

**Village of Millbrook
Board of Trustees
Minutes December 15, 2010**

Call to Order by Mayor Hurley at 7:02 p.m.

Pledge of Allegiance led by Mayor Hurley

In Attendance-Mayor Hurley, Trustee Morse, Trustee Cox, Trustee Spagnola, Trustee Whalen and Clerk Linda Wiltse

Mayor Hurley gave a thank you to Supervisor Prisco and also thanked Dr. Ackerman for a wonderful Veterans Day celebration. The school involving the community truly made it memorable. She also thanked the MBA for the beautiful holiday decorations. The Mayor stated her appreciation to Willy Murphy for the tree at the entrance to the park and at the top of hill as well as all of Tom Nicks' electrical work. She added the Village Highway Department worked hard on the holiday decorations and the Town of Washington Recreation Department was thanked for their participation in the holiday celebration.

The Mayor went on to thank Linda Wiltse, Camille Prehatney, all the Highway guys, the ZBA, the Shade Tree Commission and the Planning Board who don't get paid for all their hard work throughout the year.

Central Hudson-Sam Rosenbury and John Maserjian representatives from Central Hudson were introduced by Trustee Morse. Trustee Morse learned of changes in the electrical delivery lines to the Village. See attached. They stated they were delighted to be here and meet with the municipal officials to put faces to the voices and get to know each other better. Sam stated he appreciated this opportunity to help the Village residents interested in what Central Hudson is doing out here to understand the enhanced services and improvements. Sam went on to explain there used to be a single 7025 service to the Village. The electric load to the Village has increased and over the last 18 months Central Hudson has done a lot of work. In 2009 they moved the 7025 service to the road to make it more accessible for maintenance and repairs. In early 2010 they moved significantly the off-road service closer to the road to make it more accessible. Sam added that they expanded to a 3 phase system all the way to NYS Route 44 and now to Harts Village Road. This gives the Village 2 separate feeds to the northern and western parts of the Village.

In the winter of 2009/2010 Central Hudson replaced the re-closer giving them the ability to open a circuit for a brief period of time. They also installed new modern electric closers. In addition, Central Hudson widened the settings on the re-closers. This helped momentary outages to be greatly reduced. Mayor Hurley stated most complaints from residents were on this very issue. Sam stated re-closers give momentary outages as opposed to several hours. Mayor Hurley asked if the re-closer sends a signal to Central Hudson and then personal are sent out. Sam answered yes and it gives a location as well.

Sam stated they recently completed trimming to reduce liability and power outages. John stated that phase 3 is wires not a portion of the total plan. He added that the entire Village 3 phase is completely upgraded. This was 2 projects that intersected in the Village.

Mayor Hurley asked if they have any plans to consider underground wiring since the above ground wiring is not very esthetic. Sam answered that Central Hudson or any utility can only have one source of revenue and the underground wiring is very expensive. He added that it is 10 to 20 times more expensive which would cause rates to double or triple. It is very cost prohibitive according to Sam. Trustee Morse questioned if the customer would be responsible for tying in if not already underground. John stated customers can buy in from cable and telephone companies as well. John added that the economy of scale comes into play and it cannot be supported by a small population. Trustee Morse stated the public service commission would not allow a rate increase of that size. John stated that some grants could help pay for the service but residents must pay a portion of the costs. John also added that new state standards for new construction to put utilities underground are in place.

Trustee Spagnola asked what is the distance from the road to the pole permitted. Sam answered that it varies by road, by town, by village, etc. It is called the public taking which varies widely. He added that if they are putting a pole on public property an easement is required by Central Hudson. Frank Genova who lives on Valley Farm Road commented on the Central Hudson contractors being very professional and willing to listen. He added that they were not arborists ha, ha. Albert Debonis stated he had 30 trees taken down on his property on Valley Farm Road and he asked if there was a plan for taking down the old poles. Sam answered that whoever is last off of the pole is responsible for taking down the pole.

