

**BOARD OF TRUSTEE MEETING
JANUARY 11, 2011**

The Board of Trustees of the Village of Cold Spring held their regular monthly meeting on Tuesday, January 11, 2011 at 7:30 pm at Village Hall, 85 Main Street, Cold Spring, NY.

PRESENT: Mayor Seth Gallagher
Trustees Charles Hustis
Trustee Bruce Campbell
Trustee J. Ralph Falloon
Trustee Airinhos Serradas

ALSO PRESENT: Stephen Gaba, Village Attorney, William Bujarski, Building Inspector and Gregory Phillips, Water Superintendent

ABSENT: Ellen Mageean, Village Accountant (weather-related) and Stephen Smith, Fire Inspector

Members of the Public

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

APPROVAL OF MINUTES

Trustee Falloon moved to approve of the minutes of the 12/14/11, 12/21/11, and 1/4/11 meetings and seconded by Trustee Campbell. Trustees Falloon, Campbell, Hustis and Mayor Gallagher voted in favor with Trustee Serradas abstaining from the vote.

FINANCIAL REPORT

Mayor Gallagher reviewed the bank balances and the following resolution:

RESOLUTION #:02- 2011

Moved by: Trustee Bruce Campbell
Seconded by Trustee J. Ralph Falloon

Resolved that (1) The Board of Trustees of The Village of Cold Spring hereby approves the following Budget Adjustment(s) for the 2010/2011 fiscal year:

(1)	To:	A00-8160-100	Garbage: Personal Service	\$4,000.00
	From:	A00-8540-100	Storm Drain: Personal Service	\$4,000.00
			Reclass of money within Highway Department personal services	
(2)	To:	A00-7110-400	Parks & Rec – Repair and Improvement	\$4,000.00
	From:	A00-8160-430	Recycling: Contractual	\$4,000.00
			For repairs to the shed roof at Mayors Park	

(3)	To:	A00-3120-400	Police: Vehicle Repairs	\$3,000.00
	From:	A00-8160-430	Recycling: Contractual	\$2,500.00
	From:	A00-8540-410	Storm Drain: Supplies	\$500.00
			For additional repairs to police vehicles	
(4)	To:	A00-3410-440	Fire: Siren	\$400.00
	To:	A00-2701-000	Refund of Prior Year Expenditures	\$400.00
			Increase budget for additional fire siren expenses and refunds of money spent in previous years	
(5)	To:	A00-3620-110	Building Insp: Clerk Personal Service	\$2,300.00
	From:	A00-9050-800	Unemployment Insurance	\$2,300.00
			To increase the building inspector clerk personal service for increase in hours worked and to be worked	
(6)	To:	A00-1410-451	Village Clerk: Comp Plan - Village Board	\$2,960.00
	From:	A00-1410-450	Village Clerk: Comprehensive Plan	\$1,460.00
	From:	A00-9050-800	Unemployment Insurance	\$1,500.00
			For transfer of approved expenditures for Village Board Comp. Plan related expenses to a new budget allocation for that purpose, as well as for additional consultant and publicity expense relating to Village Board revising of Comp Plan	
(7)	To:	F00-8320-130	Source of Supply: Personal Services	\$3,500.00
	From:	F00-8430-100	Trans & Distr: Repairs & Maint- Personal Svcs	\$3,500.00
			To reclass monies to a separate line item for personal services	

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 Charles Hustis voted: YES

Trustee Airinhos Serradas voted: NO

Mayor Seth Gallagher voted: YES

Resolution officially adopted on: January 11, 2011 by vote of 4 to 1.

POLICE REPORT

OIC Kane provided monthly and yearly totals for police activities and reminded residents about winter parking regulations.

In response to resident requests, Mayor Gallagher moved to suspend the on street parking prohibition for Marion Avenue, south of Benedict Road for the duration of two weeks.

