

**Minutes Board of Trustees Public Hearing
April 14, 2015 at 7:00 pm**

The Board of Trustees of the Village of Cold Spring held a public hearing on Tuesday, April 14, 2015 at Village Hall, 85 Main Street, Cold Spring, NY beginning at 7: 00 pm to hear comment on the tentative budget for fiscal year 2015/2016.

Attending: Mayor David Merandy and Trustees Frances Murphy, Marie Early and Cathryn Fadde

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

Absent: Trustee Michael Bowman (family illness)

Mayor Merandy opened the public hearing followed by the Pledge of Allegiance. He then proceeded to read the **attached** public hearing notice and budget message.

Ellen Mageean pointed out that calculations for the 2016 contribution to the Fireman's Service Award Program were received from Penflex after the tentative budget was prepared. Payment for fiscal year ending May 31, 2016 is \$1, 319 more than budgeted. To accommodate for this increase the following adjustments were recommended:

A00-1001-00 Real Property Tax decrease by \$1,319

A00-1001-100 Fireman's Service Award increase by \$1,319

A00-3410-412 Fire heating oil decrease by \$500

A00-9740-910 Interest on capital note decrease by \$1,000

A00-1990-400 Contingency increase by \$182

A00-9015-810 Fireman's Service Award increase by \$1,319

The increase in Village taxes from the prior year is 1.34% instead of 1.42% in the tentative budget.

Trustee Early pointed out that State Aid Greenway A00-3089-300 has changed from \$6,000 to \$10,000 and asked to have this change made to the tentative budget. This will be offset by expenditures in the same amount.

In anticipation of a loss in parking lot rental fees and nonpayment of property taxes related to the manufactured gas plant cleanup, the following items were included in the tentative budget:

A00-1721-000 Parking lot lease for Hudson House revenues set at \$1,100.

A00-1990-400 Taxes and Assessment on Real Property increased to \$2,500

Trustee Fadde spoke in favor of budgeting for a Parking Enforcement Officer.

The meeting was then opened for public comments.

Michael Armstrong, resident and member of the Code Update Committee commented on the budget process and pointed out that holding March elections doesn't provide the new board with an opportunity to shape the budget. He suggested holding November elections which would save on election costs and improve citizen involvement. He also pointed out that there is little reference to the Comprehensive Plan during the budget process. He stated that the plan raised a number of issues, ideas and opportunities. It should be the responsibility of the board to analyze where we stand with respect to the comprehensive plan. The problem is that the big questions don't get discussed in a full context.

Kathleen Foley, resident and vice-chair of the Historic District Review Board, had questions about the budgeted amounts for the HDRB grant. Further, she pointed out that the HDRB doesn't have the authority to collect escrow funds and charge applicants for consultant services.

Gretchen Dykstra, resident of Garden Street and member of the Parking Committee, commented that during the parking committees' work to enlarge the residential parking district, the state asked questions about parking enforcement. It makes passage of legislation difficult if parking isn't enforced. She pointed out that parking enforcement is important not only for revenues but for the goals of the parking committee. Further, she recommended that the board review how the police force deploys officers and how they are trained to handle the issues faced by this community, in particular drugs and parking.

Frank Haggerty, resident and member of the Parking Committee, echoed Michael Armstrong's comments. He inquired about a budget line entitled, "Street Lights Haldane/ Butterfield" as this is private property. It was pointed out that the expenditure is related to warning lights on Route 9D at the northern and southern entrances to the village, near Haldane School and Butterfield Hospital. He noticed street lighting off 9D, at the Butterfield site, where there are two lamps without a meter. He asked if the village was being billed for this. Trustee Early will follow up.

Kathleen Foley, 2 Locust Ridge, pointed out that the beauty of the village election is that it focuses on local issues. She recommended changing the time of the budget adoption to the fall instead of changing the time of the election.

With no further public comment, Trustee Early moved to close the public hearing on the general fund budget and seconded by Trustee Fadde and unanimously carried.

Trustee Fadde moved to open the hearing on water and sewer fund budgets and seconded by Trustee Early and unanimously carried.

