

**Board of Trustees Workshop Meeting
November 15, 2011 at 6:30 p.m.**

The Board of Trustees of the Village of Cold Spring held a workshop meeting on Tuesday, November 15, 2011 beginning at 6:30 p.m. at Village Hall, 85 Main Street, Cold Spring, NY.

Present: Mayor Seth Gallagher and Trustees Campbell, Falloon, Hustis and Serradas

Also: Ellen Mageean, Village Accountant; Joseph Klimek, CPA of the firm Toski, Schaefer and Company; James Letterio and C.J. Rioux, of Sedore and Company

Joseph Klimek, representing Toski, Schaefer and Company, attended for an interview regarding professional auditing services for the fiscal years ending May 31, 2012, 2013 and 2014. Mr. Klimek discussed the firm's philosophy, qualifications, approach and references and addressed questions from the board.

After the interview with Mr. Klimek, Jim Letterio, and C.J. Rioux, CPAs of Sedore and Company attended for an exit conference on the draft audited financial statements for the fiscal year ending on May 31, 2011. The highlights of these financial statements are **attached**.

**Board of Trustees Public Hearing
November 15, 2011 at 7: 30 p.m.**

The Board of Trustees held a public hearing on proposed **Local Law #4** of 2011 that seeks to amend the Village of Cold Spring Code, Chapter 134 Zoning pertaining to nonconforming uses and lots.

Attending: Mayor Seth Gallagher and Trustees Campbell, Falloon, Hustis and Serradas
Also Attending: Stephen Gaba, Village Attorney
Members of the public

The **attached** public hearing notice was published in the Putnam County News & Recorder.

Attorney Gaba reviewed the proposed local law and answered a question from Trustee Serradas regarding what happens to lots that are not large enough to build on. The meeting was then opened for public comment.

There were no comments from the public.

Trustee Falloon moved to close the public hearing on Local Law #4, nonconforming uses, and seconded by Trustee Serradas. On roll call vote:

Trustee Hustis voted	YES
Trustee Campbell voted	YES
Trustee Falloon voted	YES
Trustee Serradas voted	YES
Mayor Gallagher voted	YES

Motion unanimously approved by a vote of 5-0.

The Board of Trustees then held a public hearing on proposed **Local Law #5** regarding the addition of stop signs on Northern Avenue.

Attending: Mayor Seth Gallagher and Trustees Campbell, Falloon, Hustis and Serradas

Also Attending: Stephen Gaba, Village Attorney

Members of the public as per attached list

The **attached** public hearing notice was published in the Putnam County News & Recorder.

The meeting was opened for public comment.

KC Grossman resident of 39 Church Street read the **attached** letter related to the problems with the intersection of Church Street and Northern Avenue.

Donna Steltz resident of Church Street, commented that the intersection is not that dangerous but it is probably dangerous to stop traffic on Northern Avenue in the winter.

Catharine Square asked how this would affect other streets in the village such as Kemble Avenue that has a similar situation.

Leo Sacks, resident of 37 Church Street, stated that his neighbor John Zuvic was in favor of adding a stop sign. He asked about “pre- stop” signs for this location.

Michael Bowman asked if there would be an impact on parking on Church Street or Northern Avenue.

James Geppner, resident of Church Street, stated that he was in support of installing a bump out and stop signs.

John Zuvic commented that we have nothing to loose by installing a stop sign and it might save some kid’s life.

Karen Virgadamo, resident of Church Street, asked for speed limit signs on Church Street.

Trustee Serradas added that there are inconsistencies with parking signs within the village and areas that need tree trimming to allow better viewing of signs.

Trustee Falloon moved to close the public hearing and seconded by Trustee Campbell.

On roll call vote:

Trustee Hustis voted YES

Trustee Campbell voted YES

Trustee Falloon voted YES

Trustee Serradas voted YES

Mayor Gallagher voted YES

Motion approved by a vote of 5-0.

**Board of Trustees Monthly Meeting
November 15, 2011**

The Board of Trustees of the Village of Cold Spring held their regular monthly meeting on Tuesday, November 15, 2011 at Village Hall, 85 Main Street, Cold Spring, NY after the public hearing on amendments to the Village Vehicle and Traffic Code.

Attending: Mayor Seth Gallagher and Trustees Campbell, Falloon, Hustis and Serradas
Also: Ellen Mageean, Village Accountant; Stephen Gaba, Village Attorney; Amy Zamenick from the firm of Drake, Loeb; Michael Armstrong, Chair of the Special Board for the Comprehensive Plan/ LWRP

Absent: William Bujarski, Building Inspector

The minutes of the following meetings were submitted for board approval: 10/11/2011 (RFP and monthly meeting), 10/19/2011, 10/25/2011, 11/01/2011 and 11/10/2011. Trustee Hustis asked to amend the minutes of 11/10 to indicate that the vote tally on removing section 7.2.9 from the Comprehensive Plan was 3-1 not 3-0. Trustee Hustis moved to approve the minutes as amended and seconded by Trustee Serradas and unanimously approved.

