

**BOARD OF TRUSTEES MEETING
NOVEMBER 12, 2013**

The Village of Cold Spring Board of Trustees held their regular monthly meeting on Tuesday, November 12, 2013 at 7:30 pm at Village Hall, 85 Main Street, Cold Spring, NY 10516.

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

Also: Michael Liguori, Village Attorney; Ellen Mageean, Village Accountant

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

APPROVAL OF MINUTES

Minutes of the following meetings were presented for board approval: 10/8, 10/14, 10/22, 10/29, and 11/5. Trustee Francisco asked for an amendment to the October 22nd minutes as follows: In paragraph four delete “update/rewrite the lease either with an addendum or a memorandum to bring it up to today’s standards.” Insert: continue to discuss the matter.

Trustee Hawkins abstained from the vote to approve the 10/29 minutes as she wasn’t present for this meeting. Trustee Francisco abstained from the vote to approve the October 8th meeting minutes as he wasn’t present for this meeting. Trustee Hawkins moved to approve minutes, with the aforementioned amendment and exceptions due to absences, and seconded by Trustee Francisco and unanimously approved.

FINANCIAL REPORT

In November, the village received the third quarter franchise fee payment from Cablevision for approximately \$11,000. This is in line with what is included in the budget.

As a result of our docking fees, permits/waivers revenue is over budget by approximately \$900.

The draft audit report has been received and a tentative date of December 3rd has been scheduled for Sedore & Company to review the results with the board.

The new Chevy Tahoe police vehicle has been received and the first of three yearly lease payments has been made.

Scenic Hudson established an Irrevocable Standby Letter of Credit in lieu of a performance bond for the West Point Foundry Preserve. The project has been completed and the C of O has been issued. Scenic Hudson is requesting that the Original Letter be returned to them so that they can close out the Letter of Credit with their bank. Trustee Hawkins moved to return the letter of credit and seconded by Trustee Francisco and unanimously approved.

WATER AND WASTEWATER

In recent correspondence (**attached**), Ron Gainer, PE summarized the results of fire flow testing as follows: “in the areas of the village tested fire flows were documented to have increased by 39% to more than 100% greater than was observed prior the cement lining project. It must be recognized that while these results should not be construed as guarantees of these flows under all system conditions, they are reflective of conditions experienced during the recent flow testing.”

Trustee Francisco spoke about the need to notify the public about increased pressures and measures that residents can take to protect their water lines (e.g. pressure reducing valves).

Wastewater – A project initiation meeting was held for the design of the aeration and electrical upgrades.

JUSTICE COURT

The Justice Court collected \$12,647.50 during the month of October.

Reports from Code Enforcement and the Police Department were unavailable.

ADDITIONAL MONTHLY REPORTS

Recreation- The annual tree lighting ceremony has been scheduled for Saturday, December 7th.

Planning- The board has complied their technical review of the Butterfield project.

Zoning- A continued public hearing was held on the application of Peehl/ Hall on November 7th. This hearing has been held open to receive additional information from the Building Inspector.

Town of Philipstown- A meeting on developing a Town Hazard Mitigation Plan has been scheduled.

Chamber of Commerce- upcoming events were announced

Tree Committee- Tom Rolston was thanked for his generous donation to street tree planting. George Profus, NYSDEC Urban Forester, will provide a tutorial for volunteers interested in assisting with maintenance and pruning of street trees. In a cooperative project with Putnam County, street trees were trimmed in several areas of the village. In recent correspondence, Leo Sacks and Bo Corre thanked the mayor and board for the tree trimming in front of their Church Street residence. Trustee Hawkins was thanked for facilitating this cooperative effort with Putnam County and Highway Foreman Ed Trimble was acknowledged for his professionalism and great care in communicating resident concerns to the trimming crew. (correspondence **attached**)

Trustee Hawkins thanked Putnam County for their assistance with this project.

Cold Spring Boat Club- The NYSDEC asked for verification that no additional funds will be requested from State Contract C303647 for remedial investigation, preparation of Site Management Plan, and placement of an environmental easement associated with site E340026 (New Street). The NYSDEC needs to close out this contract and release unused funds back into the Environmental Restoration Program. Trustee Hawkins asked for verification from Drake Loeb that no additional bills were forthcoming.

Mark Patinella, Commodore of the Cold Spring Boat Club summarized activities during 2013 which included providing support for many community events. He reported that membership was on the rise and extended an honorary membership to board members.

