

**MINUTES BOARD OF TRUSTEES MONTHLY MEETING  
SEPTEMBER 9, 2014**

The regular monthly meeting of the Village of Cold Spring Board of Trustees was held on Tuesday, September 9, 2014 beginning at 7:30 pm at Village Hall, 85 Main Street, Cold Spring, NY.

Attending: Mayor J. Ralph Falloon and Trustees: Stephanie Hawkins, Bruce Campbell, Michael Bowman and Cathryn Fadde

Also attending: Nancy Tagliafierro, of Hogan & Rossi, attending in the absence of the Village Attorney Michael Liguori; Ellen Mageean, Village Accountant

Members of the public

Mayor Falloon called the meeting to order followed by the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Minutes of the August 26, 2014 meeting were submitted for board review. Trustee Fadde asked for the addition of comments made by resident Richard Weissbrod during this meeting. Mary Saari agreed to review the audio recording and add these comments. Trustee Bowman moved to accept minutes of 8/26/2014 as a draft, until changes are added, and seconded by Trustee Fadde. Vote: 4-0-1. Trustee Hawkins abstained from the vote.

**FINANCIAL REPORT**

The following is an analysis of the financial statements based on the financial activity for the first three months of the 2014/2015 fiscal year.

It is anticipated that revenues will be over budget by approximately \$32,500 (with the sale of the Grove that occurred in September that amount will be \$37,500). The majority of this amount is related to the multi-modal project, which was not budgeted for. This overage in revenue will be offset by an overage in the expenses for this project.

It is anticipated that expenditures will be over budget by approximately \$31,200. This amount is made up of several items:

- 1- an overage in the amount that will be incurred for the highway department payroll as a result of an employee being injured and having to be temporarily replaced. This overage is approximately \$17,000.
- 2- The multi-modal project is anticipated to cost the Village \$35,000 (which is offset by the \$25,000 state funds received). We may receive some help from the county on this project which may lower this cost.
- 3- An increase in the repair line for the Village Hall of \$3,000, for roof work that needs to be done.
- 4- Anticipated overage in Street Lighting of approximately \$4,000.

- 5- These amounts are offset by a reduction in the amount paid for our general liability insurance of \$6,300 and not using our contingent account in the amount of \$7,300. In addition, NYS Retirement has come up with new estimates for the state retirement payment that we will make in December. Based on these new estimates these payments will be about \$16,000.
- 6- Including the sale of the Grove, it is anticipated that we will have an excess of revenues over expenditures of approximately \$4,000.00

### **WATER & WASTEWATER**

The upper and lower reservoirs are at 75% capacity. The department is asking residents to practice voluntary conservation of water.

Field work has been completed for the survey which will be used to coordinate our West Street pump station's flood mitigation project with the New York State Department of Environmental Conservation's manufactured gas plant remediation.

### **CODE ENFORCEMENT**

In August 2014, the department issued 9 permits, performed 14 inspections, 3 referrals, 1 dumpster permit and had 22 new matters.

### **HIGHWAY DEPARTMENT**

In addition to collecting 48.44 tons of refuse and 18.98 tons of recycling, the highway department reported trimming trees, maintaining catch basins, removing graffiti, installing sidewalks on Academy Street, cleaning tree pits on Main Street, repairing pot holes and creating additional parking on Cedar Street.

### **POLICE DEPARTMENT & JUSTICE COURT**

During the month of August, the police department responded to 104 calls for service and made seven arrests for graffiti, drug offenses, trespass and an arrest warrant for a vehicle and traffic arrest. At the current time, the Police Department is operating with twelve officers, one who is out on sick leave and another who is awaiting a departmental hearing.

During the month of August, the court collected \$4,040.00.

### **ADDITIONAL MONTHLY REPORTS**

Recreation Commission- The commission asked the village board to plan for installation of handicapped accessible sidewalks at the Tiny Tot's Park. Further, it was requested that the board investigate limiting parking at Mayor's Park to events, ball games and gatherings.

Requests for use of public recreational facilities:

9/20/2014 Valentine family use of Mayor's Park

9/21/2014 Ambrose family use of Mayor's Park

10/11/2014 Knights of Columbus – use of Mayor's Park (pavilion only) for Octoberfest fundraising event

10/11/2014 Rosary Rally at the bandstand

Trustee Hawkins moved to approve of all requests and seconded by Trustee Bowman and unanimously approved.

Mayor Falloon asked Trustee Campbell to follow up with Recreation Chair Jeff Phillips to obtain a quote for the requested sidewalk at the Tot's Park, as this item was not included in this year's budget.

