

**Village of Cold Spring
Village Board of Trustees
85 Main Street, Cold Spring, New York 10516**

**Workshop Meeting
11-28-17**

The Village of Cold Spring Board of Trustees held a monthly meeting at the Cold Spring Village Hall, 85 Main Street on Tuesday November 28, 2017 at 6:30 pm. Present were: Mayor David Merandy and trustees Lynn Miller, Marie Early, Steve Voloto and Frances Murphy. Also present were village accountant Michele Ascolillo and village clerk Jeff Vidakovich.

PRESENTATION OF AUDIT FINDINGS (EFPR GROUP)

EFPR Group presented a summary report on the recent audit of the Village. He noted that:

- The audit was conducted according to customary auditing standards, as well as complying with all governmental regulations to obtain a reasonable, but not absolute assurance in the findings
- Audit scope was per June 12, 2017 letter
- EFPR will issue an unmodified or clean opinion as there are no issues
- Village Board review and approval are required to complete the audit
- There are no significant changes to estimates or assumptions
- There are no friction statements related to management and no uncorrected statements (other than trivial issues)
- The report does not issue an opinion on internal controls, compliance or other management issues
- There are no significant changes to strategies
- There are no violations of law or other issues that require reporting
- All is fairly consistent in the general fund

Trustee Early made a motion to adopt the EFPR Group audit report. Mayor Merandy seconded and the motion passed unanimously

FINANCIAL REPORT (MICHELE ASCOLILLO)

In her report, Michele Ascolillo noted that:

- There is nothing unusual to report for the month of October –“ nothing positive or negative”
- The November report will include a six-month comparison of budget vs actuals
- Trustee Early expressed concern about the lower than expected village attorney costs. Ascolillo replied that this was caused by unique expenses in the past combined with only sporadic billings by John Furst’s office. The board directed the village clerk to obtain updated invoices.
- Police department billings for coverage during docking of the Sea Streak were for 6-hours/day but officers were paid for an 8-hour day. Mayor Merandy would like the Sea Streak to be invoiced for the extra two hours

- Ascolillo recommended that the Board review its investment policy, which relates mostly to LOSAP – the fireman’s service award. The fund is currently over-performing, but under-performed last year. She suggested this would be a good time for RBC and Penflex to meet with the board.
- Investments greater than \$500 are subject to the investment policy
- Trustee Early commented that Garrison was able to do better by having their own investment strategy and decreased their LOSAP payments significantly. Ascolillo responded that there may be reasons unique to Garrison that account for this. As an example she asked whether Garrison was 100% funded (as Cold Spring is.) She suggested that it would be preferable to meet with RBC and Penflex first.
- Ascolillo will send board members copies of the current policy

RESOLUTION 30-2017 AMENDING EMPLOYEE BENEFIT PACKAGE

The following resolution was offered by Trustee Fran Murphy for adoption and seconded by Trustee Lynn Miller, to wit:

WHEREAS, the Board of Trustees of the Village of Cold Spring desires to make certain revisions to the Employee Benefit Package, which is attached as Exhibit “A” hereto, and which shall be effective retroactive to June 1, 2017; and

WHEREAS, the new Employee Benefit Package shall apply to full-time employees, scheduled to work at least 35 hours per week, who are not otherwise party to a collective bargaining agreement; and

WHEREAS, the new Employee Benefit Package intends to make revisions to the existing Employee Benefit Plan, including but not limited to changes to the Paid Time Off (PTO) policy for eligible first year employees; and

WHEREAS, after analysis and discussion, the Trustees of the Village of Cold Spring have determined that it would be in the best interest of the Village to adopt the new Employee Benefit Package effective retroactive to June 1, 2017.

NOW THEREFORE, it is hereby:

RESOLVED, that the new Employee Benefit Package, attached hereto as Exhibit A, shall be effective as of June 1, 2017 for all eligible full-time employees and that it shall repeal and replace all pre-existing Employee Benefit Packages, except to the extent otherwise provided therein.

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| Name | Aye | No | Abstain | Absent |
|---|-----|----|---------|--------|
| <i>Mayor</i> David Merandy | X | | | |
| <i>Trustee</i> Frances Murphy | X | | | |
| <i>Trustee</i> Lynn Miller | X | | | |
| <i>Trustee</i> Steve Voloto | X | | | |
| <i>Trustee</i> Marie Early | X | | | |
| TOTAL | 5 | 0 | 0 | 0 |

Resolution was adopted on November 28, 2017 by a vote of 5-0.

DISCUSSION OF PAID FAMILY LEAVE COVERAGE – OPT IN OR OPT OUT

NYS recently required that private employers offer paid family leave to their employees. The requirement goes into effect January 1, 2018. This is funded by an employee withholding. During the discussion it was noted that:

- As a municipality the Village is not required to offer this coverage, but if it chose to the application deadline is 12-1-17
- The Village has been advised that many employees do not opt-in; that it's too complicated for the Village to pursue and that the Village may opt-in in the future
- To opt-in the Village would have to provide this coverage for all regular employees as well as police officers, which would require negotiation with their union.
- Trustee Murphy made a motion not to offer family leave coverage and to authorize M. Ascolillo to send notification of this decision to the appropriate agencies. Mayor Merandy seconded and the motion passed unanimously.

