

**Minutes of Board of Trustee Meeting
June 8, 2010**

The Board of Trustees for the Village of Cold Spring attended a site visit to the deteriorating retaining wall located on the north side of Main Street between B and Orchard Streets on Tuesday, June 8, 2010 at 7:00 pm. Mayor Gallagher and Trustees Campbell, Falloon, Hustis and Serradas were accompanied by Ron Gainer, P.E. Mr. Gainer reviewed the findings of a recent study on this wall and discussed his recommendations.

Immediately after the site visit the board proceeded to Village Hall and held their regular monthly meeting.

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

Also: Stephen Gaba, Village Attorney, Ellen Mageean, Village Accountant, Gregory Phillips, Water Superintendent, William Bujarski, Building Inspector, Michael Armstrong, Chairman of the Special Board for the Comprehensive Plan/Local Waterfront Revitalization Plan, Vinny Tamagna, Putnam County Legislator, Haldane Board of Education Chairman Dave Merandy

Members of the public as per attached sheet

Mayor Gallagher called the meeting to order followed by the Pledge of Allegiance.

Approval of Minutes:

Trustee Hustis moved to approve minutes of the following meetings: 5-11-10 public hearing, 5-11-10 monthly meeting, 5-19-10 special meeting, 5-25-10 workshop and the 6-1-10 workshop. Motion seconded by Trustee Campbell and unanimously approved.

Ron Gainer, P.E. presented the following as per the 2010 Water Distribution System Study Update:

Summary of Mapping

1999 ISO flow tests results and system inadequacies

Fire flow protection requirements

Possible methods to satisfy the need for improvements:

1. Enhance\ hydraulic capacity of existing 10 inch pipe by cleaning and relining
2. Provide a new water storage facility within the distribution system
3. Meet fire flows needs by using water from Hudson River. This alternative involves practical limitations and is not sufficient for high demand periods.

All alternatives were priced within \$90,000 of each other. The least costly alternative is the installation of a lift station and use of water from the Hudson, estimated at \$840,000.

The recommended alternative is cleaning and lining the ten inch pipe at an estimated cost of \$930,000.

To improve system reliability parallel looped systems were recommended in several areas of the distribution system including Northern and Paulding Avenues. The proposed work could be done in phases beginning with relining the 10-inch main. Recommended long term improvements include installation of secondary loops to the 10-inch main.

Mayor Gallagher inquired about the estimated increase in fire flows resulting from cleaning and relining. In the Fishkill Road/ Main Street area and along this corridor, Mr. Gainer believes that the flow would double to 2,500 gallons per minute.

Trustee Campbell asked about the timeline for improvements in flow to the crest of the hill. Mr. Gainer described the bid package for the re-lining as relatively simple with limited design involved. The next step is to pursue funding and determine the impact on water rates.

Greg Phillips asked what effect placement of a storage tank at Haldane School would have on the system with regards to improvement in fire flows. Mr. Gainer responded that a tank at this location would more than satisfy the school's needs but the village would still need to head off the loss of the 10-inch main down to the PRV and beyond. He added that if the storage tank had been placed within the distribution system (in 1993) then the village would be delivering higher flows.

Michael Armstrong commented that the predicted flow improvements at Haldane School are about 70% of requirements and asked if this was acceptable. Mr. Gainer believed that it was very likely that the flow would be greater than 2,500 gallons. However, there is no question that cleaning the 10 inch main would provide less specific benefit to Haldane School than a storage tank but greater benefit to the overall system.

P. Henderson asked about the life expectancy of the 100 year old pipes after cleaning and relining. It is expected that the improvements would last in excess of fifty years.

Trustee Serradas asked if the cement lining would release environmental particulates. Mr. Gainer offered that this was not an issue from a water quality standpoint.

Mr. Gainer was thanked for his work.

