

Board of Trustee Workshop

January 24, 2012

The Board of Trustees for the Village of Cold Spring held a workshop on Tuesday, January 24, 2012, beginning at 7:30 pm at the Village Hall, 85 Main Street, Cold Spring, NY.

Attending: Mayor Seth Gallagher, Trustees: Bruce Campbell, J. Ralph Falloon, Charles Hustis, III and Airinhos Serradas.

This **Amendment to Waste Disposal Agreement** (“AMENDMENT”) is entered into and on this 1st day of January 2012 by and between the Village of Cold Spring, Westchester, New York (“Hauler”) and Wheelabrator Westchester, L.P., located at One Charles Point Avenue, Peekskill, New York 10566 (“Company”).

SUMMARY

- A. Hauler and Company are parties to that certain Waste Disposal Agreement dated March 1, 2008 (“Original Agreement”).
- B. The parties now wish to amend the Original Agreement as set forth below.

NOW, THEREFORE, in consideration of the mutual promises set forth herein and of other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto hereby agree as follows:

1. Notwithstanding anything in the Original Agreement to the contrary, effective as of the date hereof, the term of the Original Agreement shall be extended for remainder of current year, and shall terminate on January 31, 2013.
2. Effective as of the date March 17, 2009, the first sentence of Section 8 was hereby deleted in its entirety and the following inserted in lieu thereof:

“Hauler agrees to pay Company a tip fee of \$77.77 per ton (“short ton” of 2,000 pounds”) of Acceptable Waste delivered to the Facility, with a minimum charge of one (1) ton on each delivery, plus a 2% per load environmental surcharge, which surcharge is subject to increase by the Company upon two (2) weeks prior written notice.”
3. Except as specifically amended herein, the terms and conditions of the Original Agreement shall remain in full force and effect.

A motion was made by Trustee Hustis to adopt the above agreement as amended, seconded by Trustee Falloon. The vote was unanimous. Motion carried.

The **Request for Proposals for Municipal Trash and Recyclables Collection** for the Village of Cold Spring, drafted by Trustee Serradas was discussed among the Board members. Trustee Campbell will work along with Trustee Serradas to prepare a finer tuned copy. When completed, it will be brought up at a future meeting.

Trustee Hustis discussed the paving work to be done on **The Boulevard** from the corner of Constitution Drive to, and including, the circle at the end of the Boulevard. However, the Forge Gate Condominium Association owns the North side of the circle. It is hoped that the Condominium representative, Maria Germini, can schedule their part of paving to be included with the Village's work schedule thereby having it done at the same time. Mayor Gallagher stated that it would be advertised looking for three (3) bids. It is hopeful that the work will be done after June 1st.

Trustee Hustis read a letter from the American Legion Post 275 and the VFW Post 2362 requesting that the Board of Trustees support their effort to secure the Dahlia house from the Town of Philipstown for housing a **Wounded Warrior**".

Mayor Gallagher said that although he is in full support of our veterans, the Town is looking to sell the Dahlia house and move all their facilities into the proposed municipal building being built by Paul Guillaro.

Trustee Falloon suggested that Trustee Hustis forward the letter from the American Legion and VFW to Mr. Guillaro suggesting that perhaps he would let one of the proposed apartments to a "Wounded Warrior". As he understands it, the apartments will be handicapped accessible.

Trustee Hustis is going to forward a copy of the letter to Senator Greg Ball and Mr. Guillaro.

A letter was received from **Walter A. McDermott for auditing of the monthly service and equipment portion of the telephone bills**. The objective of the audit is to obtain credits or refunds for the entire period of time that any overcharges have been in existence. Mr. McDermott's fee of 50% of the credit or refund is payable when the Village receives payment. If there is no credit or refund, there is no payment to Mr. McDermott.

A motion was made by Trustee Falloon to accept the terms of the agreement for Walter A. McDermott, seconded by Trustee Hustis. The motion was passed unanimously.

