

**MINUTES BOARD OF TRUSTEES MEETING
DECEMBER 13, 2011**

The Board of Trustees of the Village of Cold Spring held their regular monthly meeting on Tuesday, December 13, 2011 at Village Hall, 85 Main Street, Cold Spring, NY beginning at 7:30 pm.

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

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

Mayor Gallagher opened the meeting followed by the Pledge of Allegiance.

APPROVAL OF MINUTES

Trustee Hustis moved to approve minutes of the following meetings: 11/15/2011, 11/22/2011, 11/29/2011, 12/06/2011 and 12/7/2011 and seconded by Trustee Falloon and unanimously approved.

FINANCIAL REPORT

Ms. Mageean presented a six month budget analysis of the general fund. Items highlighted include: Police Personal Services projected to be over \$8,000; Garbage Contractual projected to be over \$5,000; Medical Insurance under by \$5,000. Bank Balances were reviewed.

Budget Amendment Resolution Number 77-2011

Moved by: Trustee Serradas

Seconded by: Trustee Falloon

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:	A00-3120-100	Police: Personal Services	\$8,000.00
	From:	A00-3120-120	Parking Enforcement: Personal Services	\$2,000.00
	From:	A00-3120-420	Police: Telephone & Radio	\$1,000.00
	From:	A00-1410-451	Village Clerk: Comp Plan Village Board	\$2,000.00
	From:	A00-1910-100	Ins & Risk Manage Comm Chair: Personal Services	\$800.00
	From:	A00-1930-400	Judgments & Claims	\$1,000.00
	From:	A00-9060-800	Medical Insurance	\$1,200.00
			Increase police salary line item related to the increase in pay as a result of the new police contract.	
(2)	To:	A00-8160-400	Garbage: Contractual	\$5,000.00
	From:	A00-7110-400	Parks & Rec: Repairs & Improvements	\$1,400.00
	From:	A00-9060-800	Medical Insurance	\$3,600.00
			Increase gar bage contractual for higher then budgeted for garbage collection costs.	

(3)	To:	A00-8160-410	Refuse & Garbage: Truck Repair	\$1,000.00
	To:	A00-8160-420	Refuse: Recycling Maint & Equipment	\$250.00
	To:	A00-8160-430	Recycling: Contractual	\$150.00
	From:	A00-5110-430	Highway Street Maint: Equipment Repair	\$1,400.00
			Reallocate equipment repair budget from Highway Street Maintenance to Garbage and Recycling	
(4)	To:	A00-8510-400	Community Beautification: Contractual	\$600.00
	From:	A00-7110-400	Parks & Rec: Repairs & Improvements	\$600.00
			Increase community beautification for additional expenses not budgeted for.	
(5)	To:	G00-8130-200	Treatment & Disposal: Equipment	\$2,000.00
	From:	G00-8120-417	Sanitary Sewer: Repairs & Improvements	\$2,000.00
			Increase the budget for equipment for unanticipated expenses related to failed tanks.	

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 adopted by a vote of 5-0.

WATER AND WASTEWATER DEPARTMENTS

Greg Phillips requested standardizing bid and contract requirements to expedite the planning stage of projects. There was discussion with Attorney Gaba about a standard template but it was mentioned that with engineering projects other terms often come up. With regards to the Fuss and O'Neill project, Stephen Gaba will seek input from Greg Phillips regarding the liability issues.

At the wastewater plant, demolition and removal of the plant water tank will be performed by Conklin Construction Services. This contractor is certified in lead abatement due to the tank's coatings. The cost is \$3,791.00. Two smaller tanks have been purchased to replace the existing at a cost of \$6,217.08.

BUILDING AND FIRE INSPECTION DEPARTMENTS

Bill Bujarski read the monthly report listing permits, inspections and referrals.

POLICE DEPARTMENT AND JUSTICE COURT

The Police Department will continue to monitor vehicle speeds within the school zone. Residents are reminded to check the WHUD website to determine if overnight parking is allowed.

The Justice Court collected \$6,617.00 during the month of November.

RECREATION COMMISSION

Trustee Campbell stated that the Tree Lighting Ceremony was an enjoyable event with good turnout and thanked all organizations and individuals who contributed.

FIRE COMPANY LIAISON

Trustee Falloon reported that a conference call occurred with the legal department of the NYS Comptroller that sought advice on Resolution Number 59-2011 related to the Fire Company relationship with the village. Recent discussions with the Fire Company are going well.

PLANNING BOARD & ZONING BOAES LIAISONS

Trustee Serradas reported on the status of the Foodtown and West Point Foundry Preserve applications.

Trustee Hustis reported on upcoming meetings of the Zoning Board of Appeals.

SPECIAL BOARD FOR COMPREHENSIVE PLAN/LWRP

Michael Armstrong reported that the New York State Department of Environmental Resources notified the Village that it had accepted the Cold Spring Local Waterfront Revitalization Strategy as submitted.

On December 8th the Village was notified that its application for a \$27,000 matching grant to complete its full Local Waterfront Revitalization Program had been approved. The plan involves \$24,000 for contractual work, basically with GreenPlan. An agreement with GreenPlan will need to be developed and M. Armstrong will forward the proposed plan to S. Gaba to assist in development of a contract.

