

Board of Trustees Meeting

May 7, 2013

The Board of Trustees for the Village of Cold Spring held a meeting on Tuesday, May 7, 2013 beginning at 7:30 pm at the Village Hall, 85 Main Street, Cold Spring, NY.

Attending were Mayor J. Ralph Falloon, Trustees Bruce Campbell, Charles Hustis, III, Matthew Francisco, and Stephanie Hawkins.

Also in attendance were Paul Guillaro and Matt Moran.

Village Attorney, Stephen Gaba, by email response, suggested that if/when the following resolutions are adopted, the Village Board should consider hiring an engineering consultant and traffic engineer to review the EAF and provide comments to the Village Board for SEQRA. The Village Board may also want to consider hiring a planning consultant for the same purpose. If these consultants are hired now (during the 30 day period to finalize lead agency status) they should be in a position to render reports to the Village Board in June and keep the ball rolling on the project.

Resolution No. 24-2013 Introduce Local Law Amending B-4 Zoning

WHEREAS, the Village Board is considering amending the Village Zoning Code in regard to the provisions applicable to the B-4 Zoning District; and

WHEREAS, the Village Board has before it a draft local law entitled "A Local Law to Amend Village Code Chapter 134 by Amending Village Code 134-3, "Listing of Districts", 134-4, "Zoning Map" and 134-15, "Regulations for B-4 Designated Medical and Health Care Facility District", a copy of which is annexed hereto;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the movant of this resolution does hereby introduce the proposed local law; and
2. That the proposed local law shall be circulated to the Planning Board, the Zoning Board of Appeals, the HDRB, the Comprehensive Plan Special Board and the County Planning Board with a request that comments upon the proposed local law be provided on or prior to June 4, 2013.

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

The vote on the foregoing resolution was as follows:

Charles E. Hustis III, Trustee, voting YES
Bruce D. Campbell, Trustee, voting YES
Stephanie Hawkins, Trustee, voting YES
Matt Francisco, Trustee, voting YES
J. Ralph Falloon, Mayor, voting YES

Resolution No. 24-2013 Introduce Local Law Amending B-4 Zoning was approved with a unanimous vote on this day, May 7, 2013.

Before the voting of Resolution No. 25-2013, there was a change in the wording of #1. It read “That the Mayor is hereby authorized to sign....”. The word ‘sign’ was changed to ‘receive’.

Resolution No, 25-2013 Declare Intent to be Lead Agency for the B-4 Zoning Change

WHEREAS, the Village Board has introduced a proposed local law entitled “A Local Law to Amend Village Code Chapter 134 by Amending Village Code Sections 134-3, “Listing of Districts”, 134-4, “Zoning Map” and 134-15, “Regulations for B-4 Designated Medical and Health Care Facility District”, and

WHEREAS, this is an action subject to SEQRA;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Mayor is hereby authorized to *receive* the EAF, and
2. That the Village Board hereby declares its intent to be Lead Agency in a coordinated SEQRA review and directs that notice of the same along with a copy of the expanded EAF be circulated to all involved and interested agencies.

Trustee Francisco presented the foregoing resolution which was seconded by Trustee Hawkins.

The vote on the foregoing resolution was as follows:

Charles E. Hustis III, Trustee, voting YES
Bruce D. Campbell, Trustee, voting YES
Stephanie Hawkins, Trustee, voting YES
Matt Francisco, Trustee, voting YES
J. Ralph Falloon, Mayor, voting YES

Resolution No, 25-2013 Declare Intent to be Lead Agency for the B-4 Zoning Change was approved with a unanimous vote on this day, May 7, 2013

Trustee Hawkins made a motion to waive the reading of Resolution #26-2013 SEQRA Determination, seconded by Trustee Hustis. The vote was unanimous and the motion passed

Resolution #26-2013 SEQRA Determination

WHEREAS, the Village of Cold Spring Village Board wishes to construct improvements to the existing Emergency connection to the Catskill Aqueduct (“the Improvements”); and

WHEREAS, the Village Board of Trustees concludes that “the Improvements” to the connection is necessary for its use during times of Public Emergency to eliminate possible operations problems at the water treatment plant during such an emergency; and

