

**Board of Trustees Meeting  
October 11, 2011**

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

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

Also: Stephen Gaba, Village Attorney; Ellen Mageean, Village Accountant; Kimberly DeSocio, Fire Inspector; William Bujarski, Building Inspector and Michael Armstrong, Chair of the Special Board for the Comprehensive Plan/LWRP.

Members of the Highland Garden Club attended and members of the public.

Mayor Gallagher called the meeting to order followed by the Pledge of Allegiance. Mayor Gallagher presented the **attached** proclamation honoring the members of the Highland Garden Club.

**APPROVAL OF MINUTES**

Trustee Hustis moved to approve the minutes of the following meetings: 9/6/2011, 9/13/2011, 9/20/2011, 9/21/11, 9/27/2011, 9/28/2011 and 10/4/2011. Motion seconded by Trustee Serradas and unanimously approved.

**FINANCIAL REPORT**

Ellen Mageean reviewed bank balances and a proposed resolution for a budget adjustment.

**RESOLUTION NO. 62-2011**

Moved by: Trustee Charles Hustis  
Seconded by: Trustee Bruce Campbell

*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)	From:	F00-8330-413	Purification: Equipment Repair	\$2,850.00
	From:	F00-9036-800	MTA Tax	\$150.00
	From:	F00-9040-800	Workers' Compensation	\$1,100.00
	To:	F00-9010-800	State Retirement	\$4,100.00
			<b>Reallocate expenses for increase in the costs of the retirement plan.</b>	
(2)	From:	G00-8120-415	Sanitary Sewer: Equipment Repair	\$2,400.00
	From::	G00-9040-800	Workers' Compensation	\$600.00
	To:	G00-9010-800	State Retirement	\$3,000.00
			<b>Reallocate expenses for increase in the costs of the retirement plan.</b>	

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

On roll call vote:

Trustee Bruce Campbell voted	YES
Trustee J. Ralph Falloon 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 review of the independent audit for the period ending on May 31, 2011 was scheduled for 11/15/2011 at 7:00 p.m. Two responses were received in response to an RFP for auditing services. Interview of candidates will begin at 6:30 p.m. on 11/15/2011.

Ms. Mageean reported on the NYS Comptroller's training related to the property tax cap and possible implications for the village.

#### **REPORT OF THE BUILDING AND FIRE INSPECTORS**

Mr. Bujarski is currently addressing an increased number of complaints in conjunction with the Village Attorney.

#### **WATER DEPARTMENT**

A fire hydrant was replaced at the intersection of Fair Street & Northern Avenue.

One bid was received for the replacement of the control panel at the Foundry Brook Treatment plant. Bart Clark of Oakwood Engineering recommended awarding the base bid and bid alternate number 1.

#### **Village of Cold Spring Resolution No.63- 11**

WHEREAS, the Village Board put out for public bid a contract for replacement of the plant control panel at the Foundry Brook Water Treatment Plant, and  
WHEREAS, all bids received were opened and read aloud at the appointed date, place and time, and

WHEREAS, the Village's Engineering Consultant, Oakwood Environmental Associates, has reviewed the sole bid received and recommended that the Village accept the bid of Aqualogics Systems, Inc., for the base bid and Alternative No. 1 (i.e., upgrade to ControlLogix Hardware) for a total award of \$139,000,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board does hereby accept the low bid submitted by Aqualogics Systems, Inc., in the amount of \$139,000 as recommended by the Village's Engineering Consultant, and
2. That the Village Clerk is directed to forward a notice of award to the contractor, and

3. That the Village Board does hereby authorize the Mayor to execute a contract with Aqualogics Systems, Inc., for replacement of the plant control panel at the Foundry Brook Water Treatment Plant.

Trustee Bruce Campbell presented the foregoing resolution which was seconded by Trustee J. Ralph Falloon.

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

Resolution officially adopted on October 11, 2011 by a vote of 5-0.

### **WASTEWATER REPORT**

The Village received a proposal from Fuss and O'Neill for design engineering of the aeration system upgrade to the treatment facility on Fair Street. Mr. Phillips recommended approval of the expenditure. Attorney Gaba will review the proposal and report back to the board.

### **JUSTICE COURT REPORT**

The Justice Court collected \$8,120.00 in the month of September. The monthly police report was unavailable.

### **ADDITIONAL MONTHLY REPORTS**

Trustee Campbell reported on Recreation Commission activities as follows:

A representative from Pop Warner presented a proposal for additional lighting at Mayor's park. Commission members expressed concerns regarding noise and light pollution and decided to schedule an onsite visit and continue discussion.

Flagler Landscaping will be providing lawn care for the parks at a cost of \$2,500.

Friends of Tots asked to substitute hedges for the fence on the western side of the Tot's park. Safety concerns were put forth by Recreation Commission members and additional discussion will follow.

