

**Village of Cold Spring**  
**Board of Trustees Workshop**  
**July 31, 2012**

The Board of Trustees for the Village of Cold Spring held a workshop on Tuesday, July 31, 2012, beginning at 7:30 at the Village Hall, 85 Main Street, Cold Spring, NY.

Board members attending were Trustees Bruce Campbell, J. Ralph Falloon, Charles Hustis, III, and Matthew Francisco, and Mayor Seth Gallagher.

Also in attendance were Village Accountant Ellen Mageean, Village Attorney Stephen Gaba, Building Inspector Bill Bujarski, Butterfield Realty, LLC owner and representative, Paul Guillaro and Ray Curran, LWRP Committee members Michael Armstrong, and Anne Impellizzeri.

Ellen Mageean, Village Accountant, presented the **financial report** for the period ending May 31, 2012.

Mayor Gallagher read his report on the fiscal year 2011-2012.

**Resolution #30-2012** Moved by: Trustee Campbell; Seconded by Trustee Hustis.

*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:	A00-1010-405	Board of Trustees: Video Recording	\$221.00
	From:	A00-1010-400	Board of Trustees: Contractual	\$221.00
			<b>To increase budget for the video taping of a meeting other than the monthly meeting.</b>	
(2)	To:	A00-1110-110	Court Clerk: Personal Services	\$434.00
	To:	A00-1322-100	Accountant: Personal Services	\$685.00
	To:	A00-1410-100	Village Clerk: Personal Services	\$569.00
	To:	A00-1620-100	Shared Services: Personal Services	\$328.00
	To:	A00-3120-100	Police: Personal Services	\$7,415.00
	To:	A00-3120-110	Crossing Guards: Personal Services	\$598.00
	To:	A00-4020-100	Registrar Vital Stats: Personal Services	\$36.00
	To:	A00-5110-100	Highway Street Maint: Personal Services	\$4,298.00
	To:	A00-5410-100	Sidewalks: Personal Service	\$67.00
	To:	A00-7140-100	Recreation: Personal Services	\$2,572.00
	To:	A00-7510-100	Historical Board: Personal Services	\$108.00
	To:	A00-8010-100	Zoning Board: Personal Services	\$139.00
	To:	A00-8160-100	Garbage: Personal Services	\$1,727.00
	To:	A00-8710-100	Energy Conservation & Environmental Committee	\$86.00
	From:	A00-3120-120	Parking Enforcement: Personal Services	\$399.00
	From:	A00-3410-100	Fire Inspector: Personal Services	\$326.00
	From:	A00-3620-110	Building Inspector Clerk: Personal Services	\$134.00
	From:	A00-5142-100	Snow Removal Personal Services	\$12,909.00
	From:	A00-6989-100	Econ Devel Comm Chair: Personal Services	\$174.00
	From:	A00-8170-100	Street Clean: Personal Services	\$5,120.00
			<b>To reallocate the personal services to cover additional expenditures as a result of an increase in the current year accrual as compared to last year.</b>	

(3)	To:	A00-1410-410	Village Clerk: Website	\$65.00
	From:	A00-1410-400	Village Clerk: Contractual	\$65.00
			<b>Increase the website budget due to increase in charges related to the website.</b>	
(4)	To:	A00-1440-400	Engineer/Architect: Contractual	\$4,143.00
	From:	A00-1420-410	Attorney: Special	\$4,143.00
			<b>Increase the budget for the engineer for additional expenditures related to the Charrette for the development of Butterfield.</b>	
(5)	To:	A00-1440-401	Engineer – New Street	\$450.00
	To:	A00-3089-200	State Aid – Engineering – New Street	\$450.00
			<b>Increase budget for reimbursable expenditures related to the MGP site at New Street.</b>	
(6)	To:	A00-1620-200	Shared Services: Equipment	\$386.00
	To:	A00-1620-400	Shared Services: Contractual	\$869.00
	To:	A00-1620-410	Shared Services: Computer Software	\$41.00
	To:	A00-1640-417	Shared Services: Village Hall Repair	\$632.00
	From:	A00-1620-411	Shared Services: Heating	\$1,032.00
	From:	A00-1620-412	Shared Services: Electric	\$489.00
	From:	A00-1670-400	Shared Services: Printing & Mailing	\$407.00
			<b>To reallocate the shared services budget line items to cover expenses incurred.</b>	
(7)	To:	A00-3120-200	Police: Equipment	\$1,565.00
	To:	A00-3120-411	Police: Gasoline	\$2,618.00
	To:	A00-3120-420	Police: Telephone & Radio	\$321.00
	To:	A00-3120-460	Police: Clothing Kane	\$50.00
	To:	A00-3120-465	Police: Clothing Comisky	\$110.00
	To:	A00-3120-475	Parking Enforcement: Clothing	\$127.00
	From:	A00-3120-400	Police: Vehicle Repairs	\$189.00
	From:	A00-3120-410	Police: Services & Materials	\$244.00
	From:	A00-3120-430	Police: School & Supplies	\$500.00
	From:	A00-3120-461	Police: Clothing Walz	\$475.00
	From:	A00-3120-462	Police: Clothing Boulanger	\$370.00
	From:	A00-3120-464	Police: Clothing Ciero	\$250.00
	From:	A00-1990-400	Contingent Account	\$2,763.00
			<b>To reallocate the police budget line items to cover expenses incurred.</b>	
(8)	To:	A00-3310-200	Traffic Control: Street Sign Equipment	\$422.00
	From:	A00-1990-400	Contingent Account	\$422.00
			<b>To increase the budget for additional street signs purchased.</b>	
(9)	To:	A00-3410-413	Fire: Diesel	\$190.00
	To:	A00-3410-465	Fire: Energy Grant Expenditures	\$342.00
	From:	A00-3410-440	Fire: Siren	\$532.00
			<b>To reallocate the fire budget line items to cover expenses incurred.</b>	
(10)	To:	A00-5110-410	Highway Street Maint: Supplies & Materials	\$1,260.00

