

**Village of Millbrook
Board of Trustees
Minutes March 23, 2010**

Call to Order by Mayor Ciferri at 7:00 p.m.

Pledge of Allegiance led by Mayor Ciferri

In Attendance-Mayor Andrew Ciferri, Trustee Hurley, Trustee Morse, Trustee Whalen, Trustee Cox and Attorney Rebecca Valk

Trustee Comments:

Stop Sign Public Hearing-Mayor Ciferri began the discussion on the stop sign public hearing. This stop sign is to be located at the north end of Haight Avenue and the existing stop sign on Weatherford Lane is to be removed. Rebecca recommended holding the public hearing on this issue on April 13, 2010. See the attached notice of public hearing and the attached resolution. Trustee Hurley made a motion to accept the attached resolution to hold a public hearing on the stop sign local law No. 1 2010 on April 13, 2010 at 7:00 p.m. Trustee Cox seconded. All were in favor.

In-ground Fuel Tanks-Mayor Ciferri discussed the DEC meeting attended by himself, Trustee Morse, Bob Collocola and Rebecca Valk. Information, fines and an open spill were discussed at this meeting. The Mayor suggested the Board make a more binding contract with the company testing the tanks in the ground in the future especially for the one tank remaining in the ground at the Fire House. Trustee Whalen questioned if case law were available that pertains to the tank testing company. Rebecca stated she would look into any case law that may apply. Trustee Cox stated the company should be held accountable. Trustee Morse made a motion to remove the tank in the ground at the Highway Garage. The Board received three bids from Taylor Oil, Tri-State and Tank Masters. Trustee Hurley stated that it is hard to compare the bids. She gave examples of filing the NYSDEC tank report. Discussion continued on this issue involving Mayor Ciferri, Trustee Hurley and Rebecca Valk on the bids. Trustee Morse expressed his concerns over the 30 day time slot and suggested Bob Collocola look at the bids to determine the best value. Trustee Hurley offered to compare the bids at the end of the meeting. Mayor Ciferri recommended a telephone call for approval by the board so no further delays would exist.

Lot Line Millbrook Gold & Tennis Club- Rebecca Valk stated that she will file this lot line definition with the Dutchess County Real Property Department for the mapping and lot line definition. Discussion continued by Trustee Whalen, Mayor Ciferri and Rebecca. Mayor Ciferri stated a buffer zone was required. Mayor Ciferri recommended the acceptance of the Negative Declaration. Trustee Whalen made a motion to accept the Negative Declaration and the boundary line definition. Trustee Morse seconded. All were in favor.

Book Festival- Trustee Morse stated importance of portrayal and introduced Joan from Millbrook Matters, the gentleman from Northern Dutchess News, and Olicia from the Millbrook Independent. Alexis Orchut was introduced as the spokesperson for the 2010 Book Fair. He added that she lives in the Village. She is the president of the Millbrook Book Festival. She gave a handout to the Board members. She informed the Board of events to be held on May 15, 2010 throughout the day. The Half-Moon Theater will perform a play by Mark Twain. This is a family friendly event. They will continue the young author series. This event will bring people into the Village. She added that Millbrook is the heart of Dutchess County and the home of many authors. This is a community wide celebration. She ended by stating contributions can be made through the Millbrook Rotary Foundation. Trustee Hurley questioned the logo on the handout. Alexis informed her it is a cascade of books. This is a celebration of our local community. There is a take an author to lunch program. She added that they are looking to exceeding last year's attendance. Trustee Morse stated the Board is very supportive of the Millbrook Book Fair. Trustee Morse made a motion to pass the resolution in support of the Millbrook Book Fair. Trustee Whalen seconded. All were in favor.

Public Comments-Mayor Ciferri requested any comments from the public and no one came forward.

Thorne Building Project-Mayor Ciferri stated that he was glad that Mike Downing came through his operation well and glad to see him at the meeting. Mayor Ciferri asked where the Downings got the information that he acted on his own for the bids for the ADA bathrooms. Mike objected to the ADA bathroom bids and felt the order of business was, instead of the bids requested, to clear up the issues currently on the project. Chris Colby was concerned about the bidding process and Mike objected also. Mayor Ciferri stated he met with Chris Colby from Spire Architects and they tried to look at the bids to compare them fairly and equally. Chris recommended putting out to bid again since his reputation was on the line as he stated to Mike. Mayor Ciferri wished well to the Downings on the project and hopes it will draw patrons to the community. Mike feels there was a good honest effort from those involved from the beginning. Mike stated many things have been fixed by the Village of Millbrook such as the pipes and heating. Trustee Hurley stated the perception around town is that the Village is turning the project over to Downings. She added that this does not mean the Village will not oversee the project and be involved. It is not her intention to release the project to the Downings and never look back. She added she wants to work out the details quickly. Mike stated their attorney has looked at the lease. The business plan is still in effect as on file with the Village. Mike is the tenant and the Village still owns the building. Erica asked if the Village Trustee Whalen had received the lease amendment from their attorney Allan Rappleyea yesterday. Trustee Whalen stated that he had spoken with Allan and that Allan had not sent to Rebecca the lease amendment. Mike stated that basically there are no changes. Trustee Whalen stated he will email Allan and he will meet to rap up the specifics. Mike stated he is available to sign. Trustee Whalen stated he wants to second Trustee Hurley's comment and added that the Board is not abdicating any responsibility. The Village is the real estate owner. Mike can move forward without constraints that municipalities face. Trustee Hurley questioned if the electrical contract is still the

