

**Board of Trustees Meeting
January 13, 2015**

The Board of Trustees of the Village of Cold Spring held an audit review and their regular monthly meeting on Tuesday, January 13, 2015 at Village Hall, 85 Main Street, Cold Spring, NY beginning at 7:00 pm.

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

Also: William Florence, Village Attorney; Ellen Mageean, Village Accountant; Gregory Phillips, Water Superintendent

Absent: Trustee Stephanie Hawkins (work-related absence), William Bujarski, Building Inspector

The board was joined by James Letterio and William Cochran of Sedore and Company, Certified Public Accountants who presented results of the independent audit of the village financial statements for the period ending May 31, 2014. Financial statement highlights are **attached**. At the conclusion of the audit review, the board proceeded to their regular monthly meeting.

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

APPROVAL OF MINUTES

Trustee Bowman moved to approve minutes of 12/16/2014 and seconded by Trustee Fadde and unanimously approved.

Trustee Fadde moved to approve minutes of 1/6/2015 and seconded by Trustee Bowman.

Vote: 3-0-1-1 with Mayor Falloon abstaining due to absence.

FINANCIAL REPORT

The village received payment for CHIP's filing in the amount of \$49,971.

Letters were sent to tax payers who had outstanding taxes as of December 31, 2014.

They have until January 31, 2015 to pay the taxes to the Village.

Budget requests were issued to the board and department heads in late January. Per Village Law, all requests are due to the budget officer by March 1, 2015.

After discussion, Trustee Bowman moved to approve the proposal from Managed Technologies in the amount of \$6,285 for computer upgrades and seconded by Trustee Fadde and unanimously approved. It was pointed out that retirement expenditures are under budget and could be utilized to cover this expense.

WATER AND WASTEWATER

Superintendent Phillips described issues with raw water pumps and related expenditures. Gregory Phillips requested the mayor's assistance in contacting the DEP to move the new connection to the Catskill Aqueduct forward.

Fuss & O'Neill, engineering consultants, provided recommendations regarding the award of contracts #1 (general contract) and #2 (electrical) for the wastewater plant upgrades.

After researching the credentials of each firm, Fuss & O'Neill recommended award to the low bidders. There were no bids received for contract # 3 (HVAC) likely the result of the small size of this contract. Further, the village received a revised proposal for engineering services which will carry to the completion of the project in the amount of \$188,800 (originally \$195,000). After speaking with Bart Clark, our consulting engineer, it is recommended that we approve the proposal for professional engineering services but add a cover letter to Fuss & O'Neill stating our desire to monitor the Resident Project Representative line.

Trustee Bowman moved to accept the recommendations of Fuss and O'Neill and to accept the bid from Spectraserv, Inc. for contract #1 and seconded by Trustee Fadde and unanimously approved.

Trustee Bowman moved to accept the recommendation of Fuss & O'Neill and accept the bid of Fanshawe Inc. for contract #2 and seconded by Trustee Fadde and unanimously approved.

Trustee Campbell moved to accept the revised proposal from Fuss & O'Neill (for engineering services in the amount of \$188,800) and seconded by Trustee Fadde.

Trustee Bowman asked for clarification on the language of the cover letter to Fuss & O'Neill. Mr. Phillips read a proposed letter which was then followed by a vote on the motion of 4-0-0-1. Motion carried.

Code Enforcement and Highway department monthly reports were reviewed.

POLICE AND JUSTICE COURT

Justice Court collection for the month of December 2014 totaled \$10,800.00

As required, Trustees Campbell and Fadde conducted an audit of the Justice Court records for the period ending May 31, 2014. The overall conclusion was that "all records were kept orderly and add up as verifiable". Trustee Campbell moved to accept the Justice Court audit (for period ending 5/31/2014) and seconded by Trustee Bowman and unanimously approved.