Water Superintendent Gregory Phillips reviewed the highlights of the water and sewer fund budget as follows:

Water Fund

Specific projects for the Fiscal 2015/16 year in the Water Fund Budget reflect the need to replace the underground Fuel Storage Tank with an above grade, dual-walled version for the emergency generator at the Facility on Fishkill Road (F00.8311.400, Buildings and Grounds); Purchase of a new 12" Y strainer and 10" Gate Valve for the raw water intake at the foot of the Foundry Brook Dam to protect the raw water pumps (F00.8320.200, Source of Supply – Equipment); Replacement of the 3rd Raw Water Pump assembly, as well as replacement of several Chemical Feed Pumps (F00.8330.200, Purification – Equipment); and the completion of the Dehumidifier repair, and installation of Strainer/Gate Valves mentioned above (F00.8330.413, Purification – Equipment Repair).

Sewer Fund

Projects slated for completion under the Fiscal 2015/16 Sewer Fund Budget include: Repair to the pump pit floor and replacement of the sump pump at West St.; Replacement of the 4” check valve at Kemble Ave, and replacement of decking in wetwells of both pump stations (G00.8120.415, .417, Sanitary Sewer – Equipment Repair, and Repairs & Improvements); and continued work toward identifying and addressing sources of Inflow and Infiltration (I&I) in the Collection System (G00.8120.418, Sanitary Sewer – Engineering). The larger projects, namely the Market Street Pump Station Replacement, and the Aeration Replacement and Electrical Upgrade at the WWTP on Fair Street are funded through Bond Anticipation Notes, while the West Street Pump Station Mitigation Project is funded through a FEMA Grant.

Michael Armstrong suggested increased reliance upon revenues from usage rather than flat rates. This would allow people to influence their bill by changing their behavior. He suggested analyzing the rate structure to correlate with fixed and variable costs.

Trustee Fadde asked about a possible increase in insurance costs related to dam repairs that weren’t performed this year.

Superintendent Phillips pointed out that repairs on the dam are contingent upon the DEP connection. The dams continue to be inspected each year and the department is working toward its goals.

Stephanie Hawkins asked about the costs of purchasing water from the DEP. Further, she asked if water rates would be adjusted when the village is taking water from the DEP or if these costs will be paid out of the reserve fund or budget.

Gretchen Dykstra commented that there are grant programs for communities on the NYC reservoirs and the village may be able to get money from this source.

With no further comment, Trustee Early moved to close the public hearing and seconded by Trustee Murphy and unanimously carried.

Immediately after the budget hearing, the board held their regular monthly meeting.

FINANCIAL REPORT

Payments this month include: delinquent taxes received from Putnam County, LWRP funds for prior year expenses, reimbursement for Main Street project expenses related to the prior fiscal year. There was discussion on the property tax freeze which is a two year program that reimburses qualifying NYS homeowners for increases in local property taxes on their primary residences. In order for homeowners to be eligible for this program the village must do the following:

For fiscal year beginning in June 2015 we must stay within the tax cap.

For fiscal year beginning in June 2016 we must stay within the tax cap and submit an efficiency plan by June 1, 2015 to the state.

The efficiency plan must result in savings of at least one percent of the tax levy for a three year period.

Budget Amendment Resolution # 14-2015

Moved by: Trustee Marie Early

Seconded by: Trustee Cathryn Fadde

Resolved that (1) The Board of Trustees of The Village of Cold Spring hereby approves the following Budget Adjustment(s) for the 2014/2015 fiscal year:

