

**Board of Trustee Meeting
April 13, 2010**

The Board of Trustees for the Village of Cold Spring held their regular monthly meeting on Tuesday, April 13, 2010 immediately after the public hearing on the village budgets.

Attending: Mayor Seth Gallagher and Trustees Bruce D. Campbell, Charles E. Hustis III, Airinhos Serradas and J. Ralph Falloon

Also: Stephen Gaba, Village Attorney, Ellen Mageean, Village Accountant, William Bujarski, Building Inspector and Stephen Smith, Fire Inspector

Members of the Public

Mayor Gallagher called the meeting to order.

The minutes of the following meetings were submitted for board review and approval: 3/9/2010, 3/18/2010, 3/23/2010, 3/30/2010, 4/5/2010 and 4/6/2010. Trustee Hustis moved to approve of the minutes as submitted and seconded by Trustee Campbell and unanimously approved.

Financial Report

Ms. Mageean reviewed bank balances. The railroad underpass project negative balance goes back some time and is related to due to and due from other accounts. The negative balance in the sewer plant renovations capital project relates to money owed to the general fund for items paid on behalf of sewer plant renovations. Once monies are received from Environmental Facilities Corporation, monies will go into sewer plant renovations and then that account will pay back the general fund.

Mayor Gallagher brought up the change in the taxable assessed value for the Cold Spring Landing property. Correspondence was received from the property owner requesting acknowledgement that this change will be reflected in the June 1, 2010 tax bill. Stephen Gaba will review.

Ms. Mageean reviewed expenditures and revenues for the current fiscal year. On the revenue side, we have received payment on all village taxes, we anticipate receipt of six months of franchise fees, fines and bails- we need to receive approximately \$4,000 in order to meet our budget, eight months of collection is still expected for the mortgage tax.

Mayor Gallagher announced that Ms. Mageean scored highest in the Civil Service exam for Village Accountant. Trustee Serradas moved to appoint Ellen Mageean as a permanent employee, Village Accountant and motion seconded by Trustee Hustis and unanimously approved.

Building Department

The Building & Fire Inspector's report for the month of March was submitted including permits, certificates of occupancy, violations, inspections, and complaints. Trustee Hustis inquired about the violation on 37 Fair Street. Mr. Bujarski explained that this violation was related to storing of junk vehicles, property maintenance and concern for the safety of emergency personnel.

Police Department & Justice Court

The monthly police report dated March 10, 2010 was submitted. Collection for the Justice Court for the month of March totaled \$6,914.50. Mayor Gallagher spoke of tracking the number of parking tickets issued, number paid and waived. Michael Armstrong asked about any improvement in payment rates with the new software.

Water Department

Gregory Phillips reported that the department continues to see lower daily flows in mid-March. At the current rate, we can expect to see a reduced quantity of un-accounted for water, as well as reduced expenses for electricity and chemical usage. Due to the decreased flows, we are delaying a leak detection survey.

The DEC's biannual inspection of our high hazard dams will take place tomorrow morning. Field work will begin on the assessment of village dams. The annual water quality report is being developed. Newly elected Trustees were invited to a walkthrough of the water treatment facility.

Mr. Phillips reported that we have received a report on the accuracy assessment of the twelve meters that were removed from the system. The worst meter came out at 97% accuracy. He added that there is no reason to believe that there is a meter problem.

Wastewater Department

One day in the month of March, the village was out of compliance for settleable solids in the facility effluent. It was directly related to hydraulic overload of the system due to rain and the resulting inflow and infiltration. The DEC was immediately notified.

A video inspection of the sewer collection system began on April 1st on Main Street. Several problematic areas were identified. One area of pipe was broken and areas of infiltration were observed. Finalized drawings and expenses for the replacement of the pump controls at the West Street pump station have been submitted to EFC for final approval. The total projected cost is \$18,900. Mechanical fittings for the replacement of failed original equipment for raw water pump #3 have been delivered. Payment will come from the EFC balance. The department performed in-house jetting of sections of the collection main on The Boulevard, Kemble Avenue, Mountain Avenue, Fair and High Street as part of our preventative maintenance of the system. Trustee Serradas complimented Mr. Phillips for his report and asked for preparation of a matrix for the board, listing work to be done, projected costs, what our benefits would be, and potential return to assist in anticipating and planning for future costs.

Additional Monthly Reports

The Recreation Commission did not have a quorum for their April monthly meeting. A meeting has been scheduled for April 29, 2010. Trustee Campbell will meet with Wayne Robinson of Haldane School to discuss shared services and work on the fields.