Water Department Monthly Report

Mr. Phillips stated that the annual water quality report has been distributed and is available online. This year's report was amended to add a section of non-detections. A flush of the distribution system is currently in progress and is going well. Tectonic Engineering has delivered an emergency action plan for the village dams. Flows are down compared to last May by 18 %. Repairs performed last March are continuing to show significant decreases in flow. Mr. Phillips commented that reservoirs are at 100 percent of capacity but spill over has stopped and he cautioned that problems could be encountered with a dry summer.

Wastewater Report

Bart Clark of Oakwood Engineering will attend the next workshop to present a summary of the recent video inspection of the wastewater system for inflow and infiltration and to discuss a timeline and course of action.

Financial Report

Ms. Mageean reviewed bank balances. She pointed out that the statement of revenues and expenditures dated 5-31-10 does not represent final numbers. Expected revenues and expenses were reviewed. She estimated that at year-end revenues over expenses will be between \$50,000 and \$60,000. Final numbers will be presented at the August meeting. This month \$245,000 has been collected in property taxes.

Report of the Building and Fire Inspector

Mayor Gallagher asked about the status of the residence on Constitution Drive that is currently unoccupied and in a state of disrepair. Mr. Bujarski commented that the owner has been cooperative and agreed to resolve problems in an agreed upon timeline.

Mr. Bujarski commented that the department will need to approach businesses on Main Street to restrict their merchandise display to the area allowed by code.

Police Report

Mayor Gallagher read the monthly police report.

Highland Valley Development Project

Mayor Gallagher introduced Ozzie Albra, Fishkill resident and Peter Rostenberg, Fishkill Ridge Caretaker who attended to discuss their opposition to the Highland Valley Development project currently under consideration by the Town of Fishkill. Mr. Albra provided a history of the proposed development of 110 mobile homes that could potentially add 140 students to the Haldane School district. Furthermore, there is potential to develop up to 212 acres. Dr. Rostenberg spoke about threats to the aquifer and public wells along with the historical significance of the property.

Dr. David Eberle spoke about a study he performed on water quality in the Fishkill watershed which involved looking at sources of contamination, including salt. He spoke of the purity of the Clove Creek aquifer and the need for protection.

Andy Chmar, Director of the Hudson Highlands Land Trust spoke about the organization's concern for the threats to the environmental and quality of life. He sees the need for interested groups to have direction and focus and believes that it is critical to this effort to hire an attorney, whether the goal is to oppose or to work with Fishkill for appropriate development.

Dave Merandy of the Haldane Board of Education stated that he is looking at the possible need for an addition to the school that could cost taxpayers eight million dollars. The Board of Education is proactive and will work with other agencies to combine efforts. Nancy Montgomery, of the Town of Philipstown Council stressed the urgency and the need to have another party designated as lead agency.

Stephen Gaba advised that the issue faced by the village is standing. Generally speaking one municipality cannot challenge another on land use approvals or zoning changes but there is an exception that allows limited standing for municipalities to raise SEQR challenges. If the village was involved in litigation, talking theoretically, they would have to partner with someone who has standing to challenge substantive issues otherwise it would be limited to narrow SEQR issues.

Putnam County Legislator Tamagna has arranged a meeting with the Town of Fishkill Supervisor to discuss our concerns. He suggested preparing a resolution for Putnam municipalities to pass and send to the NYSDEC and the Town of Fishkill.

Trustee Serradas asked if this mobile home development represented workforce housing. Mr. Albra added that only a percentage will be used for workforce housing. Trustee Serradas spoke of the great representation that could be achieved by a multi-prong approach with the County Legislator, town and school. He also spoke about the cost of educating Haldane students.

Affidavit of Authorship

Mr. Bujarski provided board members with a copy of a proposed affidavit of authorship that would be added to the building permit application and stamped to plans.

Justice Court Report

Justice Costello read the monthly Justice Court report. He commented that parking fees were increased this month due to responses to letters issued by the court.