REPORT OF THE MAYOR AND BOARD OF TRUSTEES

Trustee Campbell reviewed tentative plans from the Fields Committee for improvements to Mayor's park. The possibilities include: baseball diamond in same location, soccer, exercise track, parking and restroom improvements and multipurpose court. Due to the longstanding problem with tides coming onto the north side of the field, engineering will be required. A public meeting on the proposals will be forthcoming.

Trustee Serradas spoke about possible changes to health insurance coverage for employees. He wanted to dispel any rumors about employees contributing more and encouraged employees to contact him directly with questions. In addition, he requested discussion at the next workshop on exploring options for garbage and recycling handling.

CORRESPONDENCE

Rand Otten of PARC thanked the Mayor, Board and Police Department for their assistance with a successful Cold Spring by Candlelight fund raising event.

Pamela Tames of the Environmental Protection Agency notified the village that Advanced GeoServices will be working at the Marathon site to install air sparge, soil vapor extraction and vapor monitoring wells as part of a study.

Captain John Panzella of River Rose Tours and Cruises asked the board to consider his proposal for bring passengers to the Cold Spring dock once or twice per month from

Newburgh. He spoke to the board about his proposal to drop off passengers for two hours and asked for approval as he will need to advertise for May 1st. Mayor Gallagher asked for a completed application with specific dates. Captain Panzella asked for assistance in locating points of interest. There was additional discussion about Dockside being used for docking and Captain Panzella expressed some interest.

Rani Long asked for a stop sign at the intersection of Mountain Avenue and Locust Ridge for the safety of students walking to Haldane School.

Peter Henderson informed the board about the creation of a neighborhood association involving residents of Benedict and Marion Avenue for the purpose of advocating for the safety of the residents and establishing a point of contact for matters that might impact their neighborhood. Attorney Gaba advised that this is not a matter that the board would normally act upon.

UNFINISHED BUSINESS

RESOLUTION NO. 78 - 2011

WHEREAS, the Village Board has reviewed and revised the draft comprehensive Plan received from the Comprehensive Plan Special Board, and

WHEREAS, pursuant to Village Law §7-722 it is necessary and appropriate to hold a public hearing on the revised draft Comprehensive Plan, with notice of the public hearing being published in the local newspaper at least ten (10) days in advance of the public hearing;

NOW, THEREFORE, IT IS HEREBY RESOLVED:

1. That the Village Board shall hold a public hearing on the revised draft Comprehensive Plan on Tuesday, January 3, 2012 at 7:30 p.m. at Village Hall, 85 Main Street, Cold Spring, New York 10516; and

2. That the Village Clerk is directed to cause notice of the public hearing to be published not less than ten (10) days prior to the date of the public hearing; and

3. A copy of the revised draft Comprehensive Plan shall be placed on file in the office of the Village Clerk to be available for public review.

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

Resolution officially adopted by a vote of 5-0.

NEW BUSINESS

There were no objections to the Village Clerk attending a NYCOM election conference in January.

RESOLUTION NO. 79 - 11

WHEREAS, the Village Board has received a petition from Butterfield Realty, LLC, seeking an amendment to the Village's Zoning Code and Zoning Map in regard to certain real property located at the intersection of NYS Route 9D and Paulding Avenue bearing Tax Assessment Map designation SBL 49.5-3-45, and

WHEREAS, it appears that the said zoning amendment is being sought by Butterfield Realty, LLC, in connection with a substantial construction project on the property, and

WHEREAS, this is an action subject to SEQRA, and
WHEREAS, the Village Board, as an involved agency,
wishes to act as lead agency in SEQRA review of this
action,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board does hereby declare its
intent to act as lead agency in a coordinated SEQRA review,
and

2. That the Village Clerk is hereby directed to cause
a Notice of Intent to be sent to all involved agencies
along with a copy of the petition for a zoning change and
Part 1 of the EAF submitted herein.

Trustee 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.

RESOLUTION 2011- 80
STANDARD WORK DAY AND REPORTING RESOLUTION

BE IT RESOLVED, that the Village of Cold Spring hereby establishes the following as standard work day for elected and appointed officials and will report the following days worked for the Fire Inspector/ Assistant Building Inspector to the New York State and Local Employees Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Social No. (last 4 digits)	Registration Number	Standard Work Day	Term Begin/End	Participates in Time Keeping System	Days/Month (based on Record of Activities)
Appointed Official							
Fire Inspector	Kimberly A. De Socio	0366	5047675-3	6*	08/2011-3/31/2012	no	6.31

*Calculation uses standard workday of six hours for Fire Inspector.

Trustee Charles Hustis, III introduced the foregoing resolution which was seconded by Trustee J. Ralph Falloon.

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 adopted by a vote of 5-0.

PARKING WAIVER REQUEST

Joseph Barbaro provided the Planning Board’s favorable opinion on a request from Ethan Rockmore of Denton Cricket, LLC for nine parking waivers related to a change of use from retail to office space at 114 Main Street as per **attached**.

Trustee Serradas moved to approve of nine parking waivers and seconded by Trustee Falloon and unanimously approved.

BILL APPROVAL

Trustee Hustis moved to approve payment of the audited bills and seconded by Trustee Campbell and unanimously approved.

With no further business before the board, Trustee Campbell moved to adjourn and seconded by Trustee Hustis and unanimously approved.

Respectfully submitted,

Mary Saari, Village Clerk