

**Board of Trustees Meeting
March 6, 2012**

The Board of Trustees of the Village of Cold Spring held their regular monthly meeting on Tuesday, March 6, 2012 beginning at 7:30 pm at Village Hall, 85 Main Street, Cold Spring, NY.

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

Also Attending: Stephen Gaba, Village Attorney; William Bujarski, Building Inspector; Gregory Phillips, Water Superintendent; Michael Armstrong, Chair of the Special Board

Absent: Ellen Mageean, Village Accountant

Members of the Public

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

APPROVAL OF MINUTES

Trustee Serradas requested an addition to the minutes of the 2/14/2012 monthly meeting. Under the Report of the Mayor and Board of Trustees, he requested that the minutes indicate that, "Trustee Serradas noted that the Mayor was off topic stating that he wanted to have an apples to apples comparison and that we need a detailed accounting of where the village highway department picks up garbage and recycling and it would be added to the RFP".

Trustee Serradas moved to accept all other minutes and to review the audio or videotape of the February 14th meeting and make the adjustments accordingly; Trustee Falloon seconded the motion. Trustees Campbell, Falloon, Hustis and Serradas voted in favor with Mayor Gallagher opposed. Motion carried by a vote of 4-1.

Trustee Campbell moved to approve the minutes of the February 22nd workshop and February 22nd bid opening and seconded by Trustee Hustis and unanimously approved.

WATEWATER REPORT

Greg Phillips updated the board on the status of three projects including cleaning and inspection of the sewer collection mains west of the railroad tracks, the aeration system upgrade and the Market Street Pump station replacement.

Superintendent Phillips asked for review of the contract with ADS for flow testing, stating that this was a verbatim contract from the previous year with one location added.

Trustee Campbell moved to approve the contract with ADS, LLC for flow monitoring at the cost of \$19,171.00; motion seconded by Trustee Hustis and unanimously approved.

WATER REPORT

Superintendent Phillips described performance issues with two of the three raw water pumps at the Water Treatment Facility. The department is currently working with consultants to determine why the pumps aren't delivering the proper volume of water.

Ron Gainer, P.E. recommended accepting the low bid from Mainlining Services for the "base bid" and "add alternative" for the water main cleaning and relining project, provided that the Village Attorney determines that associated documents are satisfactory and that the village finds the submittals to be acceptable.

RESOLUTION NO. 10-2012

WHEREAS, the Village Board has authorized going to public bid for the Water Main Cleaning and Lining Project, and

WHEREAS, the bids were returnable, opened and read aloud on February 22, 2012, and

WHEREAS, the engineer for the Village has recommended acceptance of the bid submitted by Mainlining Service, Inc., in the base amount of \$691,700 and alternate #1 in the amount of \$274,100 as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board does hereby accept the low bid submitted by Mainlining Service, Inc., and

2. That the Village Clerk is directed to forward a notice of award to the said contractor, and

3. That the Village Board hereby authorizes the Mayor to execute the contract for the project as well as any documents required under the contract for the project.

Trustee Falloon presented the foregoing resolution which was seconded by Trustee Campbell,

The vote on the foregoing resolution was as follows:

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

Resolution officially adopted by a vote of 3-0-2.

REPORT OF THE BUILDING AND FIRE INSPECTORS

William Bujarski presented reports for the months of January and February.

REPORT OF THE POLICE AND JUSTICE COURT

Officer in Charge Kane reported that officers are continuing strict enforcement of speeding and motorists not yielding to pedestrians in crosswalks.

The Justice Court collected \$11,689.00 during the month of February.

RECREATION COMMISSION

Trustee Campbell moved to approve the following applications for use of village parks and facilities: March 31st Easter Egg Hunt, June 3rd party at Mayor's park, June 30th graduation party at Mayor's Park, Cold Spring Fire Company softball games April 13th through September. Trustee Falloon seconded. Motion unanimously approved.

Several proposals were discussed but not voted on as follows: Eastern Sports Promotions time trials/bike race, Great Green Play date, Get Your Guts in Gear Event.

A workshop was scheduled for April 3rd to consider Pop Warner's request for additional lighting at Mayor's Park. Area residents will be invited to attend.

PLANNING BOARD LIAISON

Trustee Serradas provided an update on the review of the Foodtown Plaza expansion and Butterfield Realty applications. The schedule for upcoming workshops was announced. The Planning Board intends to work on a report to the Mayor, Village Board, and community pertaining to the Butterfield Realty project at their next workshop.