(1)	To:	A00-1325-400	Accountant: Contractual	\$1,000.00
	To:	A00-1090-000	Interest and Penalties: Real Property Tax	\$1,000.00
			To increase the accountant contractual budget for the software purchase related to the GASB 45 calculation.	
(2)	To:	A00-1420-410	Attorney: Special	\$8,000.00
	From:	A00-1420-400	Attorney: Contractual	\$3,000.00
	To:	A00-2660-000	Sales of Real Property	\$5,000.00
			To increase the budget for attorney special for additional unbudgeted expenses.	
(3)	To:	A00-1640-410	Shared Services: Restroom	\$400.00
	From:	A00-1620-100	Shared Services: Personal Services	\$400.00
			To increase the budget for the restroom for additional unbudgeted expenses.	
(4)	To:	A00-1320-400	Police: Vehicle Repairs	\$1,000.00
	To:	A00-3120-410	Police: Services & Materials	\$500.00
	From:	A00-3120-411	Police: Gasoline	\$1,500.00
			To reallocate the police budget.	
(5)	To:	A00-3410-411	Fire Department: Gasoline	\$400.00
	To:	A00-2262-000	Fire Protection Service: Gasoline (Revenue)	\$400.00
			To increase the fire department gas budget for additional gas being used by the fire department.	
(6)	To:	A00-3410-470	Fire: Service Award	\$30.00
	From:	A00-4310-470	Fire: Building Repairs	\$30.00
			To increase the budget for the administrative fees related to the fire service award.	
(7)	To:	A00-5110-415	Highway Street Maint: Electric	\$1,000.00
	To:	A00-5182-440	Street Lights: Subway	\$600.00
	From:	A00-5182-400	Street Lights: Contractual General Street	\$1,600.00
			To reallocate the budget for electric supply.	
(8)	To:	A00-5110-475	Street Paving: Legal & Engineering	\$3,000.00
	From:	A00-5110-480	Street Light & Sidewalk; Proj Construction	\$3,000.00
			To reallocate the budget for the Main Street Project.	
(9)	To:	A00-5142-100	Snow Removal: Personal Services	\$17,200.00
	To:	A00-8170-100	Street Clean: Personal Services	\$2,000.00
	From:	A00-5110-100	Highway Street Maint: Personal Services	\$14,200.00
	From:	A00-5410-100	Sidewalks: Personal Services	\$5,000.00
			To reallocate the budget for the highway department.	
(10)	To:	A00-7510-100	Historical Board: Personal Services	\$400.00
	To:	A00-8010-100	Zoning Board: Personal Services	\$300.00

	From:	A00-7510-400	Historical Board: Contractual	\$200.00
	From:	A00-8010-400	Zoning Board: Contractual	\$100.00
	From:	A00-8020-100	Planning Board: Personal Services	\$300.00
	From:	A00-8020-400	Planning Board: Contractual	\$100.00
			To reallocate the budget for the Historical, Zoning and Planning Boards.	
(11)	To:	A00-9060-808	Dental Insurance: C. Costello	\$500.00
	From:	A00-9010-800	State Retirement	\$500.00
			To increase dental insurance for the use of rollover dental money per employee handbook.	

And (2) The accountant is hereby authorized to transfer such funds immediately.

On roll call vote:

Trustee Marie Early voting YES
Trustee Frances Murphy voting YES
Trustee Michael Bowman voting ABSENT
Trustee Cathryn Fadde voting YES
Mayor Dave Merandy voting YES (added 5/12/2015 MS)
Resolution officially adopted by a vote of 4-0-0-1.

WATER AND WASTEWATER REPORT

Higher than normal flows have been observed during the overnight hours and in daily totals indicating leakage from one or more areas in the distribution system. The department will begin in-house leak detection this week, but may have to contract out for a system-wide check.

With regards to the DEP Aqueduct permanent connection, the water supply agreement has been reviewed by counsel and is being distributed to the board for consideration. It will be sent back to the NYCDEP and the negotiation of terms will begin.

In the wastewater report, Superintendent Phillips provided an update on several projects and requested a workshop with the board to delve deeper into the plans.

CODE ENFORCEMENT

Fourteen permits were issued in March, 15 building complaints/ inspections, 7 complaints violations, 4 certificates of occupancy, 3 fire inspections and 4 record searches.

HIGHWAY DEPARTMENT

During the month of March, 51.49 tons of refuse and 15.35 tons of recycling were collected. The department continues with snow removal, filling pot holes, repairing equipment, cleaning streets, and rebuilding catch basins.

POLICE AND JUSTICE COURT

During the month of March, the department responded to 74 calls for service, issued 43 summonses for various parking infractions and issued 35 summonses to motorists for

various traffic infractions. Trustee Early requested a more detailed police report including a breakdown of the frequency of calls, time of day and type of call.

The Justice Court collected \$11,446.00 during the month of March.

ADDITIONAL MONTHLY REPORTS

Recreation minutes of the last meeting were submitted and will be available for review on the village website.