Two requests for use of village facilities were voted on as follows:

Haldane Homecoming Parade on 10/14/2011

Cold Spring by Candlelight event on 12/3/2011

Trustee Campbell moved to approve both applications and seconded by Trustee Serradas and unanimously approved.

Fire Company Liaison- The Cold Spring Fire Company asked for a meeting with the Village Board to begin discussions with regards to the contract referenced in the resolution passed on September 6<sup>th</sup>. A meeting was scheduled for October 25<sup>th</sup> at 8:00 p.m.

Planning Board Liaison- An update was provided on the progress of the West Point Foundry Preserve project and the Foodtown expansion.

Zoning Board Liaison- The ZBA will be holding a public hearing on 10/20/2011.

## **SPECIAL BOARD FOR THE COMPREHENSIVE PLAN/ LWRP**

The draft Local Waterfront Revitalization Strategy (LWRS) has been prepared and distributed. This draft will be discussed with the community on October 13<sup>th</sup> and written comments are due by October 27<sup>th</sup>. Final vote on the LWRS by the Special Board will occur on November 10<sup>th</sup> to enable the village to meet their contractual deadline to send the final document to the State Division of Coastal Resources by November 30<sup>th</sup>. The Special Board requested permission from the Village Board to apply for funding to complete a Local Waterfront Revitalization *Plan*. After discussion on the budget and actual costs of preparing the Comprehensive Plan and the LWRS, Trustee Hustis moved to approve of applying for funding to complete the LWRP (Local Waterfront Revitalization Plan) and seconded by Trustee Campbell and unanimously approved.

## **REPORT OF THE MAYOR AND BOARD OF TRUSTEES**

Trustee Hustis participated in an initial site visit with representatives of VanGuard Energies to discuss the possibility of placing solar panels and wind turbines at the Wastewater Treatment Plant.

Trustee Hustis requested signage on Furnace Street to address illegal entry into this roadway. He also asked for a timeframe for removal of traffic cones on Church Street. Lastly, he requested scheduling for NIMS training.

Trustee Campbell reported on the progress of the Main Street transportation projects. The field study is complete, traffic analysis is currently underway and investigation of hazardous material will begin this week.

Mayor Gallagher reported that bid documents for the water main relining project have been received from Ron Gainer and are currently under review by the Village Attorney. Sidewalk work is currently in progress.

## **UNFINISHED BUSINESS**

### **Village of Cold Spring Resolution No. 64- 11**

WHEREAS, the Village Board is considering amending the Village Code to clarify and reorganize certain provisions therein pertaining to nonconforming uses and lots; and

WHEREAS, the Village Board has before it a draft local law entitled "A Local Law to Amend Village Code Chapter 134 by Amending Village Code Section 134-2, 'Definitions,' 'Nonconforming Use,' and Section 134-17(E) and Village Code Section 134-19 as Set Forth Herein," a copy of which is **annexed** hereto;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the movant of this resolution does hereby introduce the proposed local law, and
2. That a public hearing on the proposed local law is set for November 15, 2011 at 7:30 o'clock p.m. and that due notice of the same is directed to be given by publication and posting.

Trustee Serradas 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

Resolution officially adopted by a vote of 5-0.

## **NEW BUSINESS**

### **Village of Cold Spring Resolution No. 65 – 11**

WHEREAS, at the request of residents the Village Board of Trustees has investigated the travel conditions and safety of the east bound and west bound lanes of Northern Avenue at the intersection of Church Street; and

WHEREAS, the Village Board has concluded that it is in the public interest to install stop signs at the said intersection for the east bound and west bound lanes of Northern Avenue; and

WHEREAS, the Village Board has before it a draft local law entitled "A local law to amend Village Code Chapter 126, "Vehicle and Traffic" by amending Section 126-32 Schedule V "Stop Intersections," a copy of which is **annexed** hereto, which would designate the east bound and west bound lanes of Northern Avenue at the intersection with Church Street as stop intersections;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the movant of this resolution does hereby introduce the proposed local law, and
2. That a public hearing on the proposed local law is set for November 15, 2011 at 7:35 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 J. Ralph Falloon,

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

Resolution officially adopted by a vote of 5-0.

Paul Guillaro, owner of the Butterfield site, requested an opportunity to speak to the board. A workshop was scheduled for October 25, 2011.

The SeaStreak amended their docking application by adding four Saturdays and extending docking time to four hours each visit. Trustee Serradas moved to approve of this application and seconded by Trustee Hustis and unanimously approved.

As there was no public comment or further business before the board, Trustee Campbell moved to enter into closed session to seek confidential advice from counsel and seconded by Trustee Falloon. Vote: 4-1 with Trustee Hustis opposed.

Respectfully submitted,

Mary Saari, Village Clerk