

Board of Trustee Workshop Meeting
June 14, 2011

The Board of Trustees of the Village of Cold Spring held a workshop meeting on Tuesday, June 14, 2011 beginning at 7:00 pm at Village Hall, 85 Main Street, Cold Spring, NY.

Attending: Mayor Seth Gallagher and Trustees Campbell, Hustis and Serradas
Also Attending: Ellen Mageean, Village Accountant, and Melinda D'Allessio, of Brinkerhoff and Neuville
Absent: Trustee Ralph Falloon (illness related)
Members of the Public

Melinda D'Allessio, Employee Benefit Consultant of Brinkerhoff and Neuville presented cost-saving options for employee health insurance coverage including high deductible health plans linked to health savings accounts. Ms. D'Allessio also discussed Medicare advantage programs as another method to save on health insurance costs. Lastly, a summary of key provisions of the Patient Protection and Affordable Care Act were provided.

**Board of Trustee Monthly Meeting
June 14, 2011**

The Board of Trustees of the Village of Cold Spring held their regular monthly meeting on Tuesday, July 14, 2011 at Village Hall, 85 Main Street, Cold Spring, NY beginning at 7:30 pm.

Attending: Mayor Seth Gallagher and Trustees: Bruce Campbell, Charles Hustis and Airinhos Serradas

Also Attending: Stephen Gaba, Village Attorney; Ellen Mageean, Village Accountant; William Bujarski, Building Inspector

Members of the Public

APPROVAL OF MINUTES

Trustee Hustis moved to accept the minutes as presented for the following meetings: May 10, 2011 monthly meeting and workshops on May 17, May 24, May 31 and June 7, 2011. Motion seconded by Trustee Campbell. Mayor Gallagher voted yes, Trustee Campbell voted yes, Trustee Hustis voted yes and Trustee Serradas abstained from the vote. The minutes were accepted as presented.

FINANCIAL REPORT

Ellen Mageean, Village Accountant reviewed the following resolution.

RESOLUTION #:2011-37 Moved by: Trustee Airinhos Serradas
Seconded by: Trustee Charles Hustis

Resolved that (1) The Board of Trustees of The Village of Cold Spring hereby approves the following Budget Adjustment(s) for the 2011/2012 fiscal year:

(1)	To:	A00-8160-420	Recycling – Maint & Equipment	\$3,000.00
	From:	A00-1410-450	Clerk: Comprehensive Plan	\$3,000.00
			To increase Recycling Equipment to pay for composting bins and to reduce Special Board budget to amount requested by the Special Board.	
(2)	To:	G00-1410-400	Attorney: Contractual	\$1,000.00
	From:	G00-9710-700	Serial Bonds: Interest	\$1,000.00
			To create a new budgetline for the attorney costs related to easement search.	
(3)	To:	G00-1910-400	Unallocated Insurance	\$2,666.00
	From:	G00-8120-418	Sanitary Sewer – Engineering for I & I	\$2,666.00
			To increase the insurance line item due to a change in the method of allocation between general, water and sewer.	
(4)	To:	F00-1910-400	Unallocated Insurance	\$8,232.00
	From:	F00-1990-400	Contingent Account	\$8,232.00
			To increase the insurance line item due to a change in the method of allocation between general, water and sewer.	

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

On roll call vote:

Trustee Ralph Falloon voted:	ABSENT
Trustee Bruce Campbell voted:	YES
Trustee Charles Hustis voted:	YES
Trustee Airinhos Serradas voted:	YES
Mayor Seth Gallagher voted:	YES

Resolution officially adopted on June 14, 2011

Mary Saari-Village Clerk/Treasurer

Bank balances were reviewed. It was pointed out that the statement of revenues and expenses for all funds do not represent year-end figures.

BUILDING AND FIRE INSPECTOR REPORT

William Bujarski reported progress in resolving complaints at 21 Parsonage Street and 37 Fair Street.

POLICE REPORT

Officer-in Charge George Kane reported that during the month of May the CSPD responded to 101 calls for service, issued 78 parking tickets and enforced three arrests. Residents were reminded about road closures on Community Day.

JUSTICE COURT collected \$10,884.50 during the month of May.

WATER AND WASTE WATER REPORTS

Gregory Phillips reported that the installation of the new control panel for the West Street lift station is complete. Flow monitoring of the collection system sub-basins E1 & E2 has been completed and we are awaiting a report to determine the contribution of inflow and infiltration in that part of the collection system.

In the water department report, Mr. Phillips reported that the annual water quality report for the year 2010 has been distributed and placed on the village website. The spring hydrant flush is complete. Mr. Phillips made a request for additional help to assist with facility maintenance. The process of hydrant replacement has begun. A leak has been detected on Fair Street and will be investigated and corrected.