	To:	A00-5110-200	Highway Street Maint: Equipment	\$54.00
	To:	A00-5110-413	Highway Street Maint: Oil/Service	\$357.00
	To:	A00-5110-414	Highway Street Maint: Diesel	\$1,139.00
	To:	A00-5410-400	Sidewalks: Maint & Repair	\$3,021.00
	From:	A00-5110-450	Highway Street Maint: Equipment & Repair	\$3,921.00
	From:	A00-5142-200	Snow Removal: Equipment	\$1,910.00
			<b>To reallocated the Highway budget line items to cover expenses incurred.</b>	
(11)	To:	A00-5110-470	Street Lighting: Legal & Engineering	\$806.00
	To:	A00-5110-475	Street Paving: Legal & Engineering	\$43,247.00
	From:	A00-5110-480	Street Light & Sidewalk Project Construction	\$806.00
	From:	A00-5110-481	Street Paving & Drainage Project Construction	\$43,247.00
			<b>To reallocated the budget for the Main Street Project for additional costs in the planning stage.</b>	
(12)	To:	A00-5182-440	Street Lights: Subway	\$237.00
	From:	A00-5182-400	Street Lights: Contractual General Street Lights	\$237.00
			<b>To reallocate the budget related to street lights.</b>	
(13)	To:	A00-7140-200	Recreation: Equipment	\$50.00
	To:	A00-7140-400	Recreation: Contractual	\$20.00
	To:	A00-7140-470	Recreation: Electricity	\$66.00
	To:	A00-7140-471	Recreation: Electricity-Dockside	\$133.00
	From:	A00-7140-210	Recreation: Equipment Maintenance	\$269.00
			<b>To reallocate the recreation budget for actual expenditures</b>	
(14)	To:	A00-7550-400	Celebrations: Contractual	\$58.00
	From:	A00-7140-460	Recreation: Christmas Decorations	\$58.00
			<b>To increase the celebrations line item for additional unbudgeted for expenses</b>	
(15)	To:	A00-8020-400	Planning Board: Contractual	\$84.00
	From:	A00-8010-400	Zoning Board: Contractual	\$84.00
			<b>To increase planning board contractual line item for additional unbudgeted for expenses</b>	
(16)	To:	A00-8510-400	Community Beautification: Contractual	\$893.00
	From:	A00-1990-400	Contingent Account	\$893.00
			<b>To increase community beautification for the purchase of flags.</b>	
(17)	To:	A00-9010-800	State Retirement	\$1,544.00
	To:	A00-9015-800	Fire & Police Retirement	\$1,218.00
	To:	A00-9030-800	Social Security	\$2,432.00
	To:	A00-9060-804	Dental Insurance: Norton	\$575.00
	To:	A00-9060-808	Dental Insurance: C. Costello	\$290.00
	From:	A00-9060-800	Medical Insurance	\$3,087.00
	From:	A00-1990-400	Contingent Account	\$2,972.00
			<b>To increase budget for retirement and social security for end of year accrual and dental insurance for additional expenditures as allowed by current employee handbook.</b>	

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 Matt Francisco voted: YES

Mayor Seth Gallagher voted: YES

Resolution 30-2012 is officially adopted on this day, Tuesday, July 31, 2012 by a unanimous vote.

Mary Saari-Village Clerk/Treasurer

Paul Guillaro and Ray Curran presented the updated concept plan for the **Butterfield Hospital site**. In this plan, there will be a municipal building, a retail/office building, a senior condominium building housing 34 units, 3 buildings of senior condominiums housing 7 units each, and 3 free standing houses facing Paulding Avenue.

There were questions from the audience regarding a walkway directly from Paulding Avenue to Chestnut Street (Route 9D); safety issues regarding entering from and exiting onto Route 9D; on and off loading for the Post Office, planned to be located in the Municipal Building; parking within the complexes, including handicap parking; height of buildings; and the possibility of keeping the original hospital building, demolishing only the additions.