The following applications for use of Mayor's Park Pavilion were considered:

Philipstown Little League use of fields 4/17-6/30/2010

Philipstown Recreation Baseball Clinic on August 9th- 13th

Use of Mayor's Park for Birthday Party on 5/29/2010

A request was made for a wedding at the bandstand on 6-20-2010

The board discussed holding weddings at the bandstand and establishing policies, including insurance certificates, traffic flow, policing and fees. Trustee Campbell will be putting together an application, similar to the Mayor's Park application and outlining policies. After discussion, Mayor Gallagher moved to set a fee for weddings at the bandstand at \$250.00 and seconded by Trustee Campbell. Mayor Gallagher, Trustee Hustis, and Campbell voted in favor and Trustees Serradas and Falloon were opposed.

Trustee Campbell moved to accept these applications and seconded by Trustee Hustis and unanimously approved.

Fire Company Liaison

The fire company appreciates the money for the rope system and is still looking at grants to offset and thanks the Village Board for their assistance.

Special Board for Comprehensive Plan

Mike Armstrong reported that the Special Board has completed plans for a series of meetings in April and May to present alternatives to the community in preparation for drafting of the plan this summer.

The State Department has informed the Special Board that our application for an extension for the 2006 agreement, although approved, will not be fully executed for at least another two months, and that funding remains uncertain.

The Special Board is seeking to fill a vacancy. Trustee Hustis asked if the Village Board will have an opportunity to speak to candidates. Trustee Serradas suggested mailing postcards to residents to inform them of upcoming meetings.

Report of the Mayor and Board of Trustees

Trustee Campbell met with the NYSDOT at the Academy/ Main Street intersection. This meeting was a "quick look" but will be followed up by a more thorough investigation to determine the need for a crosswalk.

Trustee Falloon spoke about a meeting on March 9th to discuss the creation of a Philipstown Emergency Operation Center.

One quote was received for insulating all the plumbing and heating pipes at Village Hall and the Firehouse with one inch fiberglass pipe coverings with PVC insulated fittings in the amount of \$9,800. This work was identified by NYSERDA and is covered by POCR funds. Trustee Falloon moved to accept the bid from Orange County Insulation in the amount of \$9,800 to insulate the plumbing and heating pipes in the Village Hall and Firehouse and seconded by Trustee Serradas and unanimously approved.

Unfinished Business

Attorney Gaba provided an overview on an easement to the upper reservoir to allow access to perform maintenance and repairs on the upper reservoir. A draft agreement has been prepared laying out the location, route, village's obligations such as paving roadway up to residential property lines, minor drainage improvements along the roadway and

repairs to small potholes. The board reviewed the survey and it was noted that a change should be made to the name of the road to Foundry Pond Road. Attorney Gaba will amend to reflect this change.

Resolution No. 21 - 2010

WHEREAS, the VILLAGE OF COLD SPRING is seeking grant of an easement over certain real property located at 12 Faust Court and 18 Faust Court for access to the Upper Reservoir; and

WHEREAS, a draft Easement & Road Improvement Agreement has been prepared by which access to the Upper Reservoir can be obtained over the said property;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board approves the draft Easement & Road Maintenance Agreement; and
2. That upon acceptance of the Agreement by the property owners the Mayor is authorized to execute such agreement along with such other documents as may be necessary for recording of easements or to otherwise effectuate the agreement.

Trustee Charles Hustis presented the foregoing resolution which was seconded by Trustee Ralph Falloon,

The vote on the foregoing resolution was as follows:

Bruce D. Campbell, Trustee, voting yes

John Ralph Falloon, Trustee, voting yes

Airinhos Serradas, Trustee, voting yes

Charles Hustis, Trustee, voting yes

Seth Gallagher, Mayor, voting yes

A clean copy of the agreement will be forwarded to the village this week.

At the request of the board, Attorney Gaba sent correspondence to Cablevision requesting a change in the Franchise Renewal Agreement related to the following: inclusion of franchise fees in the calculation of gross receipts and changing the statute of limitations to be set at six years. Board members expressed a preference for changing the second option.

Composting Toilet Local Law

Attorney Gaba provided an overview of the proposed local law regarding composting toilets. In the past, the board expressed their preference for keeping the law simple and allowing composting toilets subject to Planning Board approval in the context of site plan approval. After discussion, the board supported having an inspection fee of \$500.00. Attorney Gaba will redraft the local law.

The following schedule for meetings was announced:

4/20/2010 Roger Connor from Cablevision to attend a monthly meeting

4/21/2010 Town Hall Meeting with County Executive Bondi

A town cleanup is scheduled for 4/24/2010.

Trustee Hustis moved to enter into executive session and seconded by Trustee Campbell and unanimously approved.

Respectfully submitted,

Mary Saari, Village Clerk