

Board of Trustees Monthly Meeting

August 9, 2011

The Board of Trustees for the Village of Cold Spring held their monthly meeting on Tuesday, August 9, 2011 beginning at 7:30 pm at the Village Hall, 85 Main Street, Cold Spring, NY.

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

Also attending were Ellen Mageean, Village Account, Stephen Gaba, Village Attorney, William Bujarski, Building Inspector, Michael Armstrong, Chairman of the Special Board for the Comprehensive Plan/LWRP, Sally Peparo, Ryan Peparo, Rose and Michael Powell, Catharine Square, and Tom Rolston.

Mayor Gallagher opened the meeting followed by the Pledge of Allegiance and Roll Call.

A Proclamation was read to Sally Peparo for her outstanding service to our country during World War II. Ms. Peparo accepted the Proclamation to a standing ovation. She is a long time resident of the Village.

APPROVAL OF MINUTES

Trustee Hustis requested an amendment to the July 12, 2011 monthly meeting minutes correcting the title, "Minutes of the Village of Cold Spring Board of Trustees". In duplicating the minutes, the "e s" dropped off the end of the word "Trustees". A motion was made by Trustee Hustis, seconded by Trustee Campbell, to accept the minutes, as amended, for the following meetings: July 12, 2011 Public Hearing, Monthly Meeting, Closed Session and Bid Opening, Workshop meetings July 19, July 26 and the continued minutes of July 26, 2011. The adoption of the minutes was accepted with a 4-0-1 vote with Trustee Serradas abstaining.

Resolution #:2011-55

Moved by: Trustee Hustis

Seconded by: Trustee Campbell

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:	A00-1110-200	Justice: Equipment & Furniture	\$1,435.00
	From:	A00-1110-110	Court Clerk: Personal Services	\$1,435.00
			Increase justice court for additional expenditure related to the Court room renovations.	
(2)	To:	A00-1322-100	Accountant: Personal Services	\$35.00
	From:	A00-1340-400	Budget and Other Notices	\$35.00
			Increase budget for Accountant to cover year end accrual.	

(2)	To:	A00-1620-100	Shared Services: Personal Services	\$509.00
	From:	A00-1620-400	Shared Services: Contractual	\$509.00
			To reclass budget dollars from contractual to personal services for shared services	
(3)	To:	A00-1670-400	Shared Services: Printing & Mailing	\$377.00
	From:	A00-1910-100	Ins & Risk Manage Comm Chair: Personal Svs	\$377.00
			Increase printing and mailing for additional expenditures.	
(4)	To:	A00-3120-410	Police: Services and Materials	\$353.00
	From:	A00-3120-100	Police: Personal Services	\$353.00
			Invoice received after year's end.	
(5)	To:	A00-3120-460	Police: Clothing Kane	\$30.00
	To:	A00-3120-464	Police: Clothing: Ciero	\$24.00
	To:	A00-3120-472	Police: Clothing Lavell	\$9.00
	To:	A00-3120-475	Parking Enforcement: Clothing	\$21.00
	From:	A00-3120461	Police: Clothing Walz	\$84.00
			Reallocation of police clothing budget for additional monies spent on clothing based on the terms of new contract. The result of new contract.	
(6)	To:	A00-3620-110	Building Inspector: Clerk Personal Services	\$266.00
	To:	A00-3620-400	Building Inspector: Contractual	\$87.00
	From:	A00-1990-400	Contingent Account	\$353.00
			Increase Building Inspector budget for the increase in expenditures.	
(7)	To:	A00-8160-100	Garbage: Personal Services	\$1,581.00
	From:	A00-5110-100	Highway Street Maint: Personal Services	\$1,581.00
			Increase the services & materials budget for additional expenditures.	
(8)	To:	A00-9010-800	State Retirement	\$3,739.00
	To:	A00-9015-800	Fire & Police Retirement	\$451.00
	To:	A00-9030-800	Social Security	\$260.00
	From:	A00-9050-800	Unemployment Insurance	\$1,490.00
	From:	A00-9060-800	Medical Insurance	\$2,937.00
	From:	A00-9055-800	Disability Insurance	\$76.00
			Reallocation of employee benefit budget for additional amounts due as a result of year end accruals.	

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 # 55-2011 is officially adopted on this 9th day of August, 2011.

Mary Saari-Village Clerk/Treasurer

FINANCIAL REPORT

Ellen Mageean, Village Accountant, presented the financial report as of July 31, 2011.