WHEREAS, the Village Board of Trustees concludes that performing “the Improvements” is necessary during NYCDEP’s scheduled maintenance of the Aqueduct is the appropriate time to complete this work; and

WHEREAS, the Village Board of Trustees has caused its consultant to prepare an Environmental Assessment Form identifying and analyzing the potential environmental impacts of “the Improvements” to the Emergency Aqueduct Connection; and

WHEREAS, the Village Board of Trustees has considered and reviewed “the Improvements” as an “action” subject to SEQRA pursuant to 6 NYCRR §§ 617.2(b) and 617.3(g); and

WHEREAS, the Village Board of Trustees concludes that “the Improvements” are a listed Type II action pursuant to 6 NYCRR section 617.5 (c) (2)” replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site,...” and it does not exceed any thresholds listed in 6 NYCRR section 617.4 (b); and

IT IS HEREBY FURTHER RESOLVED that, pursuant to 6 NYCRR sections 617.6 (b), the Village Board of Trustees concludes that the action shall be subject to an uncoordinated SEQRA review; and

IT IS HEREBY RESOLVED that, pursuant to 6 NYCRR section 617.6 (a) (1) (i), the Village Board of Trustees classifies the action as a Type II action that is exempt from further requirements of 6 NYCRR section 617;

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

The foregoing resolution was voted upon with all members voting as follows:

- Charles E. Hustis III, Trustee, voting YES
- Bruce D. Campbell, Trustee, voting YES
- Stephanie Hawkins, Trustee, voting YES
- Matt Francisco, Trustee, voting YES
- J. Ralph Falloon, Mayor, voting YES

Resolution #26-2013 SEQRA Determination was approved with a unanimous vote on this day, May 7, 2013, by The Village of Cold Spring, NY.

Mary Saari, Village Clerk

Meeting of the Board of Trustees of the

Village of Cold Spring, in the

County of Putnam, New York

May 7, 2013

* * *

A regular meeting of the Board of Trustees of the Village of Cold Spring, New York, was held at the Village Hall, 85 Main Street, Cold Spring, New York, on May 7, 2013.

There were present: Hon. J. Ralph Falloon, Mayor; and

Trustees: Bruce Campbell
Charles Hustis, III
Matthew Francisco
Stephanie Hawkins.

There were absent:

Also present: Mary Saari, Village Clerk

Trustee Charles Hustis offered the following resolution and moved its adoption:

RESOLUTION OF THE VILLAGE OF COLD SPRING, NEW YORK,
ADOPTED MAY 7, 2013, AMENDING THE BOND RESOLUTION
ADOPTED ON JUNE 28, 2011

Recitals

WHEREAS, the Board of Trustees of the Village of Cold Spring, in the County of Putnam, New York, has heretofore duly authorized the construction of improvements to the water main along Fishkill Road and Main Street, consisting of relining the water main and related cleaning, site work, replacement of Water Treatment Plant control panel and other ancillary work, at the estimated maximum cost of \$1,535,000 pursuant to the bond resolution adopted by the Board of Trustees on June 28, 2011; and

WHEREAS, the Board of Trustees has determined that it is in the best interests of the Village to amend such bond resolution to specifically include the construction of improvements to the existing Emergency Connection to the NYCDEP Catskill Aqueduct in the description of the project; and

WHEREAS, the estimated maximum cost of the project will not be increased from \$1,535,000, as stated in the bond resolution adopted on June 28, 2011;

Now, therefore, be it

RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF COLD SPRING, IN THE COUNTY OF PUTNAM, NEW YORK (by favorable vote of not less than two-thirds of all members of said Board of Trustees) AS FOLLOWS:

Section (A) The bond resolution of the Village of Cold Spring duly adopted by the Board of Trustees on June 28, 2011, entitled:

“Bond Resolution of the Village of Cold Spring, New York, adopted June 28, 2011, authorizing the construction of improvements to the water main along Fishkill Road and Main Street, stating the estimated maximum cost thereof is \$1,535,000, appropriating said amount for such

purpose, and authorizing the issuance of \$1,535,000 serial bonds of said Village to finance said appropriation,”

is hereby amended to read as follows:

BOND RESOLUTION OF THE VILLAGE OF COLD SPRING, NEW YORK,
ADOPTED JUNE 28, 2011 AND AMENDED MAY 7, 2013, AUTHORIZING
THE CONSTRUCTION OF IMPROVEMENTS TO THE VILLAGE WATER
SYSTEM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS
\$1,535,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND
AUTHORIZING THE ISSUANCE OF \$1,535,000 SERIAL BONDS OF SAID
VILLAGE TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF COLD SPRING, IN THE
COUNTY OF PUTNAM, NEW YORK, HEREBY RESOLVES (by the favorable vote of not
less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Cold Spring, in the County of Putnam, New York (herein called the “Village”), is hereby authorized to construct improvements to the Village water system, including improvements to the water main along Fishkill Road and Main Street, consisting of relining the water main and related cleaning and site work; replacement of a Water Treatment Plant control panel; construction of improvements to the existing Emergency Connection to the NYCDEP Catskill Aqueduct; and other ancillary work in connection with the foregoing. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,535,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$1,535,000 serial bonds of the Village to finance said appropriation, the collection of water rates and the levy and

collection of taxes upon all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Village in the principal amount of \$1,535,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the object or purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 1 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the

principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption hereof, to cause to be published, in full, in the “*Putnam County News and Recorder*,” a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF COLD SPRING, NEW YORK

PLEASE TAKE NOTICE that on May 7, 2013 the Board of Trustees of the Village of Cold Spring, in the County of Putnam, New York, adopted a resolution amending the bond resolution adopted by said Board of Trustees on June 28, 2011, which bond resolution, as amended, is entitled:

“Bond Resolution of the Village of Cold Spring, New York, adopted June 28, 2011 and amended May 7, 2013, authorizing the construction of improvements to the Village water system, stating the estimated maximum cost thereof is \$1,535,000, appropriating said amount for such purpose, and authorizing the issuance of \$1,535,000 serial bonds of said Village to finance said appropriation.”

an abstract of such bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Village of Cold Spring to construct improvements to the Village water system, including improvements to the water main along Fishkill Road and Main Street, consisting of relining the water main and related cleaning and site work; replacement of a Water Treatment Plant control panel; construction of improvements to the existing Emergency Connection to the NYCDEP Catskill Aqueduct; and other ancillary work in connection with the foregoing; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,535,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of \$1,535,000 serial bonds of the Village to finance said appropriation, the collection of water rates, and the levy of taxes upon all the taxable real property within the Village to pay the principal of said bonds and the interest thereon;

SECOND: AUTHORIZING the issuance of \$1,535,000 serial bonds of the Village pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING that (a) the period of probable usefulness of the object or purpose for which the bonds are authorized is forty (40) years; (b) the proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized; and (c) the proposed maturity of said serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

Section 8. The Village Clerk is hereby authorized and directed to cause a summary of this Bond Resolution to be published after this Bond Resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

* * *

Section (B) The amendment of the bond resolution as set forth in Section (A) of this resolution shall in no way affect the validity of any liabilities incurred, obligations issued, or action taken pursuant to said bond resolution prior to amendment, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as amended.

Section (C) Said bond resolution, as amended, is subject to a permissive referendum as therein provided. In the event that a valid petition protesting against said bond resolution and requesting that it be submitted to the electors of said Village for their approval or disapproval is filed and the Proposition submitted therefor is defeated, the validity of the bond resolution adopted June 28, 2011 shall not be in any way affected and shall remain in full force and effect.

The adoption of the foregoing resolution was seconded by Trustee Stephanie Hawkins and duly put to a vote on roll call, which resulted as follows:

AYES: Hon. J. Ralph Falloon, Mayor

Trustee Matt Francisco

Trustee Bruce Campbell

Trustee Charles Hustis, III

Trustee Stephanie Hawkins

NOES:

The resolution was declared adopted by a vote of 5-0.