ADDITIONAL MONTHLY REPORTS

Report from the Historic District Review Board- SHPO conducted a thorough site visit to Cold Spring in December. Certified Local Government staff is expected to deliver a guidance memorandum for the Design Standards revision imminently, based on the expanded revisions that SHPO will require for Cold Spring's standards. We are concerned that the required scope of work might expand beyond what the existing grant will cover. Because this is a SHPO-initiated expansion, we are in talks with the CLG staff to expand the project's funding. Initial indications are that SHPO is open to a second grant application to complete the project if there are cost over-runs on the standards update.

Zoning Board of Appeals reported that BluHomes removed their application from consideration.

Cold Spring Boat Club- the board will schedule a review of resident and boat club questions related to manufactured gas plant contamination.

Cold Spring Fire Company responded to 125 fire calls during 2014.

Parking Committee continues to gather information for an extended residential parking program. Lighting Committee members were thanked for their work. Trustee Fadde will purchase additional holiday decorations during the off season taking advantage of lower prices. Expenses will be covered by donated monies.

Code Update Committee- Trustee Campbell presented the **attached** monthly report.

REPORT OF THE MAYOR AND BOARD OF TRUSTEES

Trustee Fadde is now a member of the Putnam County Economic Corporation.

Trustee Bowman discussed a proposal for gutter heater installation at the firehouse and his concerns about this installation.

Trustee Campbell will provide an updated report on the federal transportation project at the February meeting. Trustees Fadde and Bowman asked for additional information on the remaining funds for this project and recent communications from the NYSDOT.

CORRESPONDENCE

Michael Timm of the Bijou Galleries requested that the board direct the police departments to enforce the noise ordinance with regards to motorcycles with illegally installed muffler systems that ruin the peace and quiet within the village.

Wheelabrator Westchester, L.P. provided notification that effective January 1, 2015, all consumers may not dispose of electronic waste at a solid or hazardous waste management facility in the state. Any electronic equipment found during delivery inspections will be loaded back onto the vehicle and may be subjected to a loading fee.

OLD BUSINESS

The board discussed correspondence from GreenPlan requesting payment for professional services associated with successfully securing a grant for the village in the amount of \$75,000 through the Consolidated Funding Application. After discussion, Trustee Bowman moved to table this matter in contemplation of discussion with counsel and seconded by Trustee Campbell and unanimously carried.

During the discussion of Resolution #2- 2015 related to a West Bank Street Sewer Connection, Mayor Falloon recused himself from the discussion and left the meeting room, as he is a resident of this street with an interest in this matter.

RESOLUTION #2-2015

CONSOLIDATED RESOLUTION FOR WEST BANK STREET SEWER CONNECTION

WHEREAS, certain residents of West Bank Street desire to connect their residences to the Village's sewer system (the "Petitioners"). To that end, the Petitioners are prepared to construct a sewer trunk line along with lateral connections from each of their residences to the nearest sewer system main in accordance with certain plans entitled, "Plans for Extension of Sewer and Water Mains in West Bank Street" prepared by Badey & Watson Surveying & Engineering (the "Project"); and

WHEREAS, in connection with the processing of the request, the Village will incur certain charges for the review of the plans for which an escrow account will need to be established and will need to appoint an engineer to review the plans on behalf of the Village; and

WHEREAS, the Village will also need to discharge its obligations under SEQRA and due to the limited nature of the work and the limited amount of disturbance proposed may conduct an uncoordinated review; and

WHEREAS, the Village, in connection with this request, shall refer the Petitioners to the Putnam County Health Department for its review and approval

NOW, THEREFORE, be it resolved that Board of Trustees hereby adopts the following resolutions:

1. An escrow account shall be established in the amount of \$1540.00 to reimburse the Village its cost for the review of the project. The account shall operate in the same fashion as if the Project were to be reviewed by the Planning Board.
2. The engineering firm of Oakwood Environmental Associates shall be hired to review the Project on behalf of the Village.
3. The Short Form EAF which was submitted as part of the request is hereby accepted and the Village hereby determines that the action is an Unlisted action under SEQRA and hereby determines to conduct an uncoordinated review. Based on the limited amount of disturbance proposed and short duration of the work and the fact that Project proposes to disturb less acreage than various Type II actions, which are exempt under SEQRA, it is hereby determined that the Project will not have the potential for a significant adverse impact on the environment. Additionally, the Village recognizes that Project proposes disturbance in a right of way, which is ground that has already been disturbed by pavement, gravel and other road bed materials.
4. The Project is referred to the Putnam County Health Department for its review and approval;
5. Prior to adoption of any approval for the Project, the Board of Trustees reserves the right to add conditions, which shall be determined at that time and may be in addition to any conditions required by the Village's engineer. Such conditions may include a maintenance agreement to entered into by the Petitioners among themselves, connection fees and other items consistent with the connection of a sewer line.