Planning- The Planning Board met with Butterfield Realty on 9/03/2014 for site plan review- next meeting is scheduled for 9/17/2014 for continued review.

Zoning Board of Appeals- Public Hearing is scheduled for review of a variance application for a fence at 15 Parrott Street.

The Historic District Review Board continues to work on a Request for Proposals seeking a consultant to update the Design Standards as part of a CLG Grant.

Town of Philipstown- Town Council members wish to be part of the discussion between the Village and Putnam County during the Putnam County Special Physical Services meeting scheduled for September 23<sup>rd</sup>.

Fire Company- details for this report were unavailable as the fire company has been very busy responding to calls.

Parking Committee- Trustee Fadde continues to explore residential parking with Assemblywoman Galef's office. Further, several residents objected to additional no parking marks painted in front of the Philipstown Town Hall. Trustee Campbell explained that work was performed by the highway department in response to a resident complaint about unsafe egress. In previous communications with the NYSDOT, the department indicated that a parking study was planned for this area. Trustee Hawkins recommended placing similar no parking markings in other locations on state roadways, such as in front of all driveways on Route 301 & Chestnut Street. Trustee Fadde, as liaison for the Parking Committee, asked to be included in any meetings with the NYSDOT. Removal of parking markings on one side of Main Street continues to have positive results.

Trustee Bowman inquired about work performed by the highway department involving relocating boulders adjacent to the Cedar Street Cemetery. This activity was performed to create additional parking near Haldane School. His concern is that the newly created parking spaces may impinge on cemetery property.

Lighting Committee- Fundraising efforts for holiday lighting have begun. It is estimated that the total funds needed for this project are \$15,000, which includes installation of guide wires.

Tree Advisory Committee- Michael Liguori, Village Attorney prepared notes for the board to consider in their review of the proposed tree ordinance.

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

Trustee Fadde thanked Putnam County for providing a summer intern for the Building Department.

Trustee Bowman organized workplace violence and sexual harassment training for the Fire Company. Training for the village employees will be planned in conjunction with PERMA.

Trustee Hawkins reported that recent conversations with Bill Bauman, of Fahnestock State Park, indicate that the contract for management of Dockside Park is currently being reviewed by the NYS Office of Parks, Recreation and Historic Preservation and they are amenable to the terms and adjustments requested by the village.

Trustee Campbell reported a successful Senior Picnic and thanked all businesses who contributed to this event.

Trustee Campbell reviewed various options for treatment of the bee problem at the Tiny Tot's Park. The Tiny Tot's Committee will need to review these options and make a recommendation.

Lace bug infestation of London Plane trees is a recurring problem and Sav-A-Tree has provided a quote for treatment of eight trees. After discussion, it was determined that Trustee Campbell would gather additional information from the arborist and bring this issue back to the board next week.

Mayor Falloon reported on a positive meeting with Diana Bowers, Haldane's new Superintendent and Joseph Curto, President of the Board of Education.

### **CORRESPONDENCE**

Linda Lange, resident and member of the Philipstown Garden Club, proposed a beautification project at the northern entrance to the village at Route 9D and Fair Street. This project would include a variety of native plantings and improved signage. Quotes for three options for a Welcome to Cold Spring sign were provided. After discussion, the board supported organizing existing signage and the plantings. Mayor Falloon offered access to water at the wastewater plant and recommended seeking an additional quote for signage. As this item is not within the current budget, it was recommended that the group seek donors to support new signage.

Putnam County Physical Services Committee proposed a meeting in Cold Spring Village Hall on September 23, 2014 at 6:00 pm which would be hosted by the county to discuss the Butterfield project. Mayor Falloon pointed out that this is a county meeting but it would make sense to have a larger space and start time of 7:30 pm which would provide commuters an opportunity to attend. It was agreed that a letter would be sent to the Physical Services Committee agreeing to be guests at their meeting, to offer our assistance in locating a larger space and to request a start time of 7:30 pm.

### **OLD BUSINESS**

Jennifer Zwarich, Chair of the Tree Advisory Committee, thanked all who participated in the development of the **attached** draft tree ordinance (dated 7/29/2014). This draft was developed in accordance with guidelines from the International Society of Arboriculture (ISA) and in the context of an overall tree management strategy. Further, the ordinance is in accordance with the village's Comprehensive Plan and Village Code sections on sidewalks, recreation, trees, grass & weeds. The advisory committee compared this draft to sample ordinances which were prepared by the ISA, NYS Urban & Community Forestry Program, Arbor Day Foundation, along with the ordinances of other communities. Trustee Hawkins reviewed notes from Village Counsel Michael Liguori related to replacement of trees removed during street openings and the provision on fines, as per **attached** dated 9/09/14. There was discussion about: the authority of the tree

board, differences between a commission and board; balancing the needs of the highway department to accomplish tasks versus the tree board's goals of preserving street trees and whether non-residents should be considered for the committee. Additional discussion on this draft ordinance will be scheduled at a workshop followed by a public hearing at a later date.