FINANCIAL REPORT

Ms. Mageean presented the following budget amendment **Resolution # 69-2011**. Trustee Serradas asked questions about the Special Board budget and expenses.

Moved by: Trustee Airinhos Serradas

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)	To:	A00-3089-300	State Aid: LWRP Grant (Revenue)	\$6,463.00
	To:	A00-1410-450	Clerk: Comprehensive Plan (Expense)	\$6,463.00
			Increase revenue and expense for additional monies to be received from the LWRP Grant	
(2)	To:	A00-1410-450	Clerk: Comprehensive Plan	\$1,000.00
	From:	A00-1410-451	Clerk: Comprehensive Plan - Village Board	\$1,000.00
			Increase the Comprehensive Plan budget for additional expenses not reimbursable under the grant.	

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 by a voted of 4-1.

Ms. Mageean spoke about the need for a new server and the advantages of having a third party license for utility billing software. The estimated cost of these improvements is \$2,500. Ms. Mageean made suggestions as to where the money could come from. Mayor Gallagher moved to approve the purchase of a server and third party license software in an amount not to exceed \$2,500 and seconded by Trustee Campbell and unanimously approved.

WATER AND WASTEWATER

Trustee Campbell read the general remarks in the water and wastewater reports. Problems with the operation of the Market Street pump station, hydropneumatic tank and aeration system were mentioned in the wastewater report. In the water report, Mr. Phillips stated that he recommended adding pricing for insertion valves to the bid documents for the water main relining project.

Joseph Etta requested a change to the outside user's water and sewer agreement to change from a single family to two-family. Superintendent Phillips had no objection to this request. Trustee Hustis moved to change the user agreement (with Mr. Etta) from a one to two family, motion seconded by Trustee Serradas and unanimously approved.

Attorney Gaba reviewed recommended changes to the water main relining bid documents.

The monthly **BUILDING AND FIRE INSPECTION REPORT** was submitted. No questions were asked.

REPORT OF THE POLICE DEPARTMENT

Officer-in-Charge George Kane interviewed candidates for the Parking Enforcement and part-time Police Officer positions. He requested board approval to hire Christopher Coleman as Parking Enforcement Officer and part-time Police Officer David DiRienzo. Board members asked to meet both candidates and a date will be arranged for this meeting.

Tom Rolston suggested hiring a high school student at \$12/ hour to hand out parking tickets. He commented that this arrangement has worked well in other communities.

Officer Kane suggested letting the fire company work on a 1995 Chevy Lumina or send it to a junkyard. He has no further use for this vehicle. He also suggested donating RMP 63, a vehicle with high mileage, to the Putnam County ASPCA Police.

Mayor Gallagher reviewed the October monthly report for the **JUSTICE COURT**.

RECREATION COMMISSION

The annual tree lighting ceremony is scheduled for Friday, December 2nd at 6:00 p.m. Karen Kapoor proposed several actions to improve access and safety at the Tiny Tot's park. The request from Pop Warner for additional lighting at Mayor's park was discussed and viewed favorably by members of the commission. Additional discussion will follow.

FIRE COMPANY LIASION

Trustee Falloon is working on setting a date for discussion of the Fire Protection contract.

PLANNING BOARD LIASION

Trustee Serradas reported that planning review of the West Point Foundry Preserve project is nearing completion. The two remaining issues are determining the performance bond and the wording of the final resolution.

A workshop will be held on November 28th at 7:30 p.m. to review the recently submitted site plan for the Foodtown Plaza.

SPECIAL BOARD FOR THE COMPREHENSIVE PLAN/LWRP

Michael Armstrong, Chair read the **attached** report. There was discussion between Chairman Armstrong and Trustee Serradas regarding the Special Board budget.

Trustee Hustis moved to accept the Local Waterfront Revitalization Strategy and seconded by Trustee Falloon.

On roll call vote:

Trustee Charles Hustis voted: YES

Trustee Bruce Campbell voted: YES

Trustee J. Ralph Falloon voted: YES

Trustee Airinhos Serradas voted: YES

Mayor Seth Gallagher voted: YES

Motion unanimously approved by a vote of 5-0.

REPORT OF THE MAYOR AND BOARD OF TRUSTEES

Trustee Hustis has a site visit scheduled for tomorrow as a follow up to a presentation on energy saving and rooftops.

Trustee Campbell received a revised schedule for the federal transportation projects.

Trustee Falloon spoke about the NY ALERT system and encouraged residents to sign up for email alerts.

Trustee Serradas is exploring a program to reduce electrical costs for the village.

Mayor Gallagher reported on upcoming projects as follows: repair of leaking service line and possible repair to fire hydrant on Garden Street this year. Three hydrants have been repaired this year with repairs scheduled for one hydrant on Hamilton Street next spring.

A pilot program has been started to transport senior citizens for shopping.

UNFINISHED BUSINESS

RESOLUTION NO. 70 - 11

WHEREAS, the Village Board has considered a proposed

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," and

WHEREAS, this is an action subject to SEQRA and the Village Board, as the only Involved Agency, is Lead Agency, and

WHEREAS, the Village Board has caused to be prepared and has before it an Environmental Assessment Form, and has identified the action as an Unlisted Action,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Mayor is hereby authorized to sign the EAF, and

2. That after due consideration of all the facts and circumstances in this matter the Village Board as Lead Agency does hereby adopt the annexed Negative Declaration.