Trustee Falloon seconded the motion. Trustees Campbell, Hustis, Falloon and Mayor Gallagher voted in favor with Trustee Serradas abstaining from the vote. Attorney Gaba will draft a resolution for board consideration on January 25, 2011.

JUSTICE COURT

Justice Court collection for the month of December 2010 totaled \$6,745.00

BUILDING & FIRE INSPECTOR

Reports for the months of November and December were reviewed. There was brief discussion on the enforcement of sidewalk clearing regulations.

WATER DEPARTMENT

Gregory Phillips, Water Superintendent informed the board that Badger meter’s offer for radio read meter heads has been extended to March. Mr. Phillips is currently exploring alternate technologies for radio reading and will present this information to the board at a future workshop. Bid documents for the replacement of the master control panel at the water plant have been forwarded to counsel for review. The department is currently seeking quotes for the valve replacement at the lower reservoir dam.

WASTEWATER DEPARTMENT

An annual report is currently being prepared for the NYSDEC that describes department efforts to identify and correct sources of inflow and infiltration. Quotes are currently being sought for pressure grouting of joints in the sewer collection mains. As this work is a result of the televised inspection performed last spring, the cost was not considered in the 2010/2011 budget. The following budget amendment resolution was considered:

RESOLUTION #:03-2011

Moved by: Trustee Serradas

Seconded by: Trustee Hustis

Resolved that (1) The Board of Trustees of The Village of Cold Spring hereby approves the following Budget Adjustment(s) for the 2010/2011 fiscal year:

(1)	To:	G00-8120-417	Sanitary Sewer: Repairs & Improvements	\$25,000.00
	From:	G00-1990-400	Contingent Account	\$25,000.00
			To transfer money from the contingent account for expenditures related to the correction of I&I in the collection system piping.	

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 Charles Hustis voted: YES
- Trustee Airinhos Serradas voted: YES
- Mayor Seth Gallagher voted: YES

Resolution officially adopted by a vote of 5-0.

A workshop to discuss additional water and wastewater matters was scheduled for January 25, 2011 at 6:30 pm.

RECREATION COMMISSION

Trustee Campbell moved to approve the application of the Cold Spring Antique Dealers Association for an antique show on July 10, 2011 and seconded by Trustee Serradas and unanimously approved. The commission discussed proposed changes to the Village Code, use of Mayor's Park fields, and requests for commemorative plaques/memorials.

FIRE COMPANY LIAISON

The need to assess and repair the fire house floor was mentioned.

PLANNING BOARD LIAISON

The Planning Board is awaiting guidance from the Village Attorney regarding an interpretation of the Village Code.

The Planning Board is working with Scenic Hudson to schedule a workshop for consideration of the application for the West Point Foundry Preserve.

SPECIAL BOARD FOR THE COMPREHENSIVE PLAN/LWRP

The Special Board will be meeting on January 13th to establish the schedule for completing the tasks of the LWRP. A financial summary was presented.

REPORT OF THE MAYOR AND BOARD OF TRUSTEES

Trustee Hustis reported that the United States Postal Service issued a solicitation for proposals. He called for smart planning and zoning input as per the **attached** statement. Trustee Campbell requested scheduling a review of proposed contracts received from Clough Harbour Associates for the Main Street transportation projects. The board scheduled such review for Thursday, January 20, 2011 at 7:00 pm.

Trustee Falloon announced a meeting involving local officials scheduled for January 15, 2011 at the VFW Hall. Ron Graner of Fire Rescue Consulting will be soliciting information from the public and local officials to define community expectations, review existing conditions, and determine needs of the emergency services and the community.

Trustee Serradas spoke about the need to clear snow on Main Street sidewalks to keep commerce going. Also, he recommended purchase of neoprene gloves for the Highway Department. He sees these items as safety gear that should be provided by the village.

Mayor Gallagher recommended purchase through the individual clothing allowance.

Trustee Serradas addressed Attorney Gaba with his concern that his intra-agency email, sent to Village Board members and the Village Clerk on 12/31/2010, was being forwarded to other parties, including a reporter. There was discussion between Mayor Gallagher and Trustee Serradas about whether this communication was privileged.

