

**MINUTES BOARD OF TRUSTEES MEETING  
DECEMBER 10, 2013**

The Village of Cold Spring Board of Trustees held an audit review followed by their regular monthly meeting on Tuesday, December 10, 2013 beginning at 7:00 pm at Village Hall, 85 Main Street, Cold Spring, NY 10516.

Attending: Mayor J. Ralph Falloon (arriving at 7:30 pm due to work commitment) and Trustees: Matt Francisco, Bruce Campbell, Charles Hustis, III and Stephanie Hawkins  
Also attending: Ellen Mageean, Village Accountant

Deputy Mayor Campbell opened the meeting to review the audited financial statements for the fiscal year ending May 31, 2013. James Letterio, William Cochran, Danielle Hostetter, representatives from the firm of Sedore and Company, provided an overview of the independent audit results. The highlights of this review are **attached**. No issues were identified and Ms. Mageean was thanked for her work.

Immediately after the audit review, the board proceeded to their monthly meeting. Mayor Falloon called the monthly meeting to order followed by the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Trustee Hustis moved to approve of the minutes of the 11/12/2013 monthly meeting and 11/19/2013 workshop. Motion seconded by Trustee Francisco and unanimously approved.

**FINANCIAL REPORT**

Ellen Mageean, Village Accountant presented a six-month budget analysis as follows:

The six-month quarterly review shows that the village is under budget by approximately \$15,000. On the revenue side, we are over budget on the Interest and Penalties on property taxes by about \$4,500 and fines and forfeited bail by about \$7,000.

On the expense side, it is anticipated that we will be over budget on the Attorney Contractual and Special lines by about \$7,600 based on the amount already spent and the monthly retainer paid to Hogan & Rossi. The Unallocated Insurance is under budget by about \$4,000. At this time, it is assumed that we will not be utilizing the contingent account which is \$5,000. The total police budget is over by about \$5,000. Although the police personal services line is on budget at the end of November, the Village is currently in contract negotiations with the police and the settlement of this contract may have an impact on this line.

It is anticipated that the total highway budget will be over by about \$4,000 based on the amounts spent to date.

The state retirement for the employees and the police department came in at less than we had budgeted for, saving the Village about \$8,000. In addition, savings on our Workers' Compensation premiums amounted to approximately \$3,000. The village received the

rates for the medical insurance premiums. These premiums increased less than 2%. The amount that was budgeted will cover this increase.

In addition, this analysis assumes that construction on the federal transportation project will begin during this fiscal year. If this does not happen, then the amount that we are under budget would increase by about \$25,000.

Items that may have a financial impact on the Village but have not been determined at this point include but are not limited to: the amount of snow that we get over the winter months and the timing of the storms and the settlement of certain ongoing litigation.

### **Budget Amendment Resolution #44-2013**

Moved by: Trustee Stephanie Hawkins

Seconded by: Trustee Bruce Campbell

*Resolved that (1)* The Board of Trustees of The Village of Cold Spring hereby approves the following Budget Adjustment(s) for the 2013/2014 fiscal year:

(1)	To:	A00-2610-000	Fines and Forfeited Bail (revenue)	\$2,100.00
	From:	A00-3120-120	Parking Enforcement: Personal Services (expense)	\$2,684.00
	To:	A00-3120-200	Police Equipment (expense)	\$558.00
	To:	A00-3120-400	Police: Vehicle Repairs (expense)	\$4,226.00
			<b>To increase the budget for fines and fees to cover additional auto repair costs and to reallocate the Parking Enforcement budget to police equipment and vehicle repairs.</b>	
(2)	To:	A00-2705-000	Gifts & Donations (revenue)	\$1,400.00
	To:	A00-8560-410	Tree Replacement (expense)	\$1,400.00
			<b>To increase the budget for donations made to the Village for trees.</b>	
(3)	To:	A00-9050-800	Unemployment Insurance	\$300.00
	From:	A00-9010-800	State Retirement	\$300.00
			<b>To reallocate the overage in state retirement to unemployment insurance.</b>	
(4)	To:	A00-1210-400	Mayor; Contractual	\$300.00
	From:	A00-1340-100	Budget Officer: Personal Services	\$300.00
			<b>To reallocate the budget officer budget to mayor contractual to cover the Mayors cell phone expense</b>	

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 officially adopted on: December 10, 2013

Mary Saari-Village Clerk/Treasurer

### **WATER AND WASTEWATER REPORT**

The water department is seeking proposals to remove eight large trees from the base of the Lower Reservoir dam on Foundry Pond Road.

The wastewater plant had one day of non-compliance on November 27<sup>th</sup> when 2.4 inches of rainfall caused a hydraulic overload of the facility and the effluent settleables solids parameter limit was exceeded. The Department of Environmental Conservation was notified of the event and that it related to inflow and infiltration of storm waters into our sanitary sewer collection system. The department continues to pursue a federal grant to mitigate the West Street pump station damages from Hurricane Sandy.

### **CODE ENFORCEMENT**

A revised report for the month of September 2013 and reports for October and November 2013 were submitted.

