

**Board of Trustee Monthly Meeting
October 13, 2009**

The Board of Trustees for the Village of Cold Spring held their regular monthly meeting on Tuesday, October 13, 2009 at 7:30 PM at Village Hall, 85 Main Street, Cold Spring, NY.

Attending: Mayor Seth Gallagher, Trustees Campbell, Falloon, and Robertson

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

Absent: James Hartford, Building Inspector, Stephen Smith, Fire Inspector and Trustee Lynn Miller

Mayor Gallagher called the meeting to order.

Trustee Campbell moved to approve minutes of the following meetings: 9-08-09, 9-11-09 bid opening, 9-15-09, 9-22-09, 9-29-09, 10-2-09 bid opening, 10-6-09 and seconded by Trustee Falloon and unanimously approved.

Financial Report

Resolution 2009-38

Moved by Trustee Campbell

Seconded by Trustee Falloon

Resolved that (1) The Board of Trustees of the Village of Cold Spring hereby approves the following Budget adjustment (s) for the 2009/2010 fiscal year:

To: A00-3410-460	Fire: Repairs Building	\$1812.00
From: A00-5110-400	Street Maintenance Resurface	\$1812.00

To increase the budget for the repair for the firehouse floor

And (2) 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 Absent

Mayor Seth Gallagher voted Yes

Resolution officially adopted on 10-13-09.

Ms. Mageean reviewed the bank balances for the village and pointed out that 97% of village taxes have been collected. Also, CHIPS funds have been received in the amount of \$28,000, revenue sharing \$18,000 and one-half of the Nelsonville fire protection funds \$18,000. The audit field work is completed and we are scheduling a date for the final report. A meeting has been scheduled with Tom Murphy of M& T Bank to discuss lock boxes.

Building Inspector

Permits, violations, inspections and certificates of occupancy issued during the month of September were reviewed. Trustee Robertson asked for a status report on outstanding violations.

Fire Inspector

Permits, inspections and complaints were reviewed.

Police Report

In a joint investigation between OIC Kane, PO Tompkins and the Putnam County Sheriff, four arrests were made in connection with a robbery that occurred at the riverfront.

Justice Court Report

Total collection for the month of September: \$4832.00.

The Water and Wastewater reports were not available due to the Water Superintendent working the night shift on a hydrant flush. An update on department activities will be provided by the Water Superintendent at an upcoming workshop.

Recreation Commission

Mayor Gallagher attended the recreation meeting to discuss plans for lighting and docking at the waterfront and the future of the Dockside property. Other matters considered included minutes of the recreation meeting, weddings at the bandstand, possibility of creating a skate board park and changing the time required for filing an application for use of village property. The Recreation Board asked for discussion of Haldane School fees for use of Mayor's Park. The board unanimously approved the use of Mayor's Park field for girl's soccer practice on weekdays in October.

Firehouse Liaison

Trustee Falloon received three quotes for the repair of the concrete firehouse floor as follows: Chirico Masonry \$9,000, NRodino Masonry \$10,065 and Volkman Concrete Construction \$10,200. Trustee Falloon recommended awarding to the lowest bidder. Trustee Falloon moved to accept the quote from Chirico Masonry to work on the floor at 154 Main Street. Motion seconded by Trustee Campbell and unanimously approved.

Special Board

New York State has returned a fully executed contract for the Local Waterfront Revitalization Plan which will be used to pay for consultants. Proposals for planning consultants are due on October 15th. An additional meeting will be held in November in recognition of the importance of completing the Comprehensive Plan in a timely manner. By November 20th, the SB hopes to submit a recommendation to the Village Board for a consultant. Mayor Gallagher stated that he was impressed by the timely nature of the SB reports and the good presentation given to the public and Village Board. SB members discussed their intention to complete the Comprehensive Plan by 2010. However, the LWRP will take longer. The LWRP has to meet state policies, recommendations for types of changes and a draft of the proposed zoning changes. The SB intends to bring the village through the entire process including ordinance changes.