COMPREHENSIVE PLAN SPECIAL BOARD

Michael Armstrong reported that the Special Board completed work on the requested report on the proposed Butterfield redevelopment. The Board is currently working on adopting the 13 Coastal Policies to the Village.

REPORT OF THE MAYOR AND BOARD OF TRUSTEES

Trustee Hustis scheduled a review of rooftop proposals for March 27th.

Trustee Campbell reported on a Main Street site visit with representatives from CHA.

Trustee Serradas requested the addition of four items to the agenda: videotaping joint meetings between the Planning Board and Village Board, the Hudson House lease, when and where the highway department picks up garbage and recycling and safety equipment on the dock.

- 1) Mayor Gallagher reported that the Hudson House owner is interested in pursuing a lease renewal. The current lease will be forwarded to Attorney Gaba for review. Trustee Serradas recommended sending this matter to the Planning Board.
- 2) Trustee Serradas moved that joint meetings between the Village Board and the Planning Board be videotaped especially with regards to the Butterfield project. Motion seconded by Trustee Hustis. Trustee Campbell moved to amend this motion and to add, "pending Planning Board approval". Trustee Campbell and Mayor Gallagher voted in favor of amending the motion with Trustees Falloon, Hustis and Serradas opposed. The board voted on the original motion that joint meetings between the Village Board and the Planning Board be videotaped especially with regards to the Butterfield project. Trustee Hustis, Falloon and Serradas voted in favor with Mayor Gallagher and Trustee Campbell opposed. Motion carried by a vote of 3-2.
- 3) Trustee Serradas stated that he received quotes for life rings for the waterfront and called for addition of ladders at the dock. Trustee Campbell will follow up on these items.

- 4) Trustee Serradas moved that the board tasks the Mayor or Ed Trimble to provide a list of when and where the highway department picks up garbage and recycling and what days they pick it up. Trustee Serradas moved to add this item to the agenda; seconded by Trustee Falloon. Trustees Hustis, Campbell, Falloon and Serradas voted in favor with Mayor Gallagher opposed. Motion carried by a vote of 4-1.

Trustee Serradas moved that the Village Board task, at board's discretion on whom to task, to prepare a complete accounting of where and when the Highway Department picks up garbage and recycling and that that this information be provided within the next two weeks. After discussion and receiving input from the public, Trustee Serradas amended the motion to include, "with a differentiation between residential and commercial". Trustee Hustis seconded the motion. Mayor Gallagher moved to table. There was no second.

The Board then voted on the amended motion as follows: that the Village Board task, at board's discretion on whom to task, to prepare a complete accounting of where and when the Highway Department picks up garbage and recycling, with a differentiation between residential and commercial and that that this information be provided within the next two weeks. Trustees Hustis, Campbell, Falloon and Serradas voted in favor with Mayor Gallagher opposed. Motion carried by a vote of 4-1.

Trustee Serradas moved to task the mayor to provide this information within the next two weeks, motion seconded by Trustee Falloon. Trustee Serradas amended the motion to change the word task to request.

The vote on this motion was Trustee Hustis and Serradas in favor. Mayor Gallagher and Trustee Campbell opposed. Trustee Falloon did not vote.

Trustee Falloon offered to speak to Ed Trimble and report back to the board.

Mayor Gallagher stated that a DVD/videotape of the village board meeting was posted on a website without permission from the village. After discussion, Mayor Gallagher moved to approve the agreement (for posting video recordings) as per before, with the Citizens of Philipstown. Trustee Hustis seconded and unanimously approved.

Mayor Gallagher spoke about the following:

- 1) Earth Day Bike to School Day and the preparation of a village newsletter stressing environmental issues.
- 2) Change of sponsor for the community day fireworks with Philipstown.info supporting the event.
- 3) James Hartford and Andy Chmar have raised funds to complete the lighting and railing projects at the waterfront and will be signing contracts shortly.

UNFINISHED BUSINESS

After discussion, the board voted on a resolution to sell The Grove property.

