

Village of Cold Spring
Board of Trustees Workshop

March 17, 2015

The Board of Trustees of the Village of Cold Spring held a workshop on Tuesday, March 17, 2015 at 7:30 PM at the Village Hall, 85 Main Street, Cold Spring, NY.

Attending were Mayor J. Ralph Falloon, Trustees Bruce Campbell, Stephanie Hawkins, Michael Bowman, and Cathryn Fadde. Also attending were Accountant Ellen Mageean and Interim Attorney, William Florence.

The meeting began with Ms. Mageean presenting and discussing the nine-month budget analysis and **tentative budget for 2015-2016.**

Quarterly Analysis:

Revenue is anticipated to be over budget by approximately \$25,000 – excluding the impact of the main street project and the multi-modal project. This is due to a higher than anticipated revenue in the building department, the sale of the Grove and an increase in our CHIPS funding. This is offset by an anticipated reduction in the fines and forfeited bail.

Expenditures are anticipated to be under budget by approximately \$40,000 – excluding the impact of the main street project and the multi-modal project. Unallocated insurance is under budget, it is anticipated that the judgements and claims and the contingent account will not be utilized this year resulting in a savings to the Village. NYS Retirement and Police Retirement are under budget. These amounts are offset by an overage in highway salaries as well as an anticipated overage in the Attorney Special line.

The impact of not doing the main street project is the addition of \$36,000 to the fund balance.

The Board has the opportunity to add or subtract to the tentative budget before it goes to a public hearing before April 20, 2015. Trustee Bowman made a motion to accept the tentative budget with a second from Trustee Hawkins. The vote carried unanimously.

The Tentative **Water Fund Budget** was presented and a motion to approve it was made by Trustee Hawkins with a second from Trustee Bowman. The motion was carried with a unanimous vote.

The Tentative **Sewer Fund Budget** was presented to the Board and with a motion from Trustee Bowman to accept the Sewer Fund Budget and a second from Trustee Fadde, the motion was approved with a unanimous vote.

Paul Gallay, working with the Riverkeeper for nearly 5 years, spoke on the dangerous situation presented to the Hudson Valley from transporting crude oil by rail, barge and tanker along the west side of the Hudson River calling for federal and state agencies to enact stringent rules for such transport. He noted that the oil is being moved in train cars that are not appropriately constructed for the moving of this hazardous material safely. Trustee Bowman stated that there has been no formal training on how to handle such an explosive situation effectively.

Village of Cold Spring Resolution # 09-2015

RESOLUTION FROM THE VILLAGE OF COLD SPRING'S VILLAGE BOARD EXPRESSING CONCERNS ABOUT THE TRANSPORTING OF CRUDE OIL BY RAIL, BARGE AND SHIP AND CALLING UPON FEDERAL AND STATE AGENCIES TO ENACT STRINGENT RULES AND REGULATIONS FOR SUCH TRANSPORT AND TO URGE AND ENCOURAGE THE EXPLORATION OF ALTERNATIVE MEANS FOR THE TRANSPORTATION AND DISTRIBUTION OF CRUDE OIL.

WHEREAS, crude oil is increasingly being transported along railroads from production fields in the west (particularly from the Bakken shale oil formation of North Dakota and heavy tar sands oil fields of Alberta, Canada) and along the CSX River Subdivision tracks along the west side of the Hudson River through the Hudson Highlands and beyond. Oil is also transported to ports including Albany, New York for transfer to barges and ships traveling on the Hudson River through the Hudson Highlands to East Coast refineries; and

WHEREAS, approximately two crude oil unit trains per day currently travel the Hudson Highlands immediately across from the Village of Cold Spring in Putnam County; and

WHEREAS, approximately one articulated barge per day carrying 4 million gallons and one tanker per week carrying 7 million gallons currently pass through the Hudson Highlands on the Hudson River; and

