

**MINUTES BOARD OF TRUSTEES MONTHLY MEETING  
JUNE 11, 2013**

The Cold Spring Village Board of Trustees held their regular monthly meeting on Tuesday, June 11, 2013 beginning at 7:30 p.m. at Village Hall, 85 Main Street, Cold Spring, NY.

Attending: Mayor J. Ralph Falloon and Trustees Matt Francisco, Bruce Campbell, Stephanie Hawkins and Charles Hustis.

Also attending: Stephen Gaba, Village Attorney; Ellen Mageean, Village Accountant; Greg Phillips, Water Superintendent, Michael Armstrong, Special Board Chair

Absent: William Bujarski, Code Enforcement

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

Mayor Falloon read the **attached** proclamation honoring Richard Turner former member of the Zoning Board of Appeals.

**APPROVAL OF MINUTES**

Trustee Hustis moved to approve the minutes of the following meetings: May 7, 14, 22, 29 and seconded by Trustee Campbell and approved by a vote of 5-0.

**FINANCIAL REPORT**

Financial Highlights for May 2013:

The village received our first quarter franchise fee payment in the amount of \$9,987. This payment is for January to March, an accrual has been booked for the remaining two months of the year (April and May).

There are still some revenue items that need to be recorded for the end of the year including the Fines and Fees for May, the receivable for the money spent this year for the main street project, the accrual for the mortgage tax and the accrual for the LWRP grant.

The Accountant has begun the accruals on the expense side including the payroll accrual (for the number of days paid in June that were worked in May) and the retirement accrual (for April and May) as the retirement payment that we make in December is for April 1 – March 31.

There are additional expenses that still need to be recorded for May, including attorney bills for May, the state portion of the fines and fees for May, refuse payment for May. Ms. Mageean is hoping to have all the bills in by the end of the month so that she can begin working on the AUD report starting in July 2013.

As of today, the village has collected approximately \$282,000 in taxes.

Trustee Hustis moved to adopt the Procedures For Post Issuance Compliance With Federal Tax Law as outlined in Attachment A and recommended by the Village Accountant. Motion seconded by Trustee Hawkins and unanimously approved.

#### WATER AND WASTEWATER REPORT

The Village continues to make progress on the license agreement with Metro North for the Market Street pump station.

With regards to moving the West Street pump station, our contact with the state is optimistic about monies being approved for moving the controls and power to higher ground.

The 2012 Annual Drinking Water Quality Report has been developed, printed and delivered to the US Post Office in White Plains on May 29<sup>th</sup> but this report has not been received by the Cold Spring Post office as of today. We are currently investigating this matter.

Water flows in May 2013 versus May 2012 have increased by 18%. Increased flows into the distribution system are a direct result of the water main relining project with additional water required for flushing lines. With the abundant spring rains, our reservoirs have been unaffected by the daily draw of their coffers.

The ten inch water main has been cleaned and lined and put back into service to the intersection of Route 9D. It is anticipated that the cleaning and lining to Lunn Terrace will be complete by the end of the week. A video inspection of the lined pipe will be performed.

As part of the documentation of this project, we have contracted with James Labate to create a layer for GIS mapping of the infrastructure as it is unearthed and what it is replaced with. There have been additional excavations for installation of valves etc. and the original amount of hours estimated has been exceeded. Mr. Labate has requested approval to proceed and Mr. Phillips asked the board to consider the additional hours as necessary to complete the task. He endorsed the additional hours requested as he has been very satisfied with the work to date.

It is anticipated that the relining project will be on budget despite additional valve installations because this work was accomplished without performing more costly line stops.

CODE ENFORCEMENT report for the month of April 2013 was read.

#### JUSTICE COURT

The Justice Court collected \$13,304.50 during the month of May.

## ADDITIONAL MONTHLY REPORTS

### RECREATION COMMISSION

Trustee Hustis moved to approve of the following requests for use of Mayor's Park Pavilion: June 14<sup>th</sup> Haldane School and June 29<sup>th</sup> Phillip's family birthday celebration. Motion seconded by Trustee Hawkins and unanimously approved.

Trustee Hawkins moved to approve the application from the Chamber of Commerce to use the bandstand for a summer concert series on July 7 and 21 August 4 and 18 and seconded by Trustee Hustis and unanimously approved.

Trustee Campbell read information provided by the Cortlandt Yacht Club requesting support for an event they are hosting on July 20, 2013 involving a flotilla up the Hudson River to show appreciation for Wounded Warriors and their families as well as a number of Gold Star Families.

### SPECIAL BOARD FOR THE COMPREHENSIVE PLAN/ LWRP

Jamie Ethier, Department of State liaison for the Local Waterfront Revitalization Program will meet with the Village Board on June 18<sup>th</sup> to clarify what the village must do to comply with the requirement that the Implementation chapter of the LWRP include drafts of new land-use laws consistent with the Village's 2011 Local Waterfront Revitalization Strategy. The Special Board encouraged the village to seek additional funding.

