special Board and Mr. Russell had taken time to review the first discussion. Mr. Russell gave the SB a series of suggestions on how best to move forward with our task.

The Village Board has asked the Special Board to participate in helping to get public feedback concerning the Kearney development on Kemble Avenue. Seven of the SB members attended a workshop meeting on May 5th to hear Mr. Kearney's presentation. They met on the 7th at their meeting to discuss further how best to try to accommodate the Village's request in such a way that they are not diverted from their task of creating a Comprehensive Plan/LWRP.

With the results of the Joel Russell meeting and the anticipation of village-wide dialogue concerning future planning issues, the Special Board feels revitalized and focused and is moving forward toward their goal.

The next meeting will be at the Fire House on Thursday, May 14th at 7:00 p.m. As always, everyone is welcome to attend these meetings.

After discussion, Trustee Falloon moved to appoint Karen Dunn as Chair of the Special Board and Lillian Moser as Vice Chair and seconded by Trustee Robertson and unanimously approved.

Trustee Robertson moved to accept this report and seconded by Trustee Miller and unanimously approved.

Trustee Robertson has been working on loss control and maintenance related to village sidewalks. He requested a meeting with Ed Trimble of the Highway Department and the Village Clerk.

Correspondence

Richard Ruchala and Burt Houseworth informed the village about changes to the Putnam County Empire Zone Program.

Report of the Mayor and Board of Trustees

Trustee Miller will be attending the 40th Anniversary of the Putnam County Office of the Aging.

Trustee Falloon spoke of installing 2.5 gallon electric hot water heaters for the two washrooms at the Cold Spring Fire Company in an effort to save on fuel at the firehouse. The proposal from Pidala Burner Service is \$1682 and includes the installation of a new Bosch 2.5 gallon electric hot water heater for both bathrooms and to isolate the bathroom hot water from the rest of the hot water demand.

Electrical work to supply 115 volt plug-in power source.

Mayor Gallagher reviewed the month's activities as follows:

Quadricentennial planning, finalized budget, response to State Comptroller's report, new Tot's park equipment installed with a good effort by the Highway Department and volunteers, repair hydrant on Church Street, bids received for paving Church Street. He also discussed developing a newsletter to promote the village website and to encourage residents to sign up for agendas, news etc.

Future meetings were arranged as follows:

May 26th meeting with Springbrook Condominium Board at 7:00 pm

June 2nd Sedore and Company to present 2007/2008 audit also discussion of court fees

June 3rd Quadricentennial planning

June 9th T. J. Rodgers, District Representative of Congressman John Hall will be attending and George Kane of the Cold Spring Police

5/19 G. Phillips for discussion of sewer rates

5/27 Discussion of corrective action plan for NYS Comptroller's report

Unfinished Business

Nancy Montgomery of the Town of Philipstown Council discussed reasons to support maintaining a county home health agency as outlined in a resolution passed by the Town of Philipstown. County Executive Bondi has decided to prepare an RFP for the privatization of their home health services to residents.

Ms. Montgomery pointed out that the senior citizens currently receive care from members of their community and this adds an irreplaceable sense of comfort. The county home health agency employees 21 people, most are Putnam County residents

and many are from Philipstown. The county health department supports our most vulnerable residents who have supported our community in taxes. The county health agency helps our residents with finite resources to age in place. The county home health is revenue producing.

Resolution 2009-18

WHEREAS, Putnam County has for many years maintained a Certified Home Health Agency which provides nursing care and assistance to patients upon discharge from the hospital if they need further care or if they have an illness that requires at-home care; and

WHEREAS, the Putnam County Executive in his 2009 State of the County Address stated that the Administration had "decided to prepare a request for proposals for our Certified Home Health Agency to test the water to see if there is an organization out there that can better provide this service to the residents of Putnam County"; and

WHEREAS, the Village Board of the Village of Cold Spring feels that it is in best interest of the Village's residents for the County to continue to retain its Certified Home Health Agency as a County function;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board of the Village of Cold Spring hereby declares its support for the County's

continuation of its Certified Home Health Agency as a County function.

Trustee Robertson presented the foregoing resolution which was seconded by Trustee 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

Quadricentennial

Events planned for the celebration were reviewed. Committee members have been reaching out to boats such as the Clearwater, P.T. Boat and Fireboat Harvey. These boats can't dock at the main dock now but could use on an interim basis by permit. Bollards placed on the dock and railings could be removed for a gang plank but code changes would be required. Mayor Gallagher stated that there shouldn't be a significant effect on our insurance. Trustee Robertson asked for P&I insurance and to obtain certificates of insurance from boats.

Trustee Robertson added that the Recreation Department should be involved as well. S. Gaba commented that they could provide guidance but their approval was not required. This is basically an exception but the Recreation Commission could be asked for input.

Trustee Robertson asked if the board needed to appeal to the DEC and the Army Corps of Engineers.

P. Heffernan asked for the board to think of long term in their work on the dock to make sure that things don't have to be moved in the future.

James Hartford mentioned Building Code issues with the current arrangement of railings on the dock. There should be a 4" minimum opening but the dock may not fall into normal categories. He advised looking at the design implications.

Resolution 2009-19

Trustee Miller introduced the attached resolution to set a public hearing for June 2, 2009 at 7:00 pm to hear comment on a local law that would allow temporary docking of boats at the waterfront park. Motion seconded by Trustee Campbell.

On roll call vote:

Trustee Miller voted yes

Trustee Campbell voted yes

Trustee Falloon voted yes

Trustee Robertson voted abstained -needs more clarification from the Army Corps and DEC

Mayor Seth Gallagher voted yes

Catharine Square expressed concern about how much activity will be at the bandstand during the Quadricentennial as this is a residential area.

The goal is to spread the activities out. The anticipated attendance is 5,000 people.

The village is requesting a permit for use of Dockside for the day. Craft vendors will be kept local to keep to the intent of Community Day.

Collateral source legislation- A request was received to send a letter of support for collateral source legislation currently under consideration by the state legislature. At this time public employees hurt on the job are paid twice for the same lost future earnings.

The purpose of this legislation would be to correct this situation. After discussion, Trustee Robertson moved to authorize the Mayor to write a letter on behalf of the board voicing support. Motion seconded by Trustee Miller and unanimously approved.

Trustee Campbell moved to adjourn and seconded by Trustee Robertson, unanimous.

Respectfully submitted,

Mary Saari, Village Clerk