

**Board of Trustees Meeting
May 11, 2010**

The Village Board of Trustees held their regular monthly meeting immediately after the conclusion of the public hearing for local law #1.

Present: 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, William Bujarski, Building Inspector, Stephen Smith, Fire Inspector, Gregory Phillips, Water Superintendent, Michael Armstrong, Special Board Chair and Donald MacDonald, ZBA Chair
Members of the Public

Mayor Gallagher called the meeting to order.

Approval of Minutes

Trustee Serradas requested a change to the May 4th minutes as follows: Under item #11, the following detail was added: he raised several topics including Resolution 30-08, specifically the need for a secretary for the Special Board, the village's assistance to the farmers' market, he asked why village resources being used to clean up private property. Mayor Gallagher asked to add his response that the Butterfield property is under lease to the village for the use of the Farmers' Market.

Also, Trustee Serradas addressed the matter of adding items to the agenda after it has been emailed. With respect to agendas, Airinhos Serradas suggested that the village adopt what Philipstown and Putnam County does, which is the five day rule.

Mayor Gallagher asked for a change to the minutes of the public hearing on the tentative budget. With regards to the Mayor's salary he asked to change the words "may want" to "plans".

Trustee Hustis moved to accept the minutes as amended and seconded by Trustee Campbell and unanimously approved.

Financial Report

Ms. Mageean read Budget Resolution 2010-29.

Trustee Serradas moved to adopt Resolution 2010-29

Seconded by Trustee Bruce Campbell

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

(1)	To:	A00-1410-450	Village Clerk: Master Plan	\$500.00
	From:	A00-1440-400	Engineer/ Architect: contractual	\$500.00
			To increase the budget for the Comprehensive Board for additional mailing to residents to inform them of meetings.	
(2)	To:	A00-1010-200	Board of Trustees Equipment	\$660.00
	From:	A00-1010-400	Board of Trustees Contractual	\$660.00
			To transfer money from contractual to equipment for purchase of computer in board room.	

And (2) The Accountant is hereby authorized to transfer such funds immediately.

On roll call vote:

Trustee J. Ralph Falloon voted yes

Trustee Bruce Campbell voted yes

Trustee Charles Hustis voted yes

Trustee Airinhos Serradas voted yes

Mayor Seth Gallagher voted yes

Resolution officially adopted 5/11/2010

Mary Saari, Village Clerk

Ms. Mageean reviewed bank balances as of April 30, 2010. The village is expecting reimbursement from Environmental Facilities Corporation for sewer plant renovations that will offset the negative account balance. To date, ninety- one percent of revenues have been collected. On the expense side, items awaiting payment include: \$12,000 for fire safety equipment, \$15, 000 in current bills, and \$ 23,000 in payroll. Including the aforementioned expenses, the village has spent 84.2% of our budget.

B. Budney questioned the need for funds in the Mountain Avenue Cemetery account as the town is responsible for care of cemeteries. Gordon Robertson pointed out that funds were targeted for fences surrounding the cemetery.

Building and Fire Department

William Bujarski asked for board authorization to include an affidavit of authorship in the building application process. This would ensure that plans are prepared by a professional engineer or architect. Stephen Gaba advised that the board could either adopt a resolution or amend the code. After discussion, the board favored proceeding with a resolution and one will be prepared for future consideration. Trustee Hustis asked for an update on violations, specifically on 13 Main Street. Mr. Bujarski reported limited progress due to heavy workload. Trustee Serradas inquired about the ongoing yard sale on lower Main Street. S. Gaba added that the Building Inspector would need to make frequent observations of the property in question and prepare an affidavit to establish a commercial use in a residence, a zoning violation. Although this property is in a business district, the use would need to come before the planning board. Mr. Bujarski will follow up.

No police report was available.

Justice Court collections for the month of April totaled \$6,527.50.

Water Report

The engineering assessment of our reservoir dams is underway. Drafts of the engineer inspection report and operations and maintenance reports should be ready by mid-June, with Capital Improvements Plan by mid-July. The village should have no problem meeting NYSDEC deadlines. During the DEC biannual inspection, it was noted that the valve from the lower reservoir was not working. As it is vital to operations, especially in the drier months, an assessment of the damage and related costs will be performed.

Reconciliation of processed versus billed water for the first quarter of 2010 has shown 48% unaccounted for water. Since the water main repairs in mid- March, the department has seen a dramatic reduction in flows to the system, which should correlate with a much lower ratio at the end of this quarter. After the hydrant flush is complete, we will assess the need for leak detection.

Wastewater Report

Plant performance continues to meet standards set forth in our discharge permit. Mechanical seals for two raw water pumps have failed and are in need of replacement. The mechanical contractor has been directed to order parts for repairs. Costs are unknown. Use of Environmental Facilities Funds may be an option, if not the village may have to utilize the sewer fund balance.

Final approval from EFC for the replacement of controls for the West Street pump station is expected shortly.

Recreation Commission

At the last Recreation Commission meeting the board discussed their concerns and opposition to weddings at the waterfront. The Mayors Park pavilion was recently vandalized with damages sustained to electric and water.

The Chamber of Commerce asked for use of the bandstand for their summer concert series beginning on July 11th through the end of August.

The Putnam County Humane Society requested use of Mayors Park for a concert including six bands on July 24th from 1-7pm.