### **POLICE AND JUSTICE COURT**

Police reports for the months of October and November were submitted for review. The Justice Court collected \$9,434 during the month of November 2013. Trustees Campbell and Hustis conducted an audit of the justice court financial records for the period ending on 5/31/2013. In the overall evaluation, it was stated that the court is running smoothly and efficiently and that all records are in order. Trustee Hawkins moved to accept the audit of the justice court financial records (for the period ending 5/31/2013) and seconded by Trustee Francisco and unanimously approved. Mrs. Costello was acknowledged for her good work.

### **ADDITIONAL MONTHLY REPORTS**

**Recreation Commission-** Trustee Campbell thanked the following parties for their contribution to the annual tree lighting: Dan Dillon, Philipstown Fruit & Vegetable Market, Cold Spring Merchants' Association, Hudson House, Carolyn's Flower Shop, Pete's Hometown Deli, Cold Spring Fire Company, Recreation Commission and Village Board.

**Planning Board Liaison-** The Planning Board will review the summary responses from the applicant (Butterfield Redevelopment) to the 10/17/2013 Barton and Loguidice (B&L) report. It is anticipated that the Planning Board will have reviewed the full, amended and updated Butterfield Redevelopment Environmental Assessment Form with their planner and attorney and will make a recommendation to the Village Board on the effect of the B4A zoning amendment sometime after the first of the year.

**Zoning Board of Appeals-** The board hopes to schedule a continuation of the Peehl/ Hall public hearing in January.

**Chamber of Commerce-** Trustee Campbell thanked the chamber for their participation in the street tree lighting project.

**Historic District Review Board-** HDRB members Foley and Bowman attended to discuss arrangements for work at the Grove including: addressing the roof on the addition and stabilizing the porch, first and second story interior floors. Trustee Hustis received complaints from merchants and residents regarding the volume and the length of time that signs have been placed on the utility strip at the intersection of Route 9D and 301. The board will consult with the Village Attorney for advice on handling this matter.

**Tree Committee-** George Profus, Regional Forester was thanked for presenting a tutorial on tree pruning to interested residents. The Village Board will be reviewing letters submitted for participation on the Tree Advisory Committee.

**Putnam County-** Trustee Campbell attended a seminar at Putnam County for discussion of sales tax revenue sharing. Meghan Taylor, Putnam County Economic Development, and Putnam County Executive Mary Ellen Odell offered to participate in a village meeting for additional discussion on this matter.

**Cold Spring Boat Club-** Members of the boat club expressed an interest in meeting with the Village Board to discuss an agreement/lease.

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

Trustee Hustis requested discussion of docking fee schedules at a future meeting. Trustee Campbell presented requests from the Haldane School Safety Committee as follows: training for the school crossing guards, eliminate parking on the east side of Route 9D by the tennis courts, move 9D warning sign closer to the tennis courts and ball fields.

Mayor Falloon thanked Pidala Electric, Central Hudson and the Chamber of Commerce for their assistance with the installation of holiday lighting on Main Street.

Mayor Falloon reported that Haldane School expressed an interest in partnering with the village on improving the field at Mayor's park and making the field serviceable for different age groups.

Mayor Falloon had conversations with CHA to determine if additional parking spaces can be included in the plans for the Main Street transportation project.

## **CORRESPONDENCE**

The United States Military Academy at West Point forwarded a Draft Environmental Assessment and Draft Finding of No Significant Impact for a Net Zero Energy Installation Initiative. Copies of these documents will be available at Village Hall for public review.

## **OLD BUSINESS**

The board considered and voted on the attached Resolution and Declaration of Official Intent for entering into a lease agreement with First Niagara for the purchase of an F250 vehicle for the water department. Trustee Hustis moved to accept the **attached** resolution which was seconded by Trustee Hawkins.

On roll call vote:

Trustee Hawkins voted YES  
Trustee Hustis voted YES  
Trustee Francisco voted YES  
Trustee Campbell voted YES  
Mayor Falloon voted YES

Resolution officially approved by a vote of 5-0 on December 10, 2013.

### **NEW BUSINESS**

Trustee Hawkins moved to approve the request from a highway department employee for payment in lieu of two weeks vacation which was seconded by Trustee Hustis and unanimously approved.

Trustee Hawkins moved to authorize issuing shut off letters, after the first of January 2014, to delinquent Philipstown and Nelsonville water/sewer users which was seconded by Trustee Hustis and unanimously approved.

### **PUBLIC COMMENT**

Barney Molloy recommended obtaining liability waivers for volunteers participating in the clean up of The Grove.

Kathleen Foley questioned how the HDRB should handle applications involving structures which are partially located public property. The board recently encountered an application for improvements where the village property line ran through the porch. Mayor Falloon answered that in similar circumstances the village has offered to sell a section of property to the owner. He advised that the HDRB should bring these matters to the attention of the Village Board.

Michael Turton of philipstown.info asked about the status of the connection to the NYC Aqueduct.

Trustee Campbell moved to adjourn and seconded by Trustee Hustis and unanimously approved. The board immediately reconvened to approve bills.

### **APPROVAL OF BILLS**

Trustee Campbell moved to approve the audited bills and seconded by Trustee Hustis and unanimously approved.

Trustee Hawkins moved to adjourn and seconded by Trustee Francisco and unanimously approved.

Respectfully submitted,

Mary Saari, Village Clerk