Special Board- The Special Board voted to send a letter to the Village Board asking for an assessment on the extent to which the Comprehensive Plan has been implemented. Components of the Draft Local Waterfront Revitalization Plan will be made available for posting on the website.

REPORT OF THE MAYOR AND BOARD OF TRUSTEES

Trustee Campbell submitted an application to Central Hudson for installation of utility boxes for attachment to holiday lighting.

Trustee Hawkins has scheduled a teleconference with Attorney Replansky on 11/19/2013 for a follow up discussion on the formula business legislation.

CORRESPONDENCE

Barton & Loguidice informed the village of funding opportunities through the Clean Water State Revolving Fund.

The Town of Philipstown provided notice of an upcoming public hearing on establishing a moratorium on applications for wind energy conversion systems.

Scenic Hudson presented the village with a plaque extending their appreciation for support of the West Point Foundry Preserve project.

On November 1st, Sandy Galef, Member of the NYS Assembly, presented Mayor Falloon with a citation honoring the village for receiving the “Best Weekend Retreat” recognition from the Village Voice.

Thomas Dale, Commissioner of the Nassau County Police Department, thanked the Cold Spring Police Department for their efforts during a recent manhunt as per **attached**.

OLD BUSINESS

After discussion, the board decided to amend the RFP for The Grove to add language from the Village Attorney regarding deed restriction, insert that tours would be by appointment, insert a hold harmless waiver and to set a return date for proposals as February 18, 2014. Due to budgetary concerns, the board agreed to pay to advertise locally for 90 days and then in 45 days if there isn't sufficient interest then to consider spending additional funds for advertising.

RESOLUTION #43-2013

WHEREAS, the Village of Cold Spring desires to form an advisory committee to assist in the development of an ordinance to create a Tree Commission and a public Tree Management Plan for overseeing the proper planting, pruning, preserving, health,

community management and involvement in the replacement of existing and future trees located or to be located within the Village rights of ways; and

WHEREAS, additionally, the Village of Cold Spring desires to supplement its existing Chapter 122 with regard to Trees in order to accommodate the above referred action.

NOW, THEREFORE, BE IT RESOLVED:

1. A seven member tree advisory committee is hereby formed for the above purpose which shall have as part of the committee at least 1 member of the Board of Trustees. Committee members shall be appointed by the Board of Trustees.

2. The initial function of the tree advisory committee is to create a public Tree Management Plan for consideration by the Board of Trustees and thereafter to craft legislation which shall establish a Tree Commission to regulate and oversee the Tree Management Plan. Any ordinance to be developed hereunder shall set forth the following:

- (1) Membership, Quorum and Terms;
- (2) Goals, Duties and Jurisdiction;
- (3) Meeting Schedule;
- (4) Regulated Activities; and
- (5) such other items necessary for consideration in the operation of a Tree Commission.

3. Based on a review of the criteria set forth in Part II of the Short Form EAF, it is hereby determined that the proposed action will not have the potential for a significant adverse impact on the environment. Additionally, it is noted that further SEQRA proceedings shall be conducted prior to the adoption or amendment of a public Tree Management Plan and any future amendment to the Village Code; and

4. The Village Clerk is hereby authorized and directed to publish notice of openings for membership on the tree advisory committee in a manner customary for openings on other Village Boards and advising that letters of interest in serving on the tree advisory committee should be addressed to the Board of Trustees.

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

The vote on the foregoing resolution was as follows:

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

Resolution officially adopted by a vote of 5-0.
Short EAF as per **attached**.

Resident Tom Rolston asked to be considered for membership on the Tree Commission.

ADMINISTRATIVE ITEMS

After discussions with Central Hudson regarding holiday lighting, Pidala Electric submitted a two part proposal for removal of existing wiring and installation of “disconnect switches and receptacles.” The proposal for the installation of 15 receptacles was \$9,500 and for an additional 13 receptacles was \$6,500.

PUBLIC COMMENT

Gene Lusardi of Morris Avenue commented that he appreciates the efforts of our firefighters and thinks they should have an updated facility. However, he thinks the community as a whole would be better served if the fire company was not located in McConville Park.

Tom Rolston spoke about the positive effect our street trees and sidewalk gardens can have on area businesses.

Frank Haggerty supported additional lighting on Main Street, spoke about the advantages of pruning street trees and stringing holiday lights from buildings.

Trustee Hawkins moved to enter into executive session to discuss a police personnel matter and seconded by Trustee Hustis and unanimously approved.

Respectfully submitted,

Mary Saari, Village Clerk