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

Trustee Campbell suggested altering the application process for parades to allow for better coordination. The revised application would provide for sign-off by the Recreation Commission, Village Board, Police Department and Village Clerk.

A meeting will be held this Wednesday for Community Day planning.

Fire Company Liaison

The fire company decided not to pursue the formation of a fire district.

Special Board for Comprehensive Plan/ LWRP Report

The Special Board has almost completed the series of targeted meetings with the community that will lead up to the May 22nd all community planning forum. The forums have been aggressively promoted and attendance has been good. In addition to these meetings, the board has met with organizations in the community such as the fire company and the school. GreenPlan is working on zoning analysis and mapping in preparation for the draft of the Comprehensive Plan. Several board members met with Metro North and made a site visit to a possible location for parking on the east side of the tracks and discussed the possibility of a road between Lunn Terrace and The Boulevard. The Board hosted County Legislator Tamagna where he discussed his vision for the Butterfield property.

Mayor Gallagher received a petition today supporting a restaurant at the Dockside property.

Planning Board Liaison – Trustee Serradas

The Planning Board attended a training session with Village Attorney Gaba and members earned credit toward their annual requirement. The Planning Board is currently considering an application for building expansion at the Foodtown Plaza that will house an expanded Foodtown store and the post office.

Board concerns include: traffic, storm water and parking. Robert Cameron, P.E. from Putnam Engineering has been retained to assist in site plan review. One important component is parking with the corner lot at the rear of the building being considered for worker parking and truck staging.

Gus Serroukas, owner of plaza recently requested a meeting with Mayor Gallagher, Joseph Barbaro, Planning Chair and Donald Mac Donald, Zoning Board Chair to review the timeline.

Historic District Review Board Liaison- Mayor Gallagher

The Historic District Review Board is currently reviewing two applications to fill the seat vacated by David Birn. The board is working with Jill Fischer of Larson Fischer Associates to arrive at a final report for the historic district survey. The next step is to for the board to add photo documentation into an access database.

Report of the Mayor and Board of Trustees

Trustee Falloon is working with an individual from Westchester County regarding a pump system. This will allow the village to have two different options to consider.

He also spoke about the condition of the sidewalks on the side streets and thinks the village should revisit how we repair our sidewalks.

Mayor Gallagher spoke of finalizing the village budget and reducing the tax increase from 3.8% to 2.95%. Bill Bauman indicated that the state is anxious to make an agreement for Dockside. A workshop will be arranged to review a draft agreement and to get answers to our questions.

Correspondence

- a. Petition regarding Dockside property containing 42 signatures
- b. Putnam County Workshop on Cooperative Purchasing- Board authorized the Village Clerk to attend
- c. NYSDEC regarding an environmental easement for the Manufacturer Gas Plant site- A meeting will be scheduled with William Ottaway next month to allow the board and public to ask additional questions about the remedial action plan. Board members preferred June 22nd.
- d. Planning Board requested a change in the village code with regard to the amount of escrow funds.
- e. Catharine Square asked for the secretarial position on the Special Board- Trustee Serradas read this request.

Unfinished Business

- a. Code of Ethics revisions- Trustee Serradas asked for a highlight of all changes to the ethics code and called for additional discussion specifically with regard to gifts. Discussion will continue at the next workshop meeting.
- b. Parking waiver – The board received feedback from the zoning and planning boards. In addition, the board received three related communications from Richard Turner, ZBA member, Mike Armstrong of the Special Board and Parking Committee and Elizabeth Ailes. Mayor proceeded to read the **attached** letter from Joe Barbaro. Donald MacDonald read the zoning board response as per **attached**. The board discussed restricting the waiver to the B-1 and B-2 districts.
Trustee Serradas asked for more time before commenting or making any decisions as he recently received related materials and had limited time for review. Trustee Falloon wanted to have common ground with the Planning Board and didn't want to give that board something they didn't enjoy enforcing.
Attorney Gaba will draft another version of the proposed law that restricts to B1 and B2 and then the board can revisit. Donald MacDonald offered to sit down with the Planning Board and discuss.
- c. A meeting was scheduled for Wednesday, May 19th at 6:00pm for bill approval as the board will not be meeting on May 18th.

A highway department employee asked to purchase a boot dryer under his clothing allowance. Board members had no objection.

Trustee Serradas spoke about the condition of police vehicles and the possibility of removing idle vehicles from the insurance policy.

Trustee Serradas asked to have changes to the meeting procedures added to this meeting's agenda. Mayor Gallagher objected as details were not provided. Mayor Gallagher and Trustee

Serradas had back and forth discussion on this matter and also on the issue of board members taking minutes.

P. Henderson asked if the board would consider recording meetings and posting audio files on the village website.

Trustee Campbell moved to enter into executive session for the purpose of discussing three items as follows:

- a. Draft of state comptroller's audit of Justice Court
- b. Kearney claim
- c. Ant- Ant Claim

Trustee Hustis seconded the motion which was unanimously approved.

Respectfully submitted,

Mary Saari, Village Clerk

**Board of Trustee Meeting
May 19, 2010**

The board of Trustees held a special meeting on Wednesday, May 19, 2010 at 6:00 PM at Village Hall to audit bills for payment. All bills were unanimously approved for payment.