Mr. Phillips reviewed correspondence from Ron Gainer, P. E. regarding the water main relining project and recommended extending the project to include relining the main from the PRV to the railroad tracks. He feels this is justified in the significant water quality improvement to the core of the village and to improve fire flows to the area of the village with the tallest structures.

RECREATION COMMISSION

Trustee Campbell reviewed the recent proceedings of the Recreation Commission. Improvements at the Tot's Park were discussed at the May 25th meeting. Contracts for

fertilization of the fields are under consideration. Community Day arrangements were reviewed.

PLANNING BOARD LIASION

Trustee Serradas updated the board on the applications of Scenic Hudson for the West Point Foundry Preserve and the Foodtown Plaza/Post office.

Lead agency notification has been sent out for the West Point Foundry Preserve project. With regards to the Foodtown expansion, the Planning Board has asked the owner to delay the Foodtown's occupation of the post office space until the planning process is complete.

SPECIAL BOARD FOR THE COMPREHENSIVE PLAN/LWRP

Michael Armstrong, Chairman of the Special Board provided a summary of the meetings held during the month of May. The Special Board currently has full membership and a liaison to the Planning Board. This summer the Special Board will be directing its attention to completing the report required by its contract with the State for the LWRS. The board has learned that funding for completion of the full LWRP is uncertain given the State's fiscal concerns.

REPORT OF THE MAYOR AND BOARD OF TRUSTEES

Trustee Hustis is working with Central Hudson to save on village electric bills.

Trustee Campbell will be attending meetings with residents of Church Street, CHA regarding the transportation projects and with Department of Transportation representative regarding crosswalks.

Mayor Gallagher is currently investigating options to address the need to transport seniors for shopping outside the village and hopes to partner with the school and town.

CORRESPONDENCE

Robert Flaherty requested changing the location of their vending site to either the corner near the river before West Street or just before the East side of the railroad tracks. Trustee Serradas moved to approve this request and seconded by Trustee Campbell and unanimously approved.

UNFINISHED BUSINESS

Mayor Gallagher read the text of the proposed local law regarding fence height. Trustee Hustis requested clarification regarding Sections 2 and 3. Trustee Serradas expressed concern about the effect on the character of the village. After brief discussion, the board considered the following resolution.

RESOLUTION 38-2011

WHEREAS, the Village Board of the Village of Cold Spring has before it a local law before it entitled: "A Local Law To Amend Village Code Chapter 134, 'Zoning,' By Amending Section 134-2, 'Word Usage And Definitions,' To Add Definitions For The Terms 'Fence' And 'Fence Height,' And By Amending Subsection (D)(1) Of Section 134-17,

'Supplementary Regulations Applying To All Residence Districts,' To Revise The Provisions Thereof Regarding 'Permitted Obstructions,'" and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the movant of this resolution does hereby introduce the proposed local law entitled: "A local law to amend Chapter 134 of the Code of the Village of Cold Spring", and

2. That a public hearing on the proposed local law is set for July 12, 2011 at 7:00 o'clock p.m. and that due notice of the same is directed to be given by publication and posting.

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

The vote on the foregoing resolution was as follows:

Charles E. Hustis III, Trustee, voting YES

Bruce D. Campbell, Trustee, voting YES

Airinhos Serradas, Trustee, voting ABSTAINED (Question the complexities)

J. Ralph Falloon, Trustee, voting ABSENT

Seth J. Gallagher, Mayor, voting YES

Resolution approved June 14, 2011 by a vote of 3-0-1.

RESOLUTION 39-2011

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 134, 'Zoning,' By Amending Section 134-2, 'Word Usage And Definitions" By Repealing The Definition Of "Story, Half" As Set Forth Therein And Enacting In Its Place and Stead A New Definition For The Term "Story, Half", and

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

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 July 12, 2011 at 7:15 o'clock p.m. and that due notice of the same is directed to be given by publication and posting, and

3. That the proposed local law is hereby referred to the Village Planning Board for a report thereon before the public hearing as required by Village Code §134-32.

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

The vote on the foregoing resolution was as follows:

Bruce D. Campbell, Trustee, voting YES

John Ralph Falloon, Trustee, voting ABSENT

Airinhos Serradas, Trustee, voting YES

Charles Hustis, Trustee, voting YES

Seth Gallagher, Mayor, voting YES

Resolution officially adopted by a vote of 4-0.

Resolution No. 40- 2011

WHEREAS, the Village of Cold Spring has undertaken a Water Distribution Study regarding its municipal central water system; and

WHEREAS, the Water Distribution Study recommended "relining" the water main along Fishkill Road and Main Street to the pressure reducing valve below Route 9D; and

WHEREAS, it appears that financing for such a project will have to come from the Village; and

WHEREAS, the cost of such a project will require a borrowing by the Village;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Mayor is hereby authorized to execute the Short Form EAF on the proposed project; and

2. That the proposed project constitutes a Type II Action under SEQRA; and

3. That the Village Board does hereby approve the proposed project to reline the water main along Fishkill Road and Main Street to the pressure reducing valve below Route 9D, subject to obtaining financing and contracts for performance of the work acceptable to the Village Board; and

4. That the Village Board hereby retains the firm of Hawkins, Delafield & Wood, LLP, to represent the Village as bond counsel on this matter in accordance with the terms of the June 10, 2011 retainer letter **attached** hereto.