Trustee Fadde presented the foregoing resolution which was seconded by Trustee Bowman.

The vote on the foregoing resolution was as follows:

Cathryn Fadde, Trustee voting	YES
Michael Bowman, Trustee voting	YES
Bruce D. Campbell, Trustee voting	YES
Stephanie Hawkins, Trustee voting	ABSENT
Mayor Ralph Falloon, Trustee voting	ABSTAIN

I hereby certify that this is a true and exact copy of a resolution adopted by the Village of Cold Spring Board of Trustees at a public meeting held on January 13, 2015 by a vote of 3-0-1-1.

With regards to an agenda item to consider special counsel for an Article 78 proceeding, the board agreed to discuss this matter in executive session.

NEW BUSINESS

The board requested scheduling interviews with candidates for the Ethics Board on January 20th and 27th beginning at 7:00 pm.

Trustee Campbell made a motion to hire part-time Police Officer Vincent D'Amato and seconded by Mayor Falloon. During subsequent discussion, Trustee Fadde called for serious discussion on the need for another officer, citing a review of police schedules received anonymously at her home. Decision on this matter was deferred to the conclusion of executive session.

Mayor Falloon appointed Mark Forlow as Village Historian.

Trustee Bowman moved to approve of the Fireman's Service Award point listing and seconded by Trustee Fadde. Mayor Falloon abstained as he a member of the fire company. Trustee Bowman is a member of the fire company and noted that it appears to be a conflict of interest but his interest is not such that it will unfairly bias his vote. Further, he stated that he has many years before he will receive Fire Company retirement. Trustees Bowman, Fadde and Campbell voted to approve the FSA point listing. Vote: 3-0-1-1. Motion carried.

PUBLIC COMMENT

Frank Haggerty spoke about the federal transportation project and cautioned the board not to proceed with upgrades that can then cascade to other requirements to meet codes. He expressed concern that we may loose some resources because of this.

EXECUTIVE SESSION

Trustee Fadde moved to enter into executive session to discuss the employment history of a particular employee, personnel and litigation matter. Motion was seconded by Trustee Bowman and unanimously carried.

Trustee Campbell moved to exit executive session and seconded by Trustee Bowman and unanimously carried.

RESOLUTION# 03-2015

BE IT RESOLVED, that the Board of Trustees of the Village of Cold Spring (“Board”) does hereby approve the Separation and Release Agreement with Anthony Pupczyk.

BE IT FURTHER RESOLVED, that the Board accepts Mr. Pupczyk’s resignation from employment with the Village.

Trustee Michael Bowman moved the foregoing resolution which was seconded by Trustee Cathryn Fadde.

On roll call vote:

Mayor Ralph Falloon	YES
Trustee Michael Bowman	YES
Trustee Cathryn Fadde	YES
Trustee Bruce Campbell	YES
Trustee Stephanie Hawkins	ABSENT

I hereby certify that this is a true and exact copy of a resolution adopted by the Village of Cold Spring Board of Trustees at a public meeting held on January 13, 2015 by a vote of 4-0-0-1.

No action was taken to hire special counsel for the handling of an Article 78 proceeding.

Trustee Campbell moved to hire part-time police officer Vincent D’Amato and seconded by Trustee Bowman. Vote: 3-1-0-1 Mayor Falloon, Trustees Bowman and Campbell voted in favor; Trustee Fadde was opposed and Trustee Hawkins was absent. Motion carried.

Trustee Bowman moved to adjourn and seconded by Trustee Fadde and unanimously carried.

Respectfully submitted,

Mary Saari, Village Clerk