Mayor Gallagher reported that a request for proposals was issued for the redesign of the Justice Court. Mayor Gallagher requested assistance from the Putnam County Highway Department for replacement of wastewater department trees damaged by salt deposited by the county. Mayor Gallagher asked board members if there were any objections to the

purchase of jackets for the highway department and the school crossing guards. No objections were voiced.

UNFINISHED BUSINESS

RESOLUTION #04-2011

617.4

State Environmental Quality Review (SEQR)
Resolution Establishing Lead Agency
Type 1 Action

Name of Action: Adoption of Cold Spring Comprehensive Plan

Whereas, the Village of Cold Spring Board of Trustees is in receipt of a proposed Village of Cold Spring Comprehensive Plan dated December 9, 2010, prepared by the Comprehensive Plan/ Local Waterfront Revitalization Plan (LWRP) Special Board for the Village of Cold Spring, Putnam County, New York; and

Whereas, Part 1 of a Full Environmental Assessment Form (EAF) dated January 4, 2011 has been prepared to comply with the requirements of 6 NYCRR 617.6 of the State Environmental Quality Review Act (SEQR) regulations; and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Village Board has determined that the proposed action is a Type 1 Action because it meets the thresholds of 6NYCRR 617.4(b)(1); and

Whereas, the Village Board has determined that the proposed action is not within an agricultural district and, therefore, the requirements of 6NYCRR 617.6(a)(6) do not apply; and

Whereas, after examining the EAF, the Village Board has determined that there are no other involved and/ or federal agencies on this matter.

Now Therefore Be It Resolved, that the Village Board hereby declares itself Lead Agency for the review of this action.

On a motion by Trustee Serradas, seconded by Trustee Campbell, and a vote of five for and zero against, and zero absent, this resolution was adopted on January 11, 2011.

On roll call vote:

Trustee Ralph Falloon voted: YES

Trustee Bruce Campbell voted: YES

Trustee Charles Hustis voted: YES

Trustee Airinhos Serradas voted: YES

Mayor Seth Gallagher voted: YES

FIREMAN'S SERVICE AWARD POINT LISTING

Trustee Serradas moved to approve of the certified point listing for the Cold Spring Firefighters and seconded by Trustee Falloon and unanimously approved.

Trustee Serradas moved to authorize Mayor Gallagher, Trustee Campbell, Trustee Hustis and Mary Saari as individuals authorized to sign for the length of service award program as per **attached**.

RESOLUTION #05- 2011

WHEREAS, the Village Board of the Village of Cold Spring has before it a proposed local law entitled: "A Local Law To Amend Village Code Chapter 27 By Repealing Village Code Section 27-9, 'Docking Of Boats,' In Its Entirety And Enacting In Its Place And Stead A New Section 27-9 'Docking Of Vessels,'" and

WHEREAS, proceedings upon the proposed local law require that it be introduced and that the Village Board hold a public hearing upon it, and

WHEREAS, the Village Board has determined that it is appropriate and in the public interest to circulate the proposed local law to the Village Planning Board, Zoning Board, Historic District Review Board, Recreation Commission and Comprehensive Plan Special Board for review and comment,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the movant of this resolution does hereby introduce the said proposed local law, and
2. That a public hearing on the proposed local law is set for February 8, 2011 at 7:00 o'clock p.m. and

that due notice of the same is directed to be given by publication and posting, and

3. That the Village Planning Board, Zoning Board, Historic District Review Board, Recreation Commission and Comprehensive Plan Special Board are hereby requested to review the proposed local law and to provide the Village Board with comment thereon prior to the date of the public hearing thereon.

Trustee Hustis presented the foregoing resolution which was seconded by Trustee Campbell,

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

Resolution officially adopted.

