

## Village of Cold Spring

### Meeting of the Board of Trustees

October 29, 2013

The Board of Trustees of the Village of Cold Spring held a workshop on Tuesday, October 29, 2013 at 7:30 pm at the Village Hall, 85 Main Street, Cold Spring, NY.

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

Greg Phillips, Superintendent of Water and Sewer, was present to discuss the Underground Facilities Protective Organization (UFPO). This is a non-profit organization established in 1968 that is also known as Dig Safely New York. It was established to simplify the registration of a dig: for utilities to mark out approximate location of pipes etc, so that damage to buried facilities from excavation contractors will be minimized. Greg signed up for a "one phone call to 811" on October 23. They have given 13 available responses to their online response system. However, they do not represent the problems that the Village has locating the sewer lines. Water lines can be tracked but because the sewer lines are made of clay and other types of non-metallic materials, there is no easy way to track them. Greg said that Peekskill marked their lines to the curb line. Should Cold Spring do the same?

The Mayor said that we do not want to take on any unnecessary liability. We will speak with our attorney to see where we go from here and work on a policy.

On January 15, 2013, at a Board workshop, Robert Leonard, **1 Constitution Drive**, attended to discuss a long term problem with water quality including discoloration, poor taste and stained clothing. Greg investigated the problem and determined that Leonard's service line connects directly to the hydrant lateral which results in low water turnover and aesthetically objectionable water. Mayor Gallagher recommended discussion with counsel regarding payment for this work and determining what portion would be the responsibility of the resident.

Greg brought this back to the Board tonight and recommended installing a new hydrant, 15 feet away with a new service tap to the homeowner. He stated that there was an improper tap to begin with that was installed in the 50's. If our highway department does the work, it could save up to \$4,000. The hydrant is problematic and is necessary work.

We need an agreement using their plumber for their service line and connection. We will set up a date so everything can be coordinated. We will ask Mike Liguori, Village Counsel, to put together an agreement with a "ball park price".

A letter was received in the Village office from Spencer F. Terwilliger, Chief of Facility Operations, PARC, 329 Main Street, Nelsonville, NY. He was questioning the **water bill for 329 Main Street** noting that they are being charged for two units despite that under NYS Mental Hygiene Law, Section 41.34, also known as "Padavan Law", that a group home is recognized as a single family residence and is requesting that the billing be changed to reflect the proper status as noted in the law.

Greg researched the above stated law and found that "A community residence established pursuant to this section and family care homes shall be deemed a family unit, for the purposes of local laws and

ordinances”. With that information, he stated that he had no objection to reduce the number of Water Flat Rate Units from 2 to 1.

Trustee Francisco made a motion to reduce the water flat rate unit of 329 Main Street, Nelsonville, NY from 2 units to 1 unit. Trustee Campbell seconded the motion and the motion was carried with a unanimous vote.

There was a **water leak** on Adams Avenue in Nelsonville which was causing a 15,000-17,000 gallon water loss. The Village of Cold Spring owns all water mains but the service lines are owned by the homeowner. This particular service line goes to an abandoned lot (formally Fairgate Rule). On Friday, it was determined that because of the water loss, the Village of Cold Spring would repair it which took 2 hours.

The Village Board would like to back-charge the cost to the municipality of Nelsonville. We will speak with Mike Liguori, Village Attorney, to draw up policy and procedure for this. We need this to be part of the water service agreement.

There was a request for Village support of the **Town of Philipstown Hazard Mitigation Plan** to effectively reduce future disaster damages, public expenditure, private losses and the town’s and village’s vulnerability to natural hazards. The Town of Philipstown would like to join with the Villages of Nelsonville and Cold Spring to develop a multi-jurisdictional all hazard mitigation plan.

Mayor Falloon said that he did not want to join with the Town but the County is getting a grant for this purpose and the Town has previously been turned down because of it. However, now the Town is more focused on getting their own grant. We will get more information and revisit this at a later meeting.

Mayor Falloon read the **legal notice** to be published in the paper of record regarding Winter Parking and Sidewalk Notice Village of Cold Spring. Trustee Francisco made a motion to accept the legal notice as written seconded by Trustee Hustis. Motion carried with a unanimous vote.

### **Resolution 42-2013 Winter Parking on Marion Avenue**

WHEREAS, the Village of Cold Spring has on-street parking regulations which limit or prohibit on-street parking at certain times and locations; and

WHEREAS, the Village of Cold Spring conducts snow clearing on its streets during winter months; and

WHEREAS, snow clearing activity in the vicinity of Marion Avenue and Benedict Road could be better conducted and coordinated with local residents if the Village’s on-street parking regulations are suspended on the dead end portion of Marion Avenue south of Benedict Road to allow parked vehicles to remain thereon; and

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Village Board of the Village of Cold Spring hereby suspends on-street parking regulations for the dead end portion of Marion Avenue south of Benedict Road until April 15, 2014; and
2. A copy of this resolution shall be posted at Village Hall and provided to the Village Police Department forthwith.

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

The vote on the foregoing Resolution was as follows:

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

Resolution 42-2013 is officially approved on October 29, 2013 by a vote of 3-0-2.

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Mary Saari, Village Clerk

**Correspondence:**

A letter was received from Putnam County Executive, MaryEllen Odell inviting the public to purchase a flag, red white and blue American-made, to honor a family member or friend who has served their country in the military or in any of the many protective and emergency services for a cost of \$100 per flag. The Flags will be displayed in the Row of Honor and will stretch across the shore of Lake Gleneida in the Hamlet of Carmel. The money raised will go in support of the Purple Heart Organization.

Debbie Milner sent an email to the Village office inviting the Village officials to join her for a brief celebration on Friday, November 1<sup>st</sup> at 4 pm in the Tavern Room at the Hudson House where the Marketing Editor of The Village Voice, Anne Wygal, will present an award to Cold Spring for being the overwhelming winner of “The Best Weekend Retreat” in their most recent issue.

**Public Comment:**

Tom Rolston noted that the bathrooms at the end of Main Street were not opened in a timely manner one day last week. He asked that the Board please check into this.

He also noted that initially he was not in favor of building a new firehouse on the McConville Park property but has had second thoughts and now thinks it is a great idea with a second floor on it representing a great view of the firehouse welcoming people as they drive into the Village. He is now in total support for McConville Park as the new home for the firehouse.

Trustee Campbell made a motion to exit the public workshop and enter into executive session regarding police negotiations and police personnel matters. Trustee Francisco seconded the motion and the motion carried with a unanimous.

Executive session was exited and the public workshop for October 29<sup>th</sup> was closed.

Meeting Adjourned

Respectfully

Sandra L. Falloon