

**MINUTES BOARD OF TRUSTEES MONTHLY MEETING  
MAY 14, 2013**

The Cold Spring Village Board held their regular monthly meeting on Tuesday, May 14, 2013 beginning at 7:30 p.m. at Village Hall, 85 Main Street, Cold Spring, NY.

Attending: Mayor J. Ralph Falloon and Trustees Bruce Campbell, Stephanie Hawkins and Charles Hustis. Trustee Francisco arrived after the start of the meeting due to a work related conflict.

Also attending: Terry Gipson, NYS Senator; Stephen Gaba, Village Attorney; Ellen Mageean, Village Accountant; Charles Voss and Glenn Gidaly representing Barton & Loguidice; and Special Board Chair and Vice-chair Michael Armstrong and Anne Impellizzeri

Absent: William Bujarski, Code Enforcement

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

New York State Senator Terry Gipson spoke about good neighbor legislation he sponsored that would require lending institutions to provide contact information of responsible parties for vacant structures. In addition, he has introduced legislation that would prohibit unfunded mandates on local governments. In response to a question about resources for long-term infrastructure projects to prevent storm damage, Senator Gipson encouraged the board to develop a written plan to forward to his office.

Glenn Gidaly and Charles Voss representatives from Barton & Loguidice provided information about the planning and engineering services offered by their firm followed by a brief overview of the SEQR process.

**APPROVAL OF MINUTES**

Trustee Hawkins requested the following amendments to minutes:

4/9/2013 under old business add the word board after planning and remove the reference to the Tot's Park in the discussion about fencing

4/16/2013 change wrought iron fencing to residential garden fencing

page 3 indicate that a letter will be prepared by the Village Clerk to notify the farmer's market of the need to end village support for the market

4/23/2013 page 4 change the word guys to men

page 4 paragraph that begins with Mr. Moran add the word village board after attorney and add the words "and input from" after discussions

05/01/2013 no changes

Trustee Hustis moved to approve the minutes as amended and seconded by Trustee Campbell and approved by a vote of 4-0 ( Trustee Francisco absent).

## **FINANCIAL REPORT**

Bond Anticipation Notes (BANs) have a term of one year. Last May, the Village sold a BAN in the amount of \$1,150,000. This BAN matures on May 17, 2013. The Village sold another BAN this year to Oppenheimer Funds which will close on May 16, 2013. The amount of the BAN was increased by \$200,000 to include the permanent connection to the New York City water supply. It is necessary to have this connection before any work can begin on the dams. The net effective interest rate on the BAN is 1.1318%. This BAN will close on May 16, 2013, the total amount of the BAN \$1,350,000 will be wired into the Water Fund account and will be available to pay off the original BAN. All the paperwork has been signed and sent to the Bond Counsel for the closing.

In relation to the BAN offering, the IRS is now requiring that municipalities that borrow money on a tax-exempt basis report to them whether they have established written procedures to comply with applicable requirements of federal tax law. Our bond counsel has provided us with the procedures that would satisfy this requirement, which will be sent via email to all Board members. Changes can be made to the procedures with the assistance of the Bond Counsel at a charge to the Village. For the June monthly meeting, the Accountant would like to put on the agenda the approval of the procedures.

Last year when preparing the Financial Statements we had included revenue in the amount of approximately \$20,000.00, which represented the money that we anticipated receiving from the State related to the Main Street Project. We were informed by the State that this money is no longer available. As a result, this amount would need to be recorded this year as a reduction of revenue.

## **WATER AND WASTEWATER REPORT**

As additional information is needed on the state bid pricing, the approval of the F250 vehicle for the water department will be considered at a later date.

Mainlining Services requested permission to work on Saturday, May 18<sup>th</sup> as they will lose a day of work on Memorial Day. It appears that the work they have planned will not interfere with the heart of the business district and will help get the project completed that much sooner. A list of planned activities was provided. The state inspector has encouraged this work as it is low impact. Trustee Hawkins moved to approve of work on the weekend for low impact work and seconded by Trustee Hustis and approved 4-0 with Trustee Francisco absent.

Mainlining Services, Inc. submitted Change Order No. 1 in the amount of \$13,690.00 for costs incurred installing an additional 1,480 feet of 6" bypass line to assure proper service to the school and areas downstream (**correspondence attached**). Ronald Gainer, P.E. recommended that the request be approved. After brief discussion about the project budget, Trustee Hawkins moved to approve the change order and seconded by Trustee Hustis. Vote: 4-0-1 with Trustee Francisco abstaining (arriving at meeting).

CODE ENFORCEMENT report for the month of April was read.

## **POLICE DEPARTMENT AND JUSTICE COURT**

The Justice Court collected \$12,802.50 during the month of April.

## **ADDITIONAL MONTHLY REPORTS**

### **RECREATION COMMISSION**

No quorum was present for the monthly Recreation Commission meeting and all applications for use of Mayor's Park Pavilion were not acted upon. Trustee Campbell read the list of applications for group use of Mayor's Park as follows:

June 8, 2013 Caryn Canova

June 9, 2013 Cub Scout Pack 137

June 15, 2013 Cathy & Steven Marino

June 19<sup>th</sup> Fish and Fur Club

July 7, 2013 Avery Corless

August 5-9, 2013 Philipstown Recreation Baseball Clinic

Trustee Campbell moved to approve the six requests previously mentioned for Mayor's Park use and seconded by Trustee Hawkins and unanimously approved.