General Fund - \$1,151,286.00; Water Fund - \$704,720.09; Sewer Fund - \$249,573.95; Trust & Agency (payroll) – \$28,451.74; Capital Projects: Sewer Plant Capital Reserve - \$18,708.16; Sewer Plant Renovations - \$6,821.24; and Mountain Avenue Cemetery- \$650.00.

BUDGET OFFICER'S COMMENTS ON END OF YEAR REVIEW FOR 2010/2011 FISCAL YEAR

The 2010/2011 fiscal year (from June 1, 2010 through May 31, 2011) ended with the Village in an even stronger financial condition than the previous year. At the end of the 2009/2010 fiscal year, the General Fund balance had increased from a negative (\$473) to a positive \$123,735. As of May 31, 2011, that balance was increased \$142,333 (unaudited) allowing the Village to reach its General Fund surplus target of 10% of the annual budget, and thereby putting the Village in a good position to both handle any unexpected emergency as well as improve its bond rating.

This positive financial result was achieved in spite of broader economic trends that have reduced important Village revenues such as the mortgage tax, a very tough winter with higher than normal snow removal costs, and additionally, sudden end of the year expenses including a \$32,000 three (3) year retroactive payment adjustment of Police salaries that resulted from the successful conclusion of contract negotiations with the Cold Spring Police Union.

BUILDING AND FIRE INSPECTORS REPORT

William Bujarski read his reports. 9 building permits were issued; 8 building inspections were done; 3 Certificates of Occupancy were issued; 4 referrals were given to the local boards, 0 fire inspections were done; 7 complaints were handled; and 2 record searches were done.

The Building Department is reviewing all open building permits and certificates of occupancy and also reviewing the current fee schedule to bring the fees up to the comparable fee schedule of other municipalities.

POLICE DEPARTMENT REPORT

There was no report from Officer Kane.

VILLAGE COURT REPORT

Total amount collected from the court for the month of July was \$6,960.00. This income is from fines, forfeited bails, civil penalties, parking tickets and mandatory state surcharges.

The amount collected in June was \$8,537.00. Of this amount, \$4,575 went to the State and \$3,962 was received by the Village.

WATER AND WASTEWATER REPORTS

Greg Phillips, Superintendent of Water and Sewer provided his report. The reservoir is at 95% capacity.

A tentative timeline of Fall 2013 was discussed for installation of a permanent connection to the Catskill Aqueduct on Fishkill Road.

The wastewater operations report has a total inflow to the plant of 7.25 gallons. The average daily flow is 0.234 thousand gallons. The plant performance is 98% removal of biochemical oxygen demand and 99% removal of suspended solids.

RECREATION COMMISSION REPORT

Trustee Campbell, liaison to the Recreation Commission, reported the following upcoming events:

- 08/08 - 12/2011 Baseball Clinic – Mayors Park Field;
- 08/20/2011 Senior Citizens Picnic – Mayors Park Pavilion, 12 pm to 3 pm;
- 08/26/2011 Philipstown Pop Warner Picnic – Mayors Park 6 pm – 8 pm;
- 08/26/2011 Wedding, Melissa Brakklin and James Loehle – Bandstand;
- 08/27/2011 Fund Raiser Friends of Tots Park – McConville Park;
- 09/03/2011 Labor Day entertainment and Fire Works, Dock, rain date 09/04/2011;
- 09/03-10/31/2011 Haldane Girls Soccer, practice and games – Mayors Park Field;
- 09/09/2011 Haldane PTA fund raising picnic w/live music 4 pm – 7 pm Mayors Park;
- 09/11/2011 Cold Spring Fire Company picnic – Mayors Park Pavilion 2 pm;
- 10/01-10/02/2011 Loretto Council Knights of Columbus picnic/pig roast - Mayors Park;
- 10/08/2011 Birthday party, Tom Monroe – Mayors Park Pavilion, 1 pm – 4 pm;
- 06/08/2012 Relay for Life set up, Mayors Park Field
- 06/09/2012 Relay for Life, Mayors Park Field, 10 am – 10 pm;
- 06/10/2012 Relay for Life clean up, Mayors Park Field; and
- 08/11/2012 Wedding, Victoria Riehl and Christopher Mosely – Bandstand, 12pm – 3 pm.

A motion was made by Trustee Serradas seconded by Trustee Hustis to approve all entries for the Recreation Commission. The motion was carried unanimously.

Trustee Campbell suggested that if there were going to be continued events at the south end of Mayors Park, the Board should consider having a more permanent electric panel installed.