Justice Costello drafted a response and corrective action plan to the preliminary NYS Comptroller's report on an audit of the Justice Court. He submitted a draft response and corrective action plan for board for review. Mayor Gallagher recommended accepting Justice Costello's response and plan as the boards' response. Trustee Serradas moved to adopt the response and corrective action plan written by the Justice as the Village Board response and corrective action plan. Motion seconded by Trustee Campbell.

On roll call vote:

Trustee Hustis voted yes

Trustee Campbell voted yes

Trustee Serradas voted yes

Trustee Falloon voted yes

Mayor Gallagher voted yes

Justice Costello was thanked for his work.

Additional Monthly Reports

The Recreation Commission had further discussions on weddings at the waterfront.

Applications for this use need to be amended to add insurance requirements. A proposal for a skate board park was discussed and referred to Philipstown.

Requests for use of Mayor's Park were reviewed and approved as follows:

6-16-10 Fish and Fur Club picnic

6-18-10 Haldane Senior Class

8-17-10 Birthday party

1981 Haldane reunion

8-14-10 Cold Spring Fire Company

8-21-10 Village Seniors Picnic

Special Board for the Comprehensive Plan

Michael Armstrong read the monthly report. The Special Board has completed the spring outreach program – 123 stakeholders participated. The board received a letter from the Department of State giving notice of a contract extension to 11-30-10. Pending assurance that funds for an LWRP have been appropriated, the board is continuing with work to prepare a Comprehensive Plan.

Planning Board Liaison

Trustee Serradas read the liaison monthly report as per attached. The most pressing issue currently before the board is the Foodtown Plaza/ Post Office & Benedict Road parking lot expansion.

Zoning Board of Appeals Liaison

Trustee Hustis stated that the majority of the ZBA is in favor of the proposed parking waiver law. With regards to Mr. Ambrose's letter pertaining to fence height, Mr. Hustis will meet with Donald MacDonald to determine a zoning perspective.

Historic District Review Board Liaison

New member Carolyn Bachan is on board and participating.

Report of the Mayor and Board of Trustees

Trustee Campbell stated that plans are on target for the Community Day celebration.

Mayor Gallagher located bollards for the waterfront from Parrott Enterprises in

Newburgh. The HDRB found them to be appropriate. A grant has been secured from the Hudson River Foundation to pay for the bollards and installation. Mayor will be meeting

tomorrow with Legislator Tamagna, County Executive Bondi and Supervisor Shea to discuss the Butterfield Hospital property project.

Correspondence

Central Hudson is offering rebates for turning in operating air conditioners and other appliances.

Unfinished Business

The board is awaiting responses from various boards on composting toilets and decided to adjourn the continued public hearing until July 13th at 7:30 pm.

Mayor Gallagher read the following resolution to set a public hearing for a parking waiver as follows:

Insert resolution

Mr. Gaba offered to place the proposed ethics code into a law format and to prepare a resolution to set a public hearing.

Trustee Serradas asked for audio and video recordings of village board meetings that could be placed on the village website. Many governments have offered an opportunity for residents to hear or view the proceedings in this manner. He sees this as a good opportunity to reach out to the community. Trustee Serradas will explore costs.

Personnel Benefits

Ellen Mageean, Village Accountant has passed the Civil Service test and is now a full-time employee of the village. Mayor asked the board if they had a problem with offering the benefits listed in the employee handbook. Trustee Serradas moved to give benefits listed in the employee handbook to Ms. Mageean and seconded by Trustee Hustis and unanimously approved.

Michael Armstrong asked if the west end of The Boulevard is private property.

Peter Henderson spoke about placing the parking lot for Foodtown on Marion Avenue and reminded the board of overwhelming public opposition.

Executive Session

Trustee Serradas motioned to enter into closed session to confer with counsel and seconded by Trustee Hustis and unanimously approved.

10:40 pm Trustee Falloon moved to exit from executive session and seconded by Trustee Serradas and unanimously approved.

Trustee Hustis moved to adjourn and seconded by Trustee Serradas and unanimously approved.

Respectfully submitted,

Mary Saari, Village Clerk