Resolution #: 28-2013 Budget Adjustments for the 2012/2013 Fiscal Year

Moved by Trustee Hawkins, seconded by Trustee Francisco *Resolved that (1)* The Board of Trustees of The Village of Cold Spring hereby approves the following Budget Adjustment(s) for the 2012/2013 fiscal year:

| | | | | |
|-----|-------|--------------|---|----------|
| (1) | To: | A00-1010-405 | Board of Trustees: Video Recording | \$450.00 |
| | From: | A00-1990-400 | Contingent Account | \$450.00 |
| | | | To increase the budget for the Video Recording of the Monthly Trustee meeting for increase in price and charges for additional time taping | |
| (2) | To: | A00-1110-440 | Justice: Office Supplies | \$379.00 |
| | From: | A00-1110-410 | Justice: Books & Publications | \$88.00 |
| | From: | A00-1110-420 | Justice: Continuing Education | \$141.00 |
| | From: | A00-1110-460 | Justice: Software Fees | \$150.00 |
| | | | To reallocate the Justice Court budget to cover additional expenses in office supplies. | |
| (3) | To: | A00-1440-401 | Engineer: New Street | \$500.00 |
| | To: | A00-3089-200 | State Aid: Engineer New Street (Revenue) | \$500.00 |
| | | | To increase the budget for expenditures related to new street that will be reimbursed through the ERP Program. | |

| | | | | |
|------|-------|--------------|--|------------|
| | | | | |
| (4) | To: | A00-1620-410 | Shared Services: Computer Software | \$303.00 |
| | To: | A00-1620-420 | Shared Services: Telephone | \$822.00 |
| | To: | A00-1640-410 | Shared Services: Restroom | \$300.00 |
| | From: | A00-1640-417 | Shared Services: Village Hall Repair | \$1,425.00 |
| | | | To reallocate the Shared Services for additional expenditures for: a new user on our computer software (Ann), an additional cell phone and unanticipated repairs to the restroom. | |
| (5) | To: | A00-3120-400 | Police: Vehicle Repairs | \$500.00 |
| | To: | A00-3120-410 | Police: Services & Materials | \$3,200.00 |
| | From: | A00-3120-430 | Police: School & Supplies | \$200.00 |
| | From: | A00-3410-460 | Fire: Building Repairs | \$3,500.00 |
| | | | To increase police vehicle repairs for higher than anticipated car repairs and services and materials for the repair of the tasers and computer support. | |
| (6) | To: | A00-3120-466 | Police: Clothing Burke | \$480.00 |
| | From: | A00-3120-465 | Police: Clothing Comisky | \$422.00 |
| | From: | A00-1320-473 | Police: Clothing Stasiak | \$58.00 |
| | | | To increase the budget for new PO Burke for the purchase of a bullet proof vest. | |
| (7) | To: | A00-3410-412 | Fire: Heating Oil/Service | \$500.00 |
| | To: | A00-3410-440 | Fire: Siren | \$255.00 |
| | To: | A00-3410-450 | Fire: Electricity | \$308.00 |
| | From: | A00-3410-460 | Fire: Building Repairs | \$1,063.00 |
| | | | To reallocate fire budget for additional expenditures in various lines. | |
| (8) | To: | A00-5142-100 | Snow Removal: Personal Services | \$232.00 |
| | To: | A00-8160-100 | Garbage: Personal Services | \$4,000.00 |
| | To: | A00-8170-100 | Street Clean: Personal Service | \$4,000.00 |
| | From: | A00-5110-100 | Highway Street Maintenance: Personal Services | \$4,232.00 |
| | From: | A00-5410-100 | Sidewalks: Personal Services | \$4,000.00 |
| | | | To reallocate the personal services budget for the highway department to the appropriate lines. | |
| (9) | To: | A00-5142-400 | Snow Removal: Contractual | \$1,750.00 |
| | From: | A00-5142-200 | Snow Removal: Equipment | \$1,750.00 |
| | | | To transfer money into snow removal contractual for contracted out snow removal. | |
| (10) | To: | A00-7140-470 | Recreation: Electricity | \$464.00 |
| | To: | A00-7140-471 | Recreation: Electricity – Dockside | \$110.00 |
| | To: | A00-5182-410 | Street Lights: Haldane/Butterfield | \$240.00 |
| | From: | A00-5410-400 | Sidewalks: Repair & Maintenance | \$814.00 |
| | | | To allocate money to electric that is over budget. | |
| (11) | To: | A00-7510-400 | Historical Board: Contractual | \$100.00 |
| | From: | A00-8010-400 | Zoning Board: Contractual | \$100.00 |
| | | | To allocate additional money to historic board contractual. | |