Village's responsibility. Mike stated no that this is not the case. Trustee Hurley stated that she thought Central Hudson was to be contacted. Mike stated that if this is costing the Village and the Village can get sued over this then Mike does not want to see this happen. Erica spoke on this issue. Mike Shultz from Millbrook Electric spoke on the load requirements needed. Mike stated that he can get this information to Mike Shultz. Trustee Hurley wants to be clear that they must break the contract with the electrical contractors. Erica stated that the Village may look into the responsibility if the work is turned over to the Downings. Mike wants no harm to come to the village. Trustee Hurley asked if any electrical contractor would have the same problem. Mike Shultz stated yes they are at the mercy of Central Hudson. Mayor Ciferri stated that a 3 phase system is required for the heating and ventilating, the elevator and the rest of the building. The Village is still doing the excavating. The electric will accommodate whatever future use of the building is installed. The electrical will be able to handle a build to suit situation for future tenants. The landlord panels will allow tenants to pay their electric bills instead of the Village. The Village will take care of the common areas and the emergency lighting.

Mayor Ciferri submitted his written letter of resignation to the clerk Linda Wiltse. Trustee Hurley was asked by the Mayor for the Water/Sewer Dept. information. Trustee Hurley stated that she had no new information since the previous meeting. Mayor Ciferri asked Trustee Whalen about reports from the Fire Dept. and the Rescue Dept. Trustee Whalen responded by stating that there are no reports at this time. Trustee Hurley stated that in the past 2 weeks there is no new information. Mayor Ciferri stated that Steve Lynch who will administer the \$600,000 grant stated the grant contract was signed by all the appropriate state departments. He is looking for that signed contract in the mail any time now. Maple Avenue, Church Street and Alden Place are the hottest I&I areas according to Mayor Ciferri. Church Street and Alden Place should be worked on when the schools are not in session. He added that the Fire Dept. should be notified when sections of roads are shut down to protect the community. Mike Fanning from Chazen wants to meet with the new Mayor in reference to the Green Innovation Grant.

Police Department-Trustee Cox commented on the several acts of criminal mischief that took place on the night of March 12th to morning of the 13th. These several acts of criminal mischief happened after 1:00 am in the morning. He added that he does not have total cost of the damage. He stated that the Village did not have an officer on duty at the time. To date the video from businesses and the bank have not helped. The NYS Police are investigating but the Village Police Department is assisting. Trustee Whalen asked for a rough notion of the cost. Trustee Cox stated that he does not want to speculate on the cost of the damages. He added that the NYS Police could not respond immediately since all of their officers on duty were looking for a missing person. Mayor Ciferri stated that rest assured it is still under investigation.

Highway Department-Trustee Morse stated that the Highway Department's 1999 truck had to be taken off of the road since it has a crack in the frame. It may be fixed for \$2,500 but it may not pass state inspection. It is deemed unsafe. He added that this leaves the department with two trucks and the top-kick in service now. Mayor Ciferri

recommended selling the 1999 Highway truck and the 1975 Fire Department brush truck. A person has been asking about purchasing the 1975 brush truck.

Mayor Ciferri stated that the new Fire Tanker is not in service yet. They need drivers trained on it. He added that this tanker is overdue and was needed for the protection of the Town of Washington residents. It carries 1,500 of extra water. Trustee Hurley made a motion for the dates for brush pickup to begin on April 1st and end on May 31st. Trustee Morse seconded. All were in favor.

Mayor Ciferri recommended the NYCOM publication is read by the Board. He gave the Board handouts from NYCOM classes he attended and he recommended the Board should attend NYCOM conferences since they are a good source of information. He particularly recommended the literature on gifts.

Mayor Ciferri stated the preliminary budget was prepared by the Village accountant, the clerk and himself. He discussed adding the paving of 9 Partners Lane and adding police patrol onto the third shift. He gave caution over going out to BAN funding for the paving project since the Village has BANs out on the tank and soil abatement. There is a very real possibility the Village will have to go for further funding. Mayor Ciferri does not want to see a 60% increase in taxes for those 2 items. Trustee Morse asked Bob to submit a cold patching vs limited blacktop with a drag-box vs paving and milling the entire road. Trustee Morse stated the cold patch is only a temporary fix and it seems a waste of money. Mayor Ciferri stated his arguments against the use of a drag-box.

Mike Shultz commented on the Thorne Building Project being turned over to the Downings and he expressed his willingness to withdraw his proposal with no legal recourse. Mayor Ciferri requested this information be submitted in writing from Mike Shultz of Millbrook Electric.

Mayor Ciferri wanted to thank the Board for the three years since being Mayor and he thanked the Village residents for their support. Mayor Ciferri exited the meeting at 8:45 p.m.

The Board set Budget Workshops to be held every Tuesday from now to May 1st.

Trustee Cox made a motion to award the bid for the Highway Garage in-ground tank removal to Taylor Oil. Trustee Morse seconded. All were in favor.

Audit of the Bills.

Adjourned at 9:40 p.m. Motion to adjourn was given by Trustee Hurley. The motion was seconded by Trustee Morse. All were in favor.