Rich Franco, member of the Tree Advisory Committee, submitted a communication about his personal recommendations to the tree ordinance. He asked for board consideration of three changes which were not supported by the majority of the Tree Advisory Committee as follows: adding a section to provide authority for the village to prune or remove trees that represent an imminent safety hazard whether on public or private property; establishment of a heritage tree program; and removal from the ordinance the section related to a tree nursery.

### **Appointment to the Zoning Update Committee**

Trustee Hawkins moved to appoint Jack Goldstein to the zoning update committee and seconded by Trustee Fadde and unanimously approved.

After discussion on the qualifications of the remaining applicants, it was proposed to increase the number of applicants on the board or to appoint one individual to the committee and appoint one alternate.

Trustee Bowman moved to appoint Tom Monroe to the zoning update committee with (Francis) Terry Lahey as an alternate and seconded by Trustee Fadde.

On roll call vote:

Trustee Hawkins	NO
Trustee Campbell	NO
Trustee Bowman	YES
Trustee Fadde	YES
Mayor Falloon	NO

Motion failed by vote: 2-3.

Trustee Hawkins moved to appoint Francis Lahey to the Zoning Update Committee and Tom Monroe as an alternate and seconded by Trustee Campbell. After an initial vote, where member's votes were unclear, a roll call vote was taken as follows:

Trustee Hawkins	YES
Trustee Campbell	YES
Trustee Bowman	YES
Trustee Fadde	YES
Mayor Falloon	YES

Motion carried by a vote of 5-0.

The Recreation Commission reviewed revised drawings for the Fjord trail and had an issue with the handicapped parking. Drawings will be reviewed by the Village Board to see if members agree.

In response to Trustee Bowman's inquiry about the fence surrounding the Mountain Avenue Cemetery, Mayor Falloon commented that this fence was damaged during Haldane's snow removal. Mike Twardy, Director of Haldane Facilities and Transportation, will be removing the fence from the gates out. As it is unclear who is responsible for maintenance of this section of roadway, the school plans to investigate ownership. After obtaining this information, the school and village will be able to develop an agreement for road maintenance.

### **NEW BUSINESS**

Trustee Hawkins moved to approve the **attached** Resolution and Declaration of Official Intent for financing a Bobcat (in the amount of \$43,010.28) and seconded by Trustee Bowman and unanimously approved.

Scheduling future workshops

9/23/2014 Meeting with Putnam County Special Physical Services

9/30/2014 No meeting

10/07/2014 Interview firms who responded to RFP for Planning Services

The board discussed the employment of two employees working for the highway department: a temporary employee and summer help. These workers have been covering during the absence of two full-time employees. One full-time worker has returned to work and another is expected to return within two weeks. Mayor asked for input on terminating the summer help and providing two weeks notice for the temporary employee. After discussion, it was determined that unemployment costs will be investigated. If it is determined that there isn't a net benefit in keeping the temporary employee, then he will be provided with two weeks notice.

### **APPROVAL OF BILLS**

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

### **PUBLIC COMMENT**

Richard Weissbrod acknowledged the great work of Jennifer Zwarick. He called for proactive recruiting of volunteers. He asked why bring in 80 new residents to Butterfield site if we are currently on the cusp of asking for water conservation. Lastly, he takes issue with referring to taxpayers rather than citizens.

Kathleen Foley asked for clarification on the issue of adding parking strips in front of the Harrison residence. She described ongoing parking and traffic difficulties faced by residents living close to the school.

Tom Mulane thanked the tree committee for their work. He expressed concern about the proliferation of signs.

Paul Henderson congratulated the tree committee and pointed out that NYC street openings require that an arborist be present. He thinks it is important for the parking committee to have an individual on the committee who know the NYSDOT rules.

Mayor Falloon spoke about the frustrating process involved in developing the tree ordinance but thanked members for their persistence.

With no further comments, Trustee Hawkins moved to adjourn and seconded by Trustee Bowman and unanimously approved.

Respectfully submitted,

Mary Saari, Village Clerk