The following resolution was approved for establishing a Butterfield Project Committee:

**RESOLUTION NO 31-2012**

WHEREAS, Butterfield Realty, LLC, is the owner of 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, Butterfield Realty, LLC, has submitted a sketch to the Village Board depicting a proposal for development of the property, and

WHEREAS, the plans for development depicted on the sketch will require a zoning change and approvals from various boards, and

WHEREAS, Butterfield Realty, LLC, has indicated that it wishes to have some informal consensus of concept approval and advice from the Village's boards before proceeding with formal submission of plans, and

Whereas, the Village has adopted a Customer Bill of Rights and Responsibilities mandating, among other things, (1) "Efficient action by Departments and Boards emphasizing clear communication, problem solving and achievement of results" and (2) "Assistance from Village officials, staff, and Department and Board members in finding solutions to problems and the avoidance of delayed process and action, and

Whereas, providing the assistance and advice requested by Butterfield Realty, LLC, in developing plans for its property is proper and wholly in keeping with the Village's Bill of Rights and Responsibilities.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. THAT there is hereby created an informal ad hoc committee which shall meet at Village Hall with representatives of Butterfield Realty, LLC, to review and discuss the sketch and development plans for the Butterfield Realty property with the goal of providing helpful advice and reaching a consensus of concept approval.
2. THAT the said committee shall consist of the following:
  1. Mayor Seth Gallagher
  2. Village Trustee Matt Francisco
  3. Historic District Review Board, (HDRB) Chairman Al Zgolinski
  4. HDRB member Carolyn Bachan, with Marie Early as an alternate
  5. Planning Board Chairman Joseph Barbaro
  6. Planning Board member Arne Saari, with Jimmy Zuehl as an alternate.
3. THAT the said committee shall meet at such dates and times as it shall deem necessary or convenient and shall be chaired by the Mayor.
4. THAT the Village Building Inspector shall assist the committee as needed and shall, upon request, attend meetings.
5. THAT the Village Clerk shall assist the committee in preparing minutes of meetings.
6. THAT the said committee is advisory only and shall have no power or authority to approve or disapprove any plans or applications.
7. THAT the members of the committee shall regularly report to their respective boards on the committee's proceedings and the plans under review.
8. THAT the committee shall continue to exist until dissolved by resolution of the Village Board.

Trustee Falloon presented the foregoing resolution which was seconded by Trustee Hustis.

The vote on the foregoing resolution was as follows:

Trustee Charles Hustis voted: YES  
Trustee Bruce Campbell voted: YES  
Trustee Matt Francisco voted: YES  
Trustee Ralph Falloon voted: YES  
Mayor Seth Gallagher voted: YES

Resolution # 31-2012 is officially adopted on this day, Tuesday, July 31, 2012 by a unanimous vote.

**Mayors Park** suffered some damage from a well-meaning member of the Philipstown Pop Warner group. However, with continued watering by the Cold Spring Fire Company and North Highland Fire Company, it was reported that the damage will be corrected in a short period of time. In the meantime, Jon Champlin, head of Pop Warner, will conduct their practices in Garrison, returning to Mayor's Park when the field has rejuvenated itself. Philipstown Pop Warner consists of about 100 children from the community. This count includes the cheerleading team.

The review of the **LWRP** touched on Key Projects beginning with Dockside. The Mayor read the highlights of the proposed development of the property. Mike Armstrong and Anne Impellizzeri gave clarification on some of the issues. The review of the LWRP Key Projects will continue at the next workshop meeting.

Attorney Gaba stated that at an earlier meeting, the Village wanted to add a surrender clause to the contract for **Jaycox Pond**. However, the State will not agree to this. It was agreed to add a cessation clause. Attorney Gaba will write up the clause for the Board to review.

The Village has agreed to provide storage space for equipment for the work being done at the **Market Street Pump Station** as there is no area available on Market Street. The space that will be used for the storage will be at the Waste Water Treatment Plant. Attorney Gaba will draw up a Revocable license including a license to hold harmless indemnity clause.

Provision 1503 of the contract states that if the Village terminates the contract for convenience, the Village will be required to pay all costs to the contractor. It was discussed that the clause should be removed, but as an incentive to potential contractors, it was decided to leave it in for now.

Article 16 of the contract – request to submit to non-binding mediation - will be removed.

Trustee Hustis wrote a letter to the Village Board regarding public comment and the formation of an ethics committee. He declined to read the letter during this workshop.

Mayor Gallagher emailed Trustee Hustis regarding his letter whereas Trustee Hustis stated that he would like to see the Village government dissolved and that the Village should work under the government of the Town of Philipstown.

Trustee Hustis had no comment at this juncture.

Meeting was adjourned.

Respectfully submitted,

Sandra L. Falloon