

**CONTINUED MINUTES OF VILLAGE OF COLD SPRING**  
**VILLAGE BOARD MEETING OF OCTOBER 11, 2011**

Present: Mayor Seth Gallagher, Trustees Bruce Campbell, Ralph Falloon, Charles Hustis and Airinhos Serradas. Village Attorney Stephen Gaba.

Motion to come out of closed session for confidential legal advice from counsel and to resume regular meeting made by Trustee Campbell and seconded by Trustee Falloon.

The vote on the foregoing motion was as follows:

Bruce Campbell, Trustee, voting	Yes
Ralph Falloon, Trustee, voting	Yes
Airinhos Serradas, Trustee, voting	Yes
Charles Hustis, Trustee, voting	Yes
Seth Gallagher, Mayor, voting	Yes

Attorney Gaba stated that the Village Board had previously adopted a resolution prepared by Cold Spring Fire Company No. 1 regarding relations between the Village and Cold Spring Fire Company No. 1, which included a provision for a contract for fire protection services. He stated that he questioned the legal validity of some of the provisions of the resolution, and recommended that the New York State Comptroller be consulted.

Trustee Hustis made the following motion which was seconded by Mayor Gallagher:

WHEREAS, at its meeting of September 9, 2011, the Village Board adopted a resolution which delegated the Village's power to oversee the general operations of the Village Fire Department to the Board of Governors of Cold Spring Fire Company No. 1, recognized Cold Spring Fire Company No. 1 as an independent fire department, and agreed to enter a contract between the Village and the Fire Company to provide fire protection service to the Village and its residents, and

WHEREAS, the resolution was approved upon the express understanding that the resolution will be brought back to the table after getting written information from the New York State Comptroller as to the legal validity of the actions taken therein;

NOW, THEREFORE, IT IS HEREBY RESOLVED, as follows:

1. That the Village Attorney is directed to prepare correspondence to the New York State Comptroller seeking an opinion as to the legal validity of the said resolution adopted by the Village Board; and

2. That the Village Attorney is directed to present a draft of the said correspondence to the Village Board for consideration and approval prior to sending it to the State Comptroller.

The vote was as follows:

Trustee Hustis	- Yes
Trustee Campbell	- Yes
Trustee Serradas	- Yes
Trustee Falloon	- Yes
Mayor Gallagher	- Yes

Trustee Serradas moved that the meeting be adjourned. Trustee Campbell seconded the motion. The vote was as follows:

Trustee Hustis	- Yes
Trustee Campbell	- Yes
Trustee Serradas	- Yes
Trustee Falloon	- Yes
Mayor Gallagher	- Yes