And (2) The accountant is hereby authorized to transfer such funds immediately.

On roll call vote:

Trustee Stephanie Hawkins voted: YES

Trustee Bruce Campbell voted: YES

Trustee Charles Hustis voted: YES

Trustee Matt Francisco voted: YES

Mayor Ralph Falloon voted: YES

Resolution 28-2013 officially adopted on: Tuesday, May 7, 2013.

Mary Saari-Village Clerk/Treasurer

Vinnie Tamagna and Anthony Rugiero, Commissioner of County Planning, gave a presentation on redirection, adding and advertising the availability of an already established **public transit** line to include the western part of the County.

The local trolley service will be rerouted, eliminating trips to Garrison Landing because of too few passengers and will work on creating trips to the Cold Spring/Beacon tunnel transporting hikers to those trails thereby providing the hikers a safer route for their destination. Also, the hours will be extended during the Boscobel's Shakespeare Festival.

Trustee Hustis brought up the possibility of amending the Vehicle and Traffic Code regarding **parking** to have all streets with a consistent time frame. From this conversation came up the possibility of parking meters in the business district of Main Street. Three representatives of Main Street businesses that were in the audience were in favor of the meters. It was determined to hold a public hearing to see how the Village residents feel about this. A date will be determined at the monthly meeting of May 14, 2013.

June 4, 2013 has been set as a workshop for **disaster preparedness**, our roll in pre and post disaster.

Correspondence:

Lauri Taylor and Jill Slater sent an email with information for a Leadership Workshop for Small Systems on June 13-14, 2013 at SUNY New Paltz. Workshop topics include: decision making processes, managing board/committee interactions, conflict resolution, public outreach, and creating an outreach plan.

Barney Molloy sent an email regarding a meeting for NRC for Indian Point Units 2 and 3 from 7 – 9 pm, May 14, 2013 at the Westchester Ballroom in Double Tree by Hilton, 455 South Broadway, Tarrytown.

NY Municipal Insurance Reciprocal is sponsoring a free morning seminar on Social Media, Crime and Fidelity plus Training the Trainer on Workplace Violence Prevention and Sexual Harassment on Tuesday May 14, 8:30 am to noon, at Town of Fishkill, Town Hall, 807 Route 52, Fishkill, NY.

An application for docking was received from the River Rose for September 7, 2013 from 3:30 – 9 pm. Trustee Campbell will check the docking schedule and bring this up at the monthly meeting, May 14, 2013.

Andrea Latvis of 20 Parsonage Street has requested that the Village waive the fees for a Building Permit and Certificate of Occupancy for a pellet stove and re-pitching of their roof that was done by the previous owners prior to their purchase in 2005. The Latvis' found this information out while now in the process

of selling their home. At the time the house was being sold to the Latvis', Building Inspector George Tompkins signed a municipal search stating that the house had no municipal violations. Had they known then, they would have requested that the then-owners rectify the issues before closing. Ms. Latvis submitted her applications for a C of O and a Building Permit to bring the violations up to code.

The Board was in agreement that they request a letter from Building Inspector Bill Bujarski stating his thoughts on this request before making a decision.