### **SPECIAL BOARD FOR THE COMPREHENSIVE PLAN/ LWRP**

Jamier Ethier, our representative with the New York State Department of State (NYSDOS), informed the Special Board that the NYSDOS will not consider the Cold Spring LWRP until the Village has drafted the necessary zoning changes to implement the LWRP. The process of drafting the zoning and then finishing the LWRP is expected to take two to three years. Mr. Ethier has been invited to a board workshop where the board will have the opportunity to ask questions and discuss the next steps.

### **PLANNING BOARD LIAISON**

The Planning Board is in favor of the Formula Business local law.

Planning Board meeting schedule: May 22<sup>nd</sup> joint meeting between with the Village Board and Planning Board to discuss B-4 zoning; May 29<sup>th</sup> draft response to Village Board on the B-4 zoning local law. Regular monthly meeting will be held on the second Wednesday of each month at 7:00 p.m.

(In response to a request to change this date to the first and third Wednesday, the Planning Board subsequently changed their monthly meeting to the third Wednesday of the month beginning at 7 p.m.)

### **HISTORIC DISTRICT REVIEW BOARD LIAISON**

The HDRB requested an update from the Trustee Liaison on the following items:

- a. request to apply for state grants to begin ordinance and guideline updates
- b. meeting between HDRB and Village Board regarding repairs to The Grove and Request for Proposals for the property's disposition
- c. clarification related to Trustee attendance at HDRB meetings.

Meeting schedule: July 2<sup>nd</sup> joint meeting between Village Board and HDRB with William Hurst related to code updates

## **ZONING BOARD OF APPEALS LIAISON**

**Report attached.**

## **TREE COMMITTEE**

After consulting with CHA to confirm that the species selected by the Girl Scouts was suitable, a Japanese Lilac tree was ordered for the tree pit in front of Cathryn's Tuscan Grill. An additional tree will be planted in front of Hadden's house on High Street.

## **BOAT CLUB LIAISON**

The boating season is officially open. The club keeps the outer portion of the docks open for visiting vessels under 35 feet.

## **REPORT OF THE MAYOR AND BOARD OF TRUSTEES**

Trustee Campbell reported that he is coordinating work with the Putnam County Sheriff's Community Work Program to perform maintenance at the Mayor's Park pavilion, bathrooms and fencing at the waterfront.

Trustee Hustis requested setting a date for a parking forum. Tuesday, June 18, 2013 at 7:30 p.m. was selected for such discussion. After holding this meeting, the board will decide if a Saturday meeting on July 13 at the VFW (if available) is needed.

Trustee Hawkins attended the Hudson Fjord hike/bike meeting. The ir project seeks to safely connect Philipstown to Beacon providing access to hiking trails. The organizer of the signage subcommittee has invited the Village Board to consider and share information about challenges presented by an improved signage initiative in the village.

There was board discussion, initiated by Trustee Hawkins, about involving the entire Village Board for acceptance of a donation from the PCN&R to sponsor the Independence Day fireworks display or on the acceptance of other sizeable gifts, especially if there are conditions involved in this acceptance.

A vote on accepting the offer from philipstown.info to perform community-wide fundraising and sponsorship of musical entertainment on July 4<sup>th</sup> was deferred until the next workshop, pending Trustee Campbell gathering additional information.

In the future, Mayor Falloon favored organizing a committee of community volunteers to run this event with village board support.

## **CORRESPONDENCE**

Howard Board of 141 Main Street objected to owners who allow their dogs to use planted areas along Main Street as a waste site and suggested increased signage.

## **OLD BUSINESS**

Discussion of a response to the NYSDOT regarding the Main Street transportation project's consistency with the Local Waterfront Revitalization Plan was deferred to 5/22 to allow additional time for the board to review the reponses from CHA.

S. Gaba has reviewed an additional contract with James Labate for GIS mapping and commented that the new contract merely adds one more "item" or "task" (i.e., mapping of the Main Street line cleaning and re-lining) to the existing contract. Trustee Hustis

moved to authorize the mayor's signature on this contract with James Labate and seconded by Trustee Francisco and unanimously approved.

Trustee Hustis moved to approve a docking application for the River Rose on September 7<sup>th</sup> from 3:30 to 9 pm and seconded by Trustee Hawkins and unanimously approved.

Roberto Mueller made a presentation to the board on Public Health and Safety Regarding Indian Point Nuclear Plant. He read a proposed resolution for board consideration as per **attached**. After discussion, the board voted to support the attached resolution as follows:

Trustee Matt Francisco voting	YES
Trustee Bruce Campbell voting	YES
Trustee Charles Hustis voting	YES
Trustee Stephanie Hawkins voting	YES
Mayor J. Ralph Falloon voting	NO takes issue with expanding the 50 mile radius which would interfere with village evacuation.

Voteto support resolution: 4 - 1.

#### **PUBLIC COMMENT**

M. Armstong requested placement of Ted Fink's letter (regarding consistency of the Main Street project with the Comprehensive Plan/LWRP) and the response from CHA on the village website with an email blast to residents stating that the reports are available.

K. Foley supports involving a larger cross section of people in Community Day. She also requested additional pickup dates for yard waste.

Mr. Haggerty supported the Indian Point resolution and recommended consideration of a local radiological/meteorological station. In addition, he expressed his concern about in-kind services being provided to the village as opposed to strict sponsorship. In his opinion, any monies or services for village events should be channeled through the village representative instead of being run by the sponsors directly.

C. Carnivale called for broad advertising of the June 4<sup>th</sup> meeting on emergency preparedness.

Trustee Hustis moved to adjourn and seconded by Trustee Hustis and unanimously approved.

Respectfully submitted,

Mary Saari, Village Clerk