Trustee J. Ralph Falloon presented the foregoing resolution which was seconded by Trustee Airinhos Serradas.

The vote on the foregoing resolution was as follows:

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

Resolution officially adopted by a vote of 5-0.

SEQRA NEGATIVE DECLARATION

Notice Of Determination Of Non-Significance

Lead Agency: Village of Cold Spring Village Board
85 Main Street
Cold Spring, New York 10516

Date: November 15, 2011

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law. The lead agency has determined that the proposed action described will not have a significant effect on the environment.

Title of Action: 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.

SEQRA Status: Unlisted

Description of Action: The Village Board is enacting an amendment to Village Code Chapter 134 regarding nonconforming uses.

Location: Village-wide.

Reasons Supporting This Determination: No significant environmental effects are associated with the proposed Local Law as per review of the Short Form EAF and Part 2 prepared pursuant to SEQRA.

Contact Person for further information:

Seth Gallagher, Mayor
Village of Cold Spring
85 Main Street
Cold Spring, New York 10516
(845) 265-3611

Resolution No. 71 - 2011

WHEREAS, the Village Board has considered a proposed 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," and

WHEREAS, following due notice the Village Board held a public hearing on the proposed local law,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board does hereby adopt the proposed local law, a copy of which is attached, and

2. That the said local law shall be effective upon publication, posting and filing in the Office of the Secretary of State in Albany.

Trustee J. Ralph Falloon 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 YES

J. Ralph Falloon, Trustee, voting YES

Seth J. Gallagher, Mayor, voting YES

Resolution officially adopted by a vote of 5-0.

RESOLUTION 72-2011

WHEREAS, the Village Board has considered a proposed local law entitled: "A local law to amend Village Code Chapter 126, "Vehicle and Traffic" by amending Section 126-32 Schedule V "Stop Intersections," and

WHEREAS, this is an action subject to SEQRA and the Village Board, as the only Involved Agency, is Lead Agency, and

WHEREAS, the Village Board has caused to be prepared and has before it an Environmental Assessment Form, and has identified the action as an Unlisted Action,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Mayor is hereby authorized to sign the EAF, and

2. That after due consideration of all the facts and circumstances in this matter the Village Board as Lead Agency does hereby adopt the annexed Negative Declaration.

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

The vote on the foregoing resolution was as follows:

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

Resolution officially adopted by a vote of 5-0.

SEQRA NEGATIVE DECLARATION

Notice Of Determination Of Non-Significance

Lead Agency: Village of Cold Spring Village Board
85 Main Street
Cold Spring, New York 10516

Date: November 15, 2011

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law. The lead agency has determined that the proposed action described will not have a significant effect on the environment.

Title of Action: A local law to amend Village Code Chapter 126, "Vehicle and Traffic" by amending Section 126-32 Schedule V "Stop Intersections."

SEQRA Status: Unlisted

Description of Action: The Village Board is enacting a local law to place stop signs at the intersection of Northern Avenue and Church Street.

Location: Village-wide.

Reasons Supporting This Determination: No significant environmental effects are associated with the proposed Local Law as per review of the Short Form EAF and Part 2 prepared pursuant to SEQRA.

Contact Person for further information:

Seth Gallagher, Mayor
Village of Cold Spring
85 Main Street
Cold Spring, New York 10516
(845) 265-3611

Resolution No. 73 - 2011

WHEREAS, the Village Board has considered a proposed local law entitled: "A local law to amend Village Code Chapter 126, "Vehicle and Traffic" by amending Section 126-32 Schedule V "Stop Intersections," and

WHEREAS, following due notice the Village Board held a public hearing on the proposed local law,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board does hereby adopt the proposed local law, a copy of which is attached, and
2. That the said local law shall be effective upon publication, posting and filing in the Office of the Secretary of State in Albany.

Trustee Airinhos Serradas presented the foregoing resolution which was seconded by Trustee J. Ralph Falloon, 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	YES
J. Ralph Falloon, Trustee, voting	YES
Seth J. Gallagher, Mayor, voting	YES

Resolution officially adopted by a vote of 5-0.

PUBLIC COMMENT

Liz Armstrong of philipstown.info asked if additional borings had been made at the manufactured gas plant site on New Street.

Tom Rolston, resident of Grove Court, recommended changes to the trolley route to consider hikers walking up Route 9D and possibly to Fahnestock State Park. With a new County Executive taking office, he stated that this would be a good time to approach the county.

APPROVAL OF BILLS

Trustee Hustis moved to approve payment of the audited bills and seconded by Trustee Campbell. Vote: Trustees Hustis, Campbell, Falloon and Mayor Gallagher in favor. Trustee Serradas was opposed. Motion carried with a vote of 4-1.

Trustee Campbell moved to enter into closed session to seek confidential legal advice. Motion unanimously approved.

Respectfully submitted,

Mary Saari, Village Clerk