A **Waterline Repair Payment Agreement** was sent to the Board for their approval from Margaret Mills. It reads as follows:

THIS AGREEMENT is made this 30th day of April, 2013, between

Mrs. Margaret T. Mills, 48 Morris Avenue, Cold Spring, New York, 10516 (hereinafter the "PROPERTY OWNER"),

AND

The VILLAGE OF COLD SPRING, a municipal corporation with offices at 85 Main Street, Cold Spring New York, 10516, (hereinafter the "VILLAGE"),

WHEREAS, the PROPERTY OWNER owns certain real property located at PROPERTY LOCATION, Cold Spring, New York, which is identified on the Tax Map as Section 48.8, Block 4, Lot 16; and

WHEREAS, the said property receives municipal water service from the VILLAGE; and

WHEREAS, in September of 2012, a leak was found in the water service line in LOCATION from which the said property receives municipal water service; and

WHEREAS, pursuant to Village Code §130-7 it is the PROPERTY OWNER's responsibility to keep all connecting pipes, service pipes and connections in good repair; and

WHEREAS, pursuant to Village Code §130-7, in the event that a leak develops and the VILLAGE determines that it requires emergency repair, VILLAGE may make necessary repairs at the cost of the PROPERTY OWNER; and

WHEREAS, pursuant to Village Code §130-7, the PROPERTY OWNER must pay all costs or charges incurred by the VILLAGE in making the necessary repairs, which costs and charges shall be added to the water bill of the PROPERTY OWNER and shall become an immediate lien against the property; and

WHEREAS, in view of the emergency nature of the required repair and with the agreement of the PROPERTY OWNER, the VILLAGE repaired the said leak; and

WHEREAS, the PROPERTY OWNER has consented to the scope of the said repairs and will waive any claim or objection in regard thereto if the VILLAGE will allow repayment of the repair cost in installments.

NOW, THEREFORE, in consideration of the mutual promises herein, IT IS HEREBY AGREED that as follows:

1. The PROPERTY OWNER acknowledges that said repairs to the water service line were performed on an emergency basis without time for the PROPERTY OWNER to obtain competitive bids and pricing from other contractors and thus the PROPERTY OWNER consented to the said repairs to the water line performed by the VILLAGE, and
2. The PROPERTY OWNER acknowledges that the PROPERTY OWNER is responsible for payment of AMOUNT of \$3,216.01 as their proportional share of the expense of the said repair work in accordance within the Village Code §130-7;
3. It is further hereby agreed that the VILLAGE shall bill the PROPERTY OWNER quarterly for the payment amount listed above such that the total amount due shall be paid over a period of two years in equal quarterly installments as specified in the letter received by the PROPERTY OWNER from the VILLAGE concerning this matter dated January 14, 2013.
4. The PROPERTY OWNER acknowledges that he/she/they has (have) had a full and adequate opportunity to inspect the work performed by the VILLAGE, that the work is satisfactory and that any claim or objection regarding the said work is hereby waived and, further, the PROPERTY OWNER shall hold harmless the VILLAGE for any claims by third-parties arising out of the said work;
5. It is further hereby agreed that the VILLAGE shall bill the PROPERTY OWNER quarterly for the payment amount listed above such that the total amount due of \$3,216.01 shall be paid over a period of two years.
6. No interest will be charged in regard to the total amount due, unless the PROPERTY OWNER fails to pay a bill within thirty (30) days after it is issued, in which case interest will be assessed in the amount of 12% of the current amount due.

In WITNESS WHEREOF, the parties have executed this agreement as of the date first set forth above.

MRS MARGARET T. MILLS/John G.Mills

MAYOR J. RALPH FALLOON

A motion was made by Trustee Francisco to accept the above noted Water Line Repair Payment Agreement from Margaret T. Mills and was seconded by Trustee Hustis. The motion was carried unanimously.

As authorized by resolution of the Village Board dated May 7, 2013.

Robert Downey requested permission to cash in his vacation time. A motion was made by Trustee Hustis to approve Mr. Downey's request seconded by Trustee Francisco. The motion was carried unanimously.

The audited **Bills** brought before the Board were approved for payment by Trustee Campbell, seconded by Trustee Hustis with a unanimous vote.

Barry Sokol reiterated his appeal from previous meetings for some type of preventative measures being done to prevent the Hudson River overflowing its banks causing flooding to the homes located on West, New, Fish and Main Streets.

Meeting was adjourned.

Respectfully submitted,

Sandra L. Falloon