Trustee Airinhos Serradas presented the foregoing resolution which was seconded by Trustee Charles Hustis, The vote on the foregoing resolution was as follows:

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

Resolution officially adopted 6-14-2011 by a vote of 4-0.

RESOLUTION 41-2011

WHEREAS, the Village Board by Resolution No. 40-2011 approved the proposed project to reline the water main along Fishkill Road and Main Street to the pressure reducing valve below Route 9D, subject to obtaining financing and contracts for performance of the work acceptable to the Village Board; and

WHEREAS, the proposed project is subject to competitive bidding; and

WHEREAS, the Village requires the services of a professional engineer to prepare formal bid documents including all required technical specifications, and;

WHEREAS, the Village Board received a proposal to prepare bidding documents, in conformance with municipal bidding requirements, from Ronald J. Gainer, P.E, who prepared the 1992 Water Distribution System Study and the 2010 Water Distribution System Study Update in May 2010 and is familiar with details of the proposed project;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board hereby accepts the attached proposal dated June 13, 2011 from Ronald J. Gainer to perform the activities put forth in the proposed project scope at an estimated cost of \$6,300.
2. That the Mayor is hereby authorized to execute the said Agreement on behalf of the Village.

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

The vote on the foregoing resolution was as follows:

Charles E. Hustis III, Trustee, voting YES

J. Ralph Falloon, Trustee, voting ABSENT

Airinhos Serradas, Trustee, voting YES

Bruce D. Campbell, Trustee, voting YES

Seth J. Gallagher, Mayor, voting YES

Resolution officially adopted on June 14, 2011 by a vote of 4-0.

The Board received two requests from local restaurants to waive the thirty day waiting period for renewal of a liquor license. After brief discussion, Trustee Serradas moved to have the Village Attorney prepare a letter to the New York State Liquor Authority informing them that the Village had no objection to the renewal of the liquor license. Motion seconded by Trustee Hustis and unanimously approved.

Congresswoman Nan Hayworth requested the use of Village Hall on July 8th for representatives to meet with constituents from 10 a.m. to 12 noon. Trustee Serradas moved to approve this request and seconded by Trustee Campbell and unanimously approved.

FEE STRUCTURE FOR DOCKING

Mayor Gallagher spoke with a number of people about appropriate fees and suggested charging a daily fee of \$1.00 per foot for vessels docked at the waterfront. After discussion and receiving input from members of the public, Trustee Serradas moved to charge \$2.00 per foot per day beginning and ending at 12 midnight. Motion seconded by Trustee Hustis and unanimously approved. The need for owners to file in advance of their visit was stressed.

APPROVAL OF FIREWORKS CONTRACT

Attorney Gaba reviewed the contract between Majestic Fireworks, Inc and the Village for provision of fireworks on July 3, 2011 and recommended the following changes: In the section regarding roping off, add the language, arising out of unauthorized persons entering into the area to be roped off. Trustee Serradas moved to approve the fireworks contract with Majestic Fireworks, Inc. and seconded by Trustee Hustis and unanimously approved.

REQUEST FOR FILMING

Nordstrom Advertising requested permission for a catalog shoot on June 22 or 23. Mayor Gallagher recommended that the fee for the photo shoot be set at \$1,000, as this is comparable to what other communities are charging. Trustee Serradas questioned the need for police assistance. After discussion, Trustee Serradas moved to approve the Mayor entering into the standard agreement (with Nordstrom) with the fee set at \$1,000 for June 22nd or June 23rd. Motion unanimously approved.

PUBLIC COMMENT

Thomas Robertson approached the board concerning matters related to the Cold Spring Boat Club. Mr. Robertson explained that the current lease with the village restricts new members to Village of Cold Spring and Town of Philipstown residents. He asked the Mayor if he stated that he wanted people from Beacon in the boat club. Mr. Robertson currently has a legal action with regards to this matter. Mayor Gallagher responded that he thought the membership issue was clear.

Stephanie Hawkins requested more recycling bins on Main Street.

Mayor Gallagher presented backyard composting bins that are available from the village at a price of \$40.00.

APPROVAL OF BILLS

Trustee Hustis moved to approve payment of the audited bills and seconded by Trustee Campbell. Mayor Gallagher and Trustees Hustis and Campbell voted in favor with Trustee Serradas abstaining from the vote. Payment of bills was approved by a vote of 3-0.

Trustee Serradas moved to enter into executive session to address a fire company personnel issue and seconded by Trustee Hustis and unanimously approved.

Respectfully submitted,
Mary Saari, Village Clerk