### PLANNING BOARD LIAISON

The Planning Board reviewed the B-4 zoning amendment and provided comments.

### ZONING BOARD OF APPEALS LIAISON

On June 16th the Mayor, the Chair of the Zoning Board of Appeals and the liaison had a conference call with attorneys from the New York Conference of Mayors and Warren Replansky, Special Counsel to the ZBA to address questions raised by applicants Sue Peehl and Andrew Hall and to discuss generally the process of review for their pending application. NYCOM recommended that it's appropriate for newly appointed members of the ZBA to participate in review and decision of a pending application that may predate their appointment; therefore, Marie Early and Alison Anthoine will participate in review and decision of the application of Sue Peehl and Andrew Hall.

The Chair of the ZBA confirms the following:

1. Since May 14th, no new applications have been received by the ZBA;
2. Alison Anthoine has been appointed to the ZBA
3. Marie Early needs to be appointed to the ZBA; and

4. The ZBA Chair will meet with Special Counsel next week to share with him both the applicant's presentation and the ZBA's analysis. Thereafter Special Counsel will prepare a report for the ZBA.

#### CHAMBER OF COMMERCE

Trustee Campbell reported the D. Milner has assumed the position of Chamber President taking over for Vinny Tamagna.

#### HISTORIC DISTRICT REVIEW BOARD

Trustee Hustis welcomed M. Bowman and G. Dykstra to the board. A follow up meeting to continue discussion on The Grove will be held on June 26<sup>th</sup>.

#### TREE COMMITTEE

The Highway Department planted a Ginkgo tree in a vacant pit on High Street. The tree cost of the tree was paid for by the Haddens who live at 23 High Street.

Four (4) high school seniors who are Girl Scouts assisted with planting a Japanese Tree Lilac on Main Street.

Space for a tree farm on Kemble Avenue has been negotiated for the Village by Anthony Phillips. Our Highway Department has installed a gate for access to this space and has mowed the area in anticipation of tilling and future planting of seedlings the Village can re-locate to empty tree pits throughout the Village when they are large enough.

#### BOAT CLUB LIAISON

The NYS Department of Environmental Conservation is requiring the Village to update the title report on the New Street property to show that there were no judgments, liens or other interests in the property filed during the time after the original title report was issued. The cost of the update from the Title Company is \$75- \$100.

Decision on this request was deferred, pending selection of a budget line to fund the expenditure.

Boat club members are currently working to repair building damage from Superstorm Sandy.

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

In response to an increase in vandalism at Mayor's Park, Trustee Campbell installed additional lighting and requested increased police surveillance.

The Putnam County Sheriff's Community Work program repainted and stained picnic tables and beams at Mayor's Park.

Safety rings have been installed at the dock.

#### CORRESPONDENCE

Julia L. Butterfield Memorial Library thanked the village for contributing time and equipment to support Big Truck Day.

Senator Terry Gibson forwarded a press release regarding efforts to end unfunded mandates.

A draft environmental assessment for the United States Military Lacrosse Center project was received.

#### OLD BUSINESS

The board reviewed the **attached** correspondence from our consultants at CHA and GreenPlan on the Main Street transportation project draft design report. After discussion on priorities and costs of specific improvements, including textured crosswalks and bulbouts, Trustee Campbell moved to approve of sending the draft design report to the New York State Department of Transportation (for review) and seconded by Trustee Hustis and unanimously approved.

Trustee Francisco reviewed a request from James Labate for additional hours to complete the Geodocument for the water main cleaning and relining project. Trustee Francisco moved to approve the additional 80 hours at \$25 per hour for James Labate and seconded by Trustee Hustis and unanimously approved.

The River Rose requested a modification to their previously approved September 7<sup>th</sup> docking application. The docking time would be changed from 3:30 PM to 9 PM to 4:30 PM to 10PM. After discussion about curfews and receiving input from a member of the public about this joint Chamber of Commerce cruise, Trustee Hustis moved to approve this request and seconded by Trustee Francisco and unanimously approved.

#### NEW BUSINESS

Mayor Falloon announced his appointment of Marie Early to the Zoning Board of Appeals. Trustee Hawkins moved to approve this appointment and seconded by Trustee Hustis and unanimously approved.

Putnam County Transportation is considering expansion of the trolley route to Breakneck Ridge and is seeking letters of support from stakeholders. Trustee Hawkins moved to support expansion of the trolley route and seconded by Trustee Hustis and unanimously approved.

Mayor Falloon spoke about hiring engineering and planning consultants from Barton and Loguidice to assist with consideration of the Butterfield project. Concerns were brought forth about receiving payment from the applicant for these expenditures and S. Gaba recommended receiving a separate escrow agreement letter with the applicant prior to incurring costs.

#### PUBLIC COMMENT - None

Mayor Falloon read the **attached** statement on the passing of beloved resident Mackey Budney followed by a moment of silence to honor Mr. Budney and Mr. Turner.

Trustee Hawkins moved to adjourn and seconded by Trustee Hustis and unanimously approved,

Respectfully submitted,

Mary Saari, Village Clerk