Donald MacDonald, Planning Board chair, reported that on March 4, 2015, the Planning Board held a hearing on the Butterfield Realty LLC site plan and preliminary subdivision approval. On March 18th the Planning Board reconvened and reviewed Butterfield Realty's and the consultant's responses to issues raised at the public hearing. On April 1st the board approved the Butterfield site plan and preliminary subdivision. As required by code, the Planning Board requested a joint meeting with the Village Board to seek the board's recommendation on the subdivision.

Zoning Board of Appeals held a workshop on March 5th and a public hearing on March 19th on the application of Jennifer and Chris Daly of 19 Garden Street.

Kathleen Foley reviewed the **attached** HDRB report which provided background on the board's current initiatives and their status.

Jennifer Zwarich, member of the Tree Advisory Board, announced that the board now has full membership and has established a regular meeting schedule. An Arbor Day Celebration has been planned which is the last requirement for achieving Tree City USA status. The Tree Advisory Board is interested in creating a website to keep the public informed.

Code Update Committee is currently awaiting the NYS DERDA contract and is working on researching and discussing sections of the village code related to the first component of the NYS DERDA's scope of work. The committee currently has two vacancies. The board will advertise for membership in both local papers.

REPORT OF THE MAYOR AND BOARD OF TRUSTEES

Trustee Early was given a tour of the water and wastewater plants, reservoirs and pump stations by Superintendent Phillips and Scott Monroe. She expressed appreciation for the valuable services provided by these employees.

Trustee Murphy provided an overview of highway activities and department equipment as per **attached**.

Trustee Fadde has been in communication with the Hudson House regarding the upcoming MGP cleanup and reported that the owner is willing to continue with a monthly lease of the parking lot.

Mayor Merandy reported that the board is currently in negotiations with the Cold Spring Boat Club. A special meeting was called on April 10th for discussions on the Boat Club agreement between village board members in executive session. Bob Freeman of the Committee on Open Government and village counsel were contacted prior to holding this meeting. NYS DEC has extended the deadline to April 22nd for the board to come to an agreement with the boat club.

CORRESPONDENCE

The Hudson Highlands Fjord Trail draft master plan will be presented at a community meeting on April 29th.

OLD BUSINESS

The board tabled discussions on an RFP for legal services. The board tabled an agreement regarding the hourly rate for legal services proposed by the firm of Thomas, Drohan, Waxman, Petigrow & Mayle, LLP.

NEW BUSINESS

**RESOLUTION NO. 15-2015
ENVIRONMENTAL FACILITIES CORPORATION DEBT REFUNDING
SERVICE MODIFICATION**

WHEREAS, the Environmental Facilities Corporation (“EFC”) has loaned sums to the Village of Cold Spring with a present unpaid balance of Three Hundred Forty Thousand (\$340, 000.00) Dollars; and

WHEREAS, the EFC intends to refinance their obligations, which provide funds for current and future New York State Clean Drinking Water projects; and

WHEREAS, the bonds upon which the Village of Cold Spring has secured its loan cannot be called in; and

WHEREAS, the EFC is providing a slightly reduced administrative fee for the remaining life of the bonds;

NOW THEREFORE BE IT RESOLVED, that the Village of Cold Spring agrees to participate in the refunding of the New York State Drinking Water bonds and the Village Board directs Mary Saari, the Clerk and Treasurer of the Village of Cold Spring, to sign such agreement and to forward the executed agreement to the New York State Environmental Facilities Corporation official in charge of this refunding.

Trustee Fadde presented the foregoing resolution that was seconded by Trustee Early.

On roll call vote:

Frances Murphy, trustee voting	YES
Marie Early, trustee voting	YES
Michael Bowman, trustee voting	ABSENT
Cathryn Fadde, trustee voting	YES
Dave Merandy, Mayor voting	YES

Resolution officially adopted on April 14, 2015 by a vote of 4-0-0-1.

Mary Saari, Village Clerk

Cold Spring, New York Village Arbor Day Proclamation

Whereas, In 1872, J. Sterling Morton proposed that a special day be set aside for the planting of trees called Arbor Day, and this holiday was first observed with the planting of more than a million trees, and

Whereas, Arbor Day is now observed throughout the United States of America and the world, and

Whereas, trees produce life-giving oxygen, clean the air, reduce the erosion of precious topsoil, moderate temperature, cut energy costs by shading homes and streets, protect our watersheds for drinking water, reduce costs associated with storm water runoff and help mitigate the effects of climate change, and

Whereas, trees in our village entice visitors to stroll and shop along the streets of our business districts and add to the beauty of Cold Spring's historic byways, waterfront and parks, and

Whereas, trees increase village property values, create pleasant walking environments in our neighborhoods and help provide a buffer from traffic for pedestrians on our busier thoroughfares, and

Whereas, trees, wherever they are planted, are a source of joy and renewal.