WHEREAS, crude oil from the Bakken shale deposits have been proven to be far more explosive and more corrosive than typical crude oils, and heavy sinking oils from tar sands formations have been found to be more viscous than typical crude oils, making the protection of public safety and environmental health from these particular types of oils, as well as spill response and remediation, more difficult and more dangerous; and

WHEREAS, tourism supported by the pristine and natural environmental and unique landscapes of the Hudson Highlands is a key part of the Village of Cold Spring's economy; and

WHEREAS, several habitats in the Hudson River in the vicinity of the Village of Cold Spring have been designated by the State as Significant Coastal Fish and Wildlife Habitats including Constitution Marsh and the US EPA spent 10 years on remediation of Cadmium deposits in the Marsh adjacent to the West Point Foundry Preserve; and

WHEREAS, the tidal nature of the Hudson River could cause oil from a spill to be quickly transported both up and down the river harming fish and wildlife permanently damaging Constitution Marsh and

WHEREAS, crude oil is mainly transported in class DOT-111 rail tank cars designed for general purpose liquid transport, not for hazardous cargos, despite the fact that these railcars lack even the basic safety measures (such as shields, pressure vents, or double hulls) despite repeated recommendations from the National Transportation Safety Board over the past thirty years (most recently in March 2012 and January 2014) that they not be used for crude oil transport; and

WHEREAS, class DOT-111 railcars are unacceptably dangerous, particularly in light of railroad enforcement, inspection, oversight and safety, highlighted by the testimony of the Chair of the Surface Transportation Board who testified in April, 2014 that 'no community is prepared for the worst case scenario' for crude oil-by-rail disasters; and

WHEREAS, there have been a series of crude oil derailments in the United States and Canada that have led to loss of life, loss of property and significant economic and environmental damage, including the loss of 47 lives in Lac-Megantic, Quebec in July 2013; and

WHEREAS, there has been at least five oil train derailments with railroad cars carrying Bakken oil in New York State since December 2013, including those in West Nyack, Town of Ulster, Selkirk, Cheektowaga and Albany; and

WHEREAS, joint state-federal “inspection blitzes” have identified dozens of train and rail car safety defects requiring corrective action in rail yards in Albany and Buffalo, highlighting the risks facing our communities and environment, but no such inspections have been performed on tracks through the Hudson Highlands; and

WHEREAS, recent barge accidents resulting in petroleum spills in the Mississippi River and Galveston Bay have shown that even double-hulled vessels are not protective in all accidents; and

WHEREAS, on January 28, 2014 New York State Governor Andrew Cuomo signed an Executive Order recognizing that crude oil transportation by rail car and river vessels present an ongoing major risk to New York Communities and the environment, shortly after two safety recommendations by the National Transportation Safety Board reached the same conclusion and called for major system-wide reforms.

NOW THEREFORE, BE IT RESOLVED, that the Village of Cold Spring Village Board recognized that the transport of crude oil, especially Bakken and heavy crudes, by rail and marine vessel through our community presents an immediate significant risk for people, our economy and the environment of our region; and be it further

RESOLVED, that the Village of Cold Spring Village Board calls upon the United States Department of Transportation, the United States Environmental Protection Agency, the New York State Department of Transportation (DOT) and Department of Environmental Conservation (DEC) to: immediately order a full environmental impact study of the potential impacts of increased crude oil transport by train, barge, or ship through the Hudson Highlands, and to enact stringent rules and regulations for the transportation of crude oil; and be it further

RESOLVED that the Village of Cold Spring Village Board urges and encourages federal and state agencies to explore and develop alternative means for the distribution and transportation of crude oil; and be it further

RESOLVED, the Village Clerk of the Village of Cold Spring is hereby authorized to and directed to send copies of this resolution to the United States Department of Transportation, the United States Environmental Protection Agency, U.S. Senator Charles E. Schumer, U.S. Senator Kristen E. Gillibrand, U.S. Congressmen Sean Patrick Maloney, New York State Governor Andrew Cuomo; New York State Department of Environmental Conservation (DEC), Commissioner Joe Martens, New York State Senator Sue Serino, and New York State Assembly member Sandra Galef.