Resolution No.06- 11

WHEREAS, the VILLAGE OF COLD SPRING has received a proposed Closing Certificate & Supplemental Agreement from the New York State Environmental Facilities Corporation in regard to a financing program known as the New York State Environmental Facilities Corporation State

Drinking Water Revolving Fund Revenue Bonds, a copy of which is annexed hereto, and

WHEREAS, under the proposed agreement the Village stands to realize a reduction in its net debt service on a borrowing made from the said fund; and

WHEREAS, the Village Board finds that the terms and conditions set forth in the said Closing Certificate & Supplemental Agreement are acceptable and in the best interests of the VILLAGE;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board does hereby accept and approve the Closing Certificate & Supplemental Agreement; and

2. That the Mayor and Treasurer are hereby authorized to execute the said document on behalf of the Village.

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

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

Resolution officially adopted on January 11, 2011.

RESOLUTION # 07-2011

The Board of Trustees of the Village of Cold Spring hereby resolves to appoint the following individuals as Election Inspectors for the Tuesday, March 15, 2011 Village Election:

Inspectors: Lynn Hynes, 15 Fair Street, Cold Spring, NY 10516
Maureen Hynes, 15 Fair Street, Cold Spring, NY 10516
Karen Virgadamo, 20 Church Street, Cold Spring, NY 10516
Adam Huston, 3 Stone Street, Cold Spring, NY 10516
Josephine Pidala, 1 Hamilton Street, Cold Spring, NY 10516
Marie Early, 16 Grandview Terrace, Cold Spring, NY 10516
Sara Dulaney, 7 Garden Street, Cold Spring, NY 10516
Audra Mazza, 9 Forge Gate Drive, Unit E1, Cold Spring, NY 10516
Susan Peehl, 13 Fair Street, Cold Spring, NY 10516

Chair: Donna Steltz, 17 Church Street, Cold Spring, NY 10516

Alternates: Rhoda Needleman, 62 Chestnut Street, Apt. #1A7 Cold Spring, NY 10516
Elizabeth Armstrong, 7 Morris Avenue, Cold Spring, NY 10516

The hourly wage for election inspectors shall be set at \$11.00 per hour.

Trustee Serradas moved the foregoing resolution which was seconded by Trustee Campbell,

On roll call vote:

Trustee J. Ralph Falloon voting YES
Trustee Bruce Campbell voting YES
Trustee Charles Hustis, III voting YES
Trustee Airinhos Serradas voting YES
Mayor Seth Gallagher voting YES

Resolution officially adopted on January 11, 2011.

RESOLUTION #08 - 2011

WHEREAS the Village of Cold Spring Board of Trustees wishes to provide the opportunity for all residents to vote at the March 15, 2011 Village Election, and

WHEREAS the Village Board of Trustees by New York State Election Law Chapter 15, Section 104(3) sets the location of the Village Election and determines the hours that the polls are open; and

WHEREAS after consideration of practical and budgetary concerns, the Board has determined that it is in the best interest of the village to extend voting hours to conform with the polling hours set for presidential, town and county elections;

NOW THEREFORE BE IT RESOLVED that, the Board of Trustees of the Village of Cold Spring will hold the annual Village Election on March 15, 2011 at the Cold Spring Firehouse, 154 Main Street and sets the hours that the polls are open at 6 am to 9 pm.

Trustee Hustis moved the foregoing resolution which was seconded by Trustee Falloon,

On roll call vote:

Trustee Bruce Campbell voting YES
Trustee Charles Hustis, III voting YES
Trustee J. Ralph Falloon voting YES
Trustee Airinhos Serradas voting YES
Mayor Seth Gallagher voting YES

Resolution officially adopted on January 11, 2011.

Trustee Serradas read a memo from the Village Clerk regarding posting of minutes. He requested that minutes are available within two weeks.

PUBLIC COMMENTS: None

APPROVAL OF BILLS

Trustee Hustis moved to pay the audited bills and seconded by Trustee Falloon and unanimously approved.

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

Respectfully submitted,

Mary Saari, Village Clerk