PRESENTATION BY PHILIPSTOWN COMMUNITY CONGRESS

Jason Angel and Jane Morrison presented a report of the recent activities of the Philipstown Community Congress. They noted that:

- The Congress is a non-partisan effort to get ideas and to establish priorities and to allow any community member to offer an idea to strengthen the community
- There were three public forums and 40 ideas were presented
- A vote was held to determine the top three priorities, to assess common ground and what is important to residents of Philipstown
- Voting was weighted with a voter's first choice receiving 3 points, second choice receiving 2 points and third choice receiving 1 point.
- 790 ballots were cast, representing a 25% voter response.
 - 60% responses were via email
 - 30% responses via mail
 - 43% of respondents were from Cold Spring
 - 33% of respondents were from Garrison
 - 11% of respondents were from No. Highlands
 - 7% of respondents were from Nelsonville
 - 5% of respondents were from Continental Village
- The top 10 (out of 40) priorities are:
 - #1 Biking and walking paths
 - #2 Clean water
 - #3 Teen Center
 - #4 School consolidation
 - #5 Climate Smart community
 - #6 Sales tax distribution from the county
 - #7 Recreation Center improvements
 - #8 Essential care at Butterfield
 - #9 Drug Czar
 - #10 Comprehensive Plan
- 460 respondents checked the box indicating they wished to receive information about volunteering
- The next community forum will be held on 12-1-17 at the Haldane cafeteria between 2-4pm. Volunteer leaders (of some of the top ten priorities) will attend to offer information and solicit other volunteers. Many of these leaders have already begun their effort

AUTORIZHIZE MAYOR TO SIGN CCA AGREEMENT

Mayor Merandy has received comments about the proposed CCA agreement from the village attorney. During the board's discussion of the comments with _____ of Joule it was noted that:

- Certain terms (usually included in NYSEDA agreements) have been omitted from the agreement. This is because they are not relevant to this CCA agreement
- The Village will authorize Joule to request necessary data from the utility, which is part of the CCAs administrative responsibility, on behalf of the Village

- Presently the industry standard for administrative fee is 1/10th penny per customer. Joule proposes a charge to the Village of 8/100 of a penny per customer. This fee is based upon kW hour (rather than the utility rate.)
- Ultimately NYS Public Service Commission may require utility's customer data records to be provided at no cost, but at present charges may be 7-cents per customer as a one-time fee for aggregated data. The selected contractor would pay 65-cents per customer. These fees would be paid by the utility supplier (and not the municipality or customers.)
- Joule will make the agreed upon changes and resubmit the agreement for approval at the Board's next meeting

DISCUSSION OF USDA LETTER TO RESIDENTS OF CHESTNUT RIDGE

The Board has been made aware of two letters received by residents of Chestnut Ridge regarding the owner's plans for the complex. Dave Cunningham (of the PCNR) told the Board that:

- The first letter told of the owner's request to pay off the current USDA loan early and to operate the complex at market value
- The subsequent letter said that the complex would still be managed as Section 8 housing and that the loan pay-off was a refinance of the loan

The Board will contact the USDA for specific information.

AUTHORIZE MAYOR TO SIGN CHANGE ORDER #2 FOR MARKET STREET PUMP STATION

The change order is necessitated by the contractor's request to extend the completion time (for the project) to avoid certain work during the winter.

Trustee Early made a motion authorizing the mayor to sign Change Order #2 for the Market Street Pump Station altering the substantial completion date to 4-27-18 with a final payment date of 5-30-18. Trustee Miller seconded and the motion passed unanimously.

REQUEST FOR MENORAH LIGHTING – DECEMBER 17, 2017 AT 1PM

Mayor Merandy made a motion to allow the menorah lighting. Trustee Early seconded and the motion passed unanimously.

APPROVAL OF BILLS

Trustee Miller made a motion to approve Batch # 4388 in the amount of \$21,276.71. Mayor Merandy seconded and the motion passed unanimously.

BOARD BUSINESS

Mayor Merandy noted that the Christmas tree lighting committee will meet Saturday at 6pm.

Mayor Merandy told the board that the public bathrooms at the foot of Main St. have been "trashed" once again. They will be winterized and shut down for the season. He noted that a solution to this ongoing problem needs to be found.

Trustee Early noted that the Code Update Committee will hold its second public meeting on 11-27-17 at the Cold Spring Firehouse at 7pm to obtain community feedback on nine topics in the Appearance category. The meeting will be kept open for one month to allow follow-up comments and comments from residents unable to attend the meeting. After all 29 topics have been completed and reviewed by the village attorney; the Village Board will hold a public hearing.

PUBLIC COMMENT

Dave Cunningham (of the PCNR) asked about the next steps in the timeline for the CCA agreement. Mayor Merandy responded that:

- The Board will check with NYSDA and confirm the numbers provided by Joule
- Joule will make the requested changes and resubmit the agreement to the Board
- “Hopefully” the Board will vote to approve the agreement (with Joule) at its next meeting
- Upon Board approval Joule will begin to gather the necessary information and then meet with the Village to discuss how things will proceed.

ADJOURNMENT

Trustee Early made a motion to adjourn. Mayor Merandy seconded and the motion passed unanimously at 8:35pm.

Submitted by: M. Mell

Mayor David Merandy

Date