Trustee Bowman presented the foregoing Resolution # 09-2015, which was seconded by Trustee Fadde.

On roll call vote:

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

Resolution # 09-2015 officially adopted by a vote 5-0-0 at a public meeting held on March 17, 2015 of the Cold Spring Village Board of Trustees.

Dated March 17, 2015

Mary Saari, Village Clerk

A copy of a **Social Media Policy** was suggested to the board for all employees of the Village towards public conduct. This brings the personnel policy forward with the technology of today. The policy brought forth will be edited to work for all including the police department. Mr. Florence feels that this is a “great foundation for the future”. This will be put on next week’s agenda.

A **Tree Committee** was established with the appointments of Jennifer Zwarich, Charles Day, Kory Riesterer and Tony Bardes. There was another applicant to the Board, but as he is not a Village resident, the Village Board feels that the current Tree Committee should make that decision.

Trustee Bowman made a motion to approve the four member Tree Advisory Committee Board with a second from Trustee Hawkins. The vote was unanimous and the motion carried.

The owner of **Hudson House would like to purchase the porch** around their building from the Village of Cold Spring. However, it was not clear exactly how much property they were discussing. It was determined that the Village Board needs more specifics from the owner before proceeding.

An audited **bill** from the Cold Spring Fire Company, as presented to the Board, was approved for payment with a motion from Trustee Campbell and a second from Trustee Hawkins. The motion was carried unanimously.

Nelsonville Fish & Fur Club requested permission for the use of the reservoir on Fishkill Road for the annual **Kid’s Fishing Derby** on Sunday, May 3, 2015 from 8 a.m. to 4 p.m. The certificate of Insurance will be issued by Powers and Haar.

Trustee Hawkins made a motion to approve the request to hold the Kids’ Fishing Derby on May 3, 2015 at the Reservoir on Fishkill Road seconded by Trustee Fadde. The motion was carried unanimously.

A request for the use of the dock area for the purpose of a **Memorial Service for Michael Timm** was presented by Trustee Campbell. The date of the service will be Sunday, March 22, 2015 from 9:30 – 10:30 a.m.

Trustee Bowman made a motion to approve the use of the dock area for the Memorial Service for Michael Timm and the motion was seconded by Trustee Hawkins. The motion passed with a unanimous vote.

Correspondence:

A letter from Homeland Security and Emergency Services: The Intrastate Mutual Aid Program (“IMAP”) is resource-sharing mechanism created in §29-h of the NY State Executive Law that allows local governments to share resources during a declared local state of emergency.

A letter from the “Town of Carmel to establish a special task force to include Supervisor Kenneth Schmitt, Town Councilman, John Lupinacci and any other individuals designated by your office, charged with studying and researching the feasibility of merging law enforcement agencies in Putnam County, creating a countywide police model of law enforcement”.

“The Town Board’s request is prompted by a desire to maintain Carmel’s excellent police services but simultaneously address the financial pressures facing communities such as ours that have found the fiscal obligation of operating an independent police department unsustainable to our constituents”.

Mayor Falloon stated that he supports consolidation of departments with the County, but on a case by case basis. He feels that consolidation of the Village Police Department with the Putnam County Sheriff’s Department would not be financially feasible. From the knowledge that he has of the Village budget for our local police department, he feels that the Putnam County Sheriff’s Department would far exceed the financial obligation of having our own department.

Trustee Hawkins made a motion to enter into executive session to discuss a police personnel matter. The motion was seconded by Trustee Campbell and the motion carried unanimously.

Trustee Fadde made a motion to exit executive session and continue on to the open workshop meeting with a second from Trustee Bowman. The motion was carried with a unanimous vote.

The meeting of March 17, 2015 workshop was adjourned with a motion from Trustee Bowman, seconded by Trustee Fadde and carried with a unanimous vote.

Respectfully

Sandra L. Falloon