Report of the Mayor and Board of Trustees

Mayor Gallagher reported that the highway department is working on repairs to damaged sidewalks. Sections of Fish, Rock and Cross Streets will be paved in the next few weeks. The Putnam County Legislature unanimously approved reinstating the Philipstown Senior Center on Cedar Street along with Friday trolley service. Mayor Gallagher met with Trustee Merante of the Village of Nelsonville, Town Supervisor Mazzuca and the Putnam County Board of Elections to discuss consolidation of polling districts. Mayor Gallagher is hopeful that the North Highlands polling place will be reinstated. Earlier this year, the board considered a climate change resolution and the mayor would like to re-draft this resolution for village purposes.

Trustee Robertson spoke of the proposed contract to audit village utility bills and his concern that the village could owe money to the auditing company. The contract will be sent to Attorney Gaba for review.

The village received the final report for the site investigation for the MGP contamination on New Street.

One bid was received for the electrical component of the Energy Conservation project. One bid was received, after the deadline, for the insulation component. As the total amount of the insulation work is under the amount required for bidding, the village could reject the bid, as it was received late, but could award as a separate contract. Attorney Gaba will develop a resolution for future consideration.

A new bid will be advertised to increase the scope of electrical work for lighting improvements at the water plant, wastewater plant, and highway garage.

Unfinished Business

Arrinhos Serradas questioned the objectivity of correspondence from the NYS Urban Forester pertaining to a street tree on Academy Street. Mr. Serradas stated that the village was notified and he doesn't agree that this tree is not a significant risk. Trustee Robertson suggested obtaining a second opinion from another arborist.

Mr. Serradas provided documentation entitled, "Asphalt Millings Guidance Document" dated 9-10-09. He described the history of the work performed on East Belvedere Street with asphalt millings applied as a "stop-gap measure". He stated that the asphalt millings created drainage problems on his property and his neighbors. He added that he is deeply concerned about the cancer risk from the millings and read paragraph E of the aforementioned document. Lastly, he cited NYS Rule 185 that states that any village that has maintained a road must continue to do so. He asked the board to come in and to remove the contaminants from East Belvedere Street.

The board encouraged the residents of East Belvedere Street to proceed with the dedication of this street to the village. The issue of the waterline on East Belvedere was also mentioned and the need to install a six inch line and fire hydrant.

Trustee Robertson suggested that the residents take time to discuss this and the board will do the same.

Resolution 2009-39 Fire Company lease

WHEREAS, the Village of Cold Spring (the "Village") is the owner of property located at 150-154 Main Street, and

WHEREAS, heretofore Cold Spring Fire Company No. 1 (“Fire Company”) has leased this property from the Village for use as a firehouse to provide fire protective services to the citizens of the Village, which said lease has expired, and

WHEREAS, it is appropriate for the Village to enter into a lease agreement with the Fire Company outlining the rights and responsibilities of each party,

NOW, THEREEFORE, BE IT RESOLVED as follows:

1. That the Village Board does hereby authorize the mayor to enter into a lease agreement of premises known as 150-154 Main Street with the Fire Company, and
2. That the lease shall be drawn for a term of five years commencing on January 1, 2009 and ending on January 1, 2014, and
3. That the premises are being leased in exchange for the provision of fire protections services for the citizens of Cold Spring, and
4. That the Mayor be and he hereby is authorized to execute the lease agreement with the Fire Company No.1 under the terms and conditions specified in the lease agreement annexed hereto and made a part of this resolution.

On roll call vote:

Lynn Miller, Trustee voting absent

Bruce D. Campbell voting yes

John Ralph Falloon, Trustee voting yes

Gordon R. Robertson voting yes

Seth Gallagher, mayor voting yes

Resolution officially adopted.

The board discussed the following changes to the lease agreement:

Remove reference to elevator

Security deposit is not applicable

There is no sprinkler system in the firehouse.

Mr. Gaba will amend the lease to reflect these changes.

New Business

Trustee Robertson mentioned that the deed of gift for The Grove property stipulated that a plaque be erected at the Grove to honor the gift of Lucio Petrocelli. Trustee Robertson wants to proceed with this.

Trustee Robertson asked for a monthly report from the Highway Department to improve communication and to save money.

There was no public comment.

Trustee ---- moved to enter into closed session to confer with counsel regarding legal actions facing the village and seconded by Trustee and unanimously approved.

Bill approval will occur after closed session.

Respectfully submitted,

Mary Saari, Village Clerk