COLD SPRING FIRE COMPANY REPORT

Trustee Falloon reported that he and Trustee Campbell met with Fire Company members on Saturday, July 30th to resolve the differences that exist between the Board and Fire Company. They are confident that both sides have made progress.

PLANNING BOARD REPORT

Trustee Serradas reported on the Board's meetings regarding Scenic Hudson, Foodtown Plaza/Post Office and Foodtown Plaza/Foodtown.

[The Planning Board](#) has declared itself lead agency for SEQR review [of the West Point Foundry](#)

Preserve project with a public hearing on August 8th at the Foundry Museum with a continuation scheduled for August 23rd if necessary.

Foodtown/Post Office: Mr. Serroukas, owner of the plaza, has been requested by the Planning Board to have a new site plan for a workshop in early September. The Planning Board has retained Resource Systems Group, Inc. to act as the Board's consulting planner to offer insight and solutions for several issues related to the Plaza. The lease for the Post Office has been extended for six (6) months after the July 31, 2011 expiration date.

Foodtown Plaza/Foodtown: The Planning Board feels that Foodtown's occupation of the current Post Office space is a "Change in Use". If this is true, Foodtown ownership has to appear before the Planning Board to receive approval to fulfill their intentions. The Planning Board has petitioned the Building Inspector to investigate their opinion.

ZONING BORAD OF APPEALS REPORT

Trustee Hustis stated that there is no ZBA report.

COMPREHENSIVE BOARD REPORT

Mike Armstrong reported that the Special Board received favorable comments from the State liaison for the Local Waterfront Revitalization Strategy (LWRS) regarding a proposed outline and two draft sections of its final report. The report will be presented to the public on September 17th.

There will be meetings of approximately 1 hour each for Dockside on August 11th, Village Garage Site on August 19th, and Marathon Battery property on August 25th.

The Village received a check last month from the State for \$14,146.80, reimbursing a claim submitted in February.

REPORT OF MAYOR AND BOARD OF TRUSTEES

Trustee Hustis wanted to entertain a discussion regarding the RFP for auditing services. Instead of a full three (3) year contract, he would like to have it state that it would be one (1) year at a time. Attorney Gaba said you could put an "opt out" clause in the contract. A vote will be taken at the next meeting after seeing the wording in the final RFP.

Trustee Campbell's report:

1. Letter from Greg Phillips, Superintendent of Water and Sewer, for a proposal to Pidala Electric for electric to Mower Storage Building addition;
2. Donation for mulch Cold Spring Antiques Dealers Association of \$50.00.
3. Philipstown Field Study;
4. Putnam County Community Work Program/Correction Officer Frank Caruso/Putnam County Sheriff Smith completion of all staining and painting on the dock of all park benches and trash receptacles;
5. DOT crosswalk up-date: all trees from Craigsides Drive to Chestnut Ridge should be trimmed for open visibility to all signage. DOT will make necessary adjustment to some of the current signage. Date to be determined for painting ECT, hopefully before school

opens;

6. Main Street project update: Site inventory from Clough Harbour Associates (CHA). August 18 & 19, 2011. 2 or 3 people will be checking existing conditions of sidewalks, stoops, and entrances to properties. Main focus will be Main Street, but will look at all on scope of work.

Trustee Falloon said that both he and Mary Saari, Village Clerk, went to the Garrison School for a viewing of their paperless program for the agenda of the School Board meetings. They were both impressed by how easy it could be. The Village would have to update their systems with the most recent Microsoft and Adobe Acrobat. There would be a net book for all involved in the monthly meetings with an agenda and all attachments sent via email to the net books on Friday before each meeting.

The Fire House had problems with some wiring and a switch. Peter Giachinta of Pidala Electric made the repairs at no cost to the Village.

Trustee Serradas wants to change the present health plan for Village employees. He believes that \$25,000 a year can be saved on the short side with \$82,000 on the long side. Cost of retirement will increase. We need to make cuts on the ground level.

Mayor Gallagher said replacements and/or repairs of sidewalks are completed on Pine, Cherry Market and West Streets. The Village is working with Pidala Electric for replacement of lighting on the dock. While Ed Trimble, Foreman of the Highway Department, is on vacation, Charlie Norton has been doing a great job as his backup. The Mayor is getting prices for tree trimming and will bring it to the Board for choices and approvals.

CORRESPONDENCE

NYCOM sent in a notice regarding Fall Training School for City and Village Officials, September 19-22, 2011.