RESOLUTION 11-2012

WHEREAS, the Village Board owns certain real property known as "The Grove," and

WHEREAS, the Village Board is considering offering the property for sale to a land developer to be selected at a future date so that The Grove may be renovated and used in a manner sensitive to its historic significance, and

WHEREAS, in furtherance of the proposal to offer The Grove for sale, the Village Board has prepared a Request For Proposals ("RFP"), a copy of which is **attached** hereto,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board does hereby approve the said RFP and directs the Village Clerk to publish notice of the same, and

2. That a date of April 24, 2012 is set as the date by which responses to the RFP shall be due. Mayor Gallagher presented the foregoing resolution which was seconded by Trustee Campbell,

The vote on the foregoing resolution was as follows:

Charles Hustis, Trustee, voting	NO
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 4-1.

It was recommended that efforts be made to widely distribute the RFP.

Mayor Gallagher moved to appoint Jimmy Zuehl as an alternate member to the Planning Board. Trustee Hustis moved to approve this appointment and seconded by Trustee Serradas and unanimously approved.

Trustee Serradas asked for consideration of allowing J. Immorlica to stay on the Planning Board until the Butterfield project is completed.

RESOLUTION 12-2012

WHEREAS, the Film Society has proposed to present a series of family friendly films at Dockside Park in the Village of Cold Spring this summer; and

WHEREAS, the Film Society has requested the Village to sponsor the project, as it will be free of charge and available to all Village residents; and

WHEREAS, the Village finds that sponsoring the said presentation of family friendly films as municipal recreation would be in the best interests of the Village;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board does hereby approve the request of the Film Society for sponsorship of the said presentation of family friendly films free of charge at Dockside Park; and

2. That the Mayor is hereby authorized to execute the attached Memorandum of Understanding for sponsorship of the Film Society Project.

Trustee Serradas presented the resolution herein which was seconded by Trustee Falloon,

The vote on the foregoing resolution was as follows:

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

Resolution adopted by a vote of 5-0.

An agreement and release of liability between the Village and Putnam County for use of voting machines was reviewed by Attorney Gaba. He recommended that approval be subject to verification with the insurance company that requested coverage could be provided. Trustee Falloon moved to approve of an agreement and release of liability for use of voting machines and seconded by Trustee Hustis and unanimously approved.

Public Comment

Catharine Square asked why garbage and recycling were picked up on different days. Gordon Robertson spoke about the debris that has accumulated in the street in front of his property. He spoke about miscommunication and that he had not placed items into the roadway. He asked to have the curb raised because of drainage problems.

T. Bardes asked how he could obtain copies of the DVD of the village board meetings. A contract will be prepared for his signature and the cost of DVD's will be passed on to applicants.

M. Bowman had questions about a shed that was currently being built on Stone Street. Mr. Bujarski responded to this question. He questioned meeting procedures and reasons for entering into closed session. Attorney Gaba responded.

Trustee Falloon moved to enter into closed session and seconded by Trustee Campbell and unanimously approved.

Respectfully submitted,

Mary Saari, Village Clerk

**MINUTES OF VILLAGE BOARD OF VILLAGE
OF COLD SPRING OF MARCH 6, 2012**

Present: Mayor Seth Gallagher, Trustees Bruce Campbell, Airinhos Seradas, Ralph Falloon and Charles Hustis.

Motion to leave closed session to confer with counsel and to resume regular meeting and made by Trustee R. Falloon and seconded by Chuck Hustis.

The vote on the foregoing motion was as follows:

Seth Gallagher, Mayor, voting	Aye
Bruce Campbell, Trustee, voting	Aye
Ralph Falloon, Trustee, voting	Aye
Airinhos Seradas, Trustee, voting	Aye
Charles Hustis, Trustee, voting	Aye

Motion to approve bills that were audited made by Trustee Bruce Campbell and seconded by Chuck Hustis.

The vote on the foregoing motion was as follows:

Seth Gallagher, Mayor, voting	Aye
Bruce Campbell, Trustee, voting	Aye
Ralph Falloon, Trustee, voting	Aye
Airinhos Seradas, Trustee, voting	Aye
Charles Hustis, Trustee, voting	Aye

Motion to adjourn made by Trustee Chuck Hustis and seconded by Airinhos Seradas.

The vote on the foregoing motion was as follows:

Seth Gallagher, Mayor, voting	Aye
Bruce Campbell, Trustee, voting	Aye
Ralph Falloon, Trustee, voting	Aye
Airinhos Seradas, Trustee, voting	Aye
Charles Hustis, Trustee, voting	Aye

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