RESOLUTION 2012-05

SUPPORTING THE GUIDELINES IN REVITALIZING HUDSON RIVERFRONTS

WHEREAS, the VILLAGE OF COLD SPRING, NY has identified through its Comprehensive Plan (adopted 1/10/2012) that it plans to support mixed use development that is compact and is site sensitive in building design, in close proximity to transportation hubs where infrastructure exists, is publicly accessible, preserves open space, scenic views and critical environmental areas, and develops a sense of place; and

WHEREAS, Scenic Hudson's Revitalizing Hudson Riverfronts ("Guide") identifies strategies, tools, and techniques intended to help communities implement strategies to develop in ways that preserve natural lands and critical environmental areas, protect water and air quality, and reuse already-developed land along their waterfronts; and

WHEREAS, the Guide was prepared through a partnership of Scenic Hudson, the New York Department of State and City of Kingston with funds provided under Title 11 of the Environmental Protection Fund; and

WHEREAS, communities may request assistance from Scenic Hudson, NYS Department of State, NYS Hudson River Valley Greenway and NYS DEC Hudson River Estuary Program to help implement strategies for publicly accessible mixed use development in close proximity to transportation hubs that preserves open space, scenic views and critical environmental areas; and

WHEREAS, the guide is designed to inform and inspire all who wish to create vibrant waterfront communities; and

WHEREAS, the NYS Department of State, NYS Hudson River Valley Greenway, NYS Hudson River Estuary Program, and NY Metro and Upstate chapters of the American Planning Association endorse the Guide as a resource for communities seeking strategies to encourage attractive, convenient, safe and healthy development; and

WHEREAS, community participation in supporting the principles in the Guide is voluntary; and

WHEREAS, the Guide does not supersede or change the powers that the state has previously granted municipal governments under the New York State Constitution, the Municipal Home Rule Law or pursuant to the various municipal enabling acts,

NOW THEREFORE BE IT RESOLVED THAT, the VILLAGE OF COLD SPRING BOARD OF TRUSTEES supports the guidelines contained in the Guide.

Resolution 2012-05 Supporting The Guidelines In Revitalizing Hudson Riverfronts was presented by Trustee Hustis, seconded by Trustee Falloon.

On roll call vote:

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| Trustee Charles Hustis voted | YES |
| Trustee Bruce Campbell voted | YES |
| Trustee J. Ralph Falloon voted | YES |
| Trustee Airinhos Serradas voted | YES |
| Mayor Seth Gallagher voted | YES |

Resolution 2012-05 is adopted on January 24, 2012 by a vote of 5-0-0.

Mary Saari, Village Clerk

The **Bills** presented to the Board were approved unanimously by a motion made by Trustee Hustis, seconded by Trustee Campbell.

A **letter to Paul Guillaro** was drafted by Mayor Gallagher stating that “the Village’s recognition of **support** for your senior affordable project that will be built on the campus of the old Butterfield Hospital...” “and that the rest of the Butterfield Campus will include keeping the existing Lahey Pavilion building and constructing a new municipal building, further making the campus an exciting,

dynamic, mixed use development which will benefit the Village of Cold Spring. In addition, there will also be some market rate senior apartments for sale on the campus to create a mixed income community”.

A motion was made by Trustee Falloon to approve the letter, seconded by Trustee Hustis. The motion was carried with a unanimous vote.

There was a discussion about **soliciting a report from the Special Board for the Comprehensive Plan/LWRP** pertaining to the Butterfield Hospital site plans. Mike Armstrong said there has been a work group set up comprised of Anthony Phillips, Anne Impellizzieri, Stephanie Hawkins and Michael Resiman. They are hoping to have a draft report by February 9 with a finished report by February 23, 2012.

There will be **Winter Legislative Meetings** for NYCOM (New York State Conference of Mayors and Municipal Officials) scheduled for Sunday, February 26, and Monday, February 27, 2012.

There will be a meeting on Thursday, February 2, 2012 at 10:00 am at the **Bureau of Emergency Services**, 112 Old Route 6, Carmel. Trustee Falloon will attend.

Trustee Falloon also stated that the County has gotten a generator through a grant and has scheduled a meeting at the Recreation Center in Garrison on Wednesday, February 1, 2012. It is the hope that, with the installation of the generator, the Recreation Center will be designated as an Emergency shelter. Trustee Falloon is attending this meeting.

A letter was received from a Village employee requesting two weeks pay in lieu of two weeks vacation. A motion was made by Trustee Hustis to approve the request, seconded by Trustee Serradas. The motion was carried unanimously.

A meeting is scheduled for May 1, 2012, Earth Day, with the Haldane students regarding a **Resolution to adopt the US Mayors Climate Protection Agreement**.

Meeting was adjourned.

Respectfully submitted,

Sandra L. Falloon