Ming Moon Kitchen on 106 Main Street requesting approval on adding two (2) extra tables outside the restaurant.

This request brings back the discussion of what to do with the additional trash from the food services with sidewalk seating. It was requested that a draft resolution for the Village be written for this “delicate” problem. We don’t want to “slap” the businesses. We need to find a workable solution for all concerned.

Trustee Serradas suggested the Village purchase solar energy compactors. They could handle five times the capacity as a garbage can. The cost would be from \$2,500 to \$4,000 per unit. No decisions were made.

Tom Rolston said, speaking as a merchant, he felt that emptying their own garbage cans is not too much to ask. He also suggested, referring to the compactors, to ride up to Rhinebeck to view their usage.

However, he feels that the simplest way is that each food service with sidewalk seating use their own refuse cans, bringing them in each evening.

UNFINISHED BUSINESS

RESOLUTION NO. 56-2011

WHEREAS, heretofore the Village Board has adopted a local law entitled: "A Local Law To Amend Village Code Chapter 97, 'Sewers,' By Amending Section 97-3, 'Definitions And Word Usage' And By Repealing Section 97-5, 'Connection With Public Sewer Required,' And Enacting In Its Place And Stead A New Section 97-5 Permitting Composting Toilets; and

WHEREAS, under the provisions thereof, the Village Board is to set fees to be paid by applicants for installation and inspection fees; and

WHEREAS, the Village Board has consulted with the Building Inspector and the Wastewater Department regarding the administrative costs reasonably expected to be incurred in installation and periodic inspections;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board does hereby adopt the following schedule of fees for composting toilets:

Inspection upon initial installation.....\$50.00

Quarterly seasonal inspections following
initial installation.....\$25.00 per inspection

2. That the said fees shall be paid annually to the Village Clerk, and written reports for each such inspection shall be provided to the property owner and the Village Board.

3. That upon request of the property owner, the Village Wastewater Department or the Village Building Inspector, the Village Board may approve seasonal inspections on less than a quarterly basis, depending on the condition of the composting toilet facility, the extent of its use and the perceived need for ongoing inspections.

Trustee Hustis presented the foregoing resolution which was seconded by Trustee

Campbell. The vote on the foregoing resolution was as follows:

Charles Hustis, Trustee, voting YES

Bruce D. Campbell, Trustee, voting YES

John Ralph Falloon, Trustee, voting YES

Airinhos Serradas, Trustee, voting YES

Seth Gallagher, Mayor, voting YES

The foregoing Resolution #56-2011 was officially adopted on this 9th day of August, 2011.

There was a discussion regarding the upkeep of these composting toilets. At this time, Scenic Hudson is the only one requesting the use of these toilets on their properties of parks and recreation fields. It was the consensus of the Board that Scenic Hudson will not allow their reputation to be marred with the lack of upkeep. Also, because this is a structure, it is under the Village's Building Inspection Codes which gives the Village the opportunity to make sure they are maintained properly or the Village can close them down.

NEW BUSINESS

Attorney Gaba estimates that a title search of Jaycox Pond for water rights would cost approximately \$250. Also, the west side of the upper reservoir would require up to \$500 for a title search. The Board agreed.

Rita Shaheen of Scenic Hudson requested approval of a drainage easement into Foundry Cove from the Village. Rob Cameron of Putnam Engineering will look into what exactly they are proposing before the Village accepts their proposal.

BILLS

A motion to approve payment of all bills presented to the Board was made by Trustee Hustis seconded by Trustee Campbell. The motion was carried unanimously.

PUBLIC COMMENT

Tom Rolston of "the Depot" stated that cars were parked beyond the two (2) hour time limit on Sundays with no marking of tires being done in front of his restaurant. He reminded the Board that he has a limited agreement that states for \$1.00 per year, the Village police would monitor the parking spaces.

Mayor Gallagher said he would look into it.

Trustee Serradas said there is a lacking of consistent parking enforcement. He suggested parking meters be installed.

Liz Armstrong questioned the meaning of “Independent Fire Company”. She was told that the Fire Company believes they are independent of the municipality of the Village. We (the Board) encouraged them to get the determination of their independence from the Comptroller. They need to prove their independence and show us that factual proof.

A motion was made by Trustee Hustis seconded by Trustee Serradas to adjourn the monthly meeting of the Village Board of Trustees. The motion carried unanimously. Meeting adjourned.

Respectfully submitted,

Sandra L. Falloon