Now, Therefore, I, Dave Merandy, Mayor of Cold Spring Village, Town of Philipstown, New York, do hereby proclaim April 25th as **VILLAGE ARBOR DAY** and I urge all residents to celebrate Arbor Day and to support efforts to protect our village trees and woodlands, and

Further, I urge all residents to plant trees to gladden the heart and promote the well-being of this and future generations.

Dated this 14th day of April 2015.

Mayor Dave Merandy

Arbor Day...which has already transplanted itself...to every state in the American Union and has even been adopted in foreign lands...is not like other holidays. Each of those reposes on the past, while Arbor Day proposes for the future. – J. Sterling Morton

VILLAGE OF COLD SPRING PROCLAMATION

KIDS TO PARKS DAY

WHEREAS, May 16th, 2015 is the fifth Kids to Parks Day organized and launched by the National Park Trust; and

WHEREAS, Kids to Parks Day empowers kids and encourages families to get outdoors and visit America's parks; and

WHEREAS, it is important to introduce a new generation to our nation's parks because of the decline in Park attendance over the last decades; and

WHEREAS, we should encourage children to lead a more active lifestyle to combat the issues of childhood obesity, diabetes mellitus, hypertension and hypercholesterolemia; and

WHEREAS, Kids to Parks Day is open to all children and adults across the country to encourage a large and diverse group of participants; and

WHEREAS, Kids to Parks Day will broaden children's appreciation for nature and the outdoors; and

NOW THEREFORE, the Village of Cold Spring Board of Trustees does hereby proclaim to participate in Kids to Parks Day. The Village Board of Trustees urges residents of the Village of Cold Spring to make time May 16th, 2015 to take the children in their lives to a neighborhood, state or national park.

RESOLUTION NO. 16-2015

WHEREAS, the Village of Cold Spring wants our firefighters to render expert assistance when they see the need; and

WHEREAS, the Village wants to assure our firefighters that they will be provided adequate insurance for services out of district;

NOW THEREFORE BE IT RESOLVED that, whenever a volunteer firefighter of the Village of Cold Spring Fire Company #1 provides services under General Municipal Law Section 209-1 when there is no jurisdictional officer in command present, such volunteer firefighter shall be entitled to coverage under the VFBL coverage provided by the Village of Cold Spring, for the provision of such services. Upon the arrival of a jurisdictional officer in command, such volunteer firefighter shall report to such officer and offer his/her services to assist such fire company or fire department. If such offer of assistance is not accepted, then the volunteer firefighter of the Cold Spring Fire Company #1 must immediately cease providing any additional service at the scene of the emergency.

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

On roll call vote:

Frances Murphy, trustee voting YES

Marie Early, trustee voting	YES
Michael Bowman, trustee voting	ABSENT
Cathryn Fadde, trustee voting	YES
David Merandy, mayor voting	YES

Resolution officially adopted by a vote of 4-0-0-1.

Approval of TruGreen lawn care proposals was tabled. Michael Twardy, Director of Facilities and Transportation at Haldane Central School, asked Mayor Merandy if the village would like to participate in a no cost study conducted by Cornell Cooperative Extension. This study would involve over-seeding Mayor's Park ball field to control weeds and reduce the need for pesticides. Trustee Fadde moved to accept the proposal from Cornell to over-seed Mayor's Park and seconded by Trustee Murphy and unanimously carried.

The board scheduled the following meetings:

April 21st budget adoption

April 28th joint meeting with the Planning Board regarding Butterfield subdivision

BILL APPROVAL

Trustee Fadde moved to approve payment of the audited bills and seconded by Trustee Early and unanimously carried.

Trustee Fadde moved to adjourn and seconded by Trustee Murphy and unanimously carried. Meeting adjourned at 9:25 pm.

Respectfully submitted,

Mary Saari, Village Clerk