Howard Schuman asked them to explain the right of way policy for Central Hudson. Sam explained they clear to 10 feet from the outer phase and stay within the public taking. John added that if a tree is sick and on private property Central Hudson must get permission to remove the sick tree first. Howard repeated that in simple terms the right of way is 10 feet back from outside of the road phase and field phase. Sam stated that NYS requires the pole location within 10 feet on state roads. Mike Fanning from Chazen asked what voltage since the Village had to buy a step up for the waste water treatment facility upgrades recently installed. Mayor Hurley inquired about the Church Street pole laden with transformers and located in the center of the sidewalk seems dangerous. Sam stated the line foreman in Stanfordville, Rick Dorer will be contacted.

Shared Services Grant-Steve Lynch gave a brief update. He stated the majority of the \$600,000 grants funding; about \$400,000 is designated for sewer problems. They have issued a bid for this work and selected an innovative technology. Currently we are waiting for approval from the Dept. of State for additional work on the sewer lines.

They have been meeting regularly with the Water Committee on task 2 which is the potential water/sewer expansions possible in future. They have identified homes in the

Village not having water, sewer or both. Long term, potential expansion into the Town of Washington not currently being considered is one factor of the study being researched, including the cost of same. Steve stated he has been given by the County information on the future plans at the former infirmary site. Mayor Hurley introduced Mike Kelsey, our Dutchess County representative, who stated that the county is studying the former infirmary site for expansion, although there are no plans to do so in the near future. He had added that the county is a number of years off to expand at the infirmary. Steve stated that at the former Bennett College proposal they are looking at several scenarios.

The Village's Water Committee is attempting to identify new potential sources of water as back-up to the current system. The Water Committee meets monthly, usually the last Monday, at 4:30 pm in the Village Hall and the public is welcome. Some of these potential water sources have more water. Some are closer to use and some are totally independent water sources. Steve stated the other task is the asset management plan and VRI will be submitting a report on the asset management system. Steve added that R.S. Lynch & Co. has completed an analysis of the water/sewer rates in relation to 40 other municipal water and sewer facilities located in Dutchess County. The Village rates are in line or below average in comparison. Mayor Hurley asked if the weather is going to prohibit phase 2 of the sewer main lines repairs from moving forward. Lash, according to Steve, is ready to go anytime and their work is not dependent on the weather. Rae D'Achille stated she is looking for a budget modification on the original grant from the Dept. of State. Steve answered yes the Village has a copy of the documents. Mayor Hurley stated they need to study the asset management system and the Village would be creating our own to fit our own customized system. It is the only way to hit on all 10 of the criteria. The Mayor asked for approval of VRI's recommendation. This is at no cost to the Village. Steve stated this will bring the Village into state of the art planning. Trustee Cox approved the VRI recommendations. Trustee Spagnola seconded. All were in favor.

Dutchess County Updates-Mike Kelsey is the Dutchess County representative for our area spoke. He began by giving his condolences for the passing of Trustee Whalen's father which the County legislators did at the end of their meeting. He added that the budget was adopted at the last Dutchess County meeting. Mike stated that the county has consolidated 9 departments into 4 for the 2011 budget. The Office of the Aging, Veterans Services Agency and the Youth Bureau will be consolidated into one department to be known as the Department of Services for Aging, Veterans and Youth, with separate divisions focusing on the specific needs of seniors, Veterans and youth. This merger saved \$500,000.

The Department of Consumer Affairs/Weights and Measures will be absorbed by the Department of Health as a separate Weights & Measures Division. Mike added that the Department of Real Property Tax will be consolidated and realigned under the Department of Finance as its own division. Also, the Department of Risk Management will be consolidated within the Department of Personnel, which will be re-titled as the Department of Human Resources to more accurately reflect its functions. They have merged their consumer protection department now with NYSS. Mike stated there will be

43 layoffs of positions. He added that vacant positions will not be filled. Also, Human Rights and Discrimination must go to NYS now.

\$150,000 is being designated to the 4H programs, \$185,000 to agriculture and \$75,000 to the nutrition programs. Mike stated that the water conservation was restored to \$200,000 and they restored \$80,000 to homeless shelters. They have maintained mental health services for the public's prevention and dignity. The Wheels to Work for BOCES students and they give to the young to get to work.

Mike stated that the management must now contribute to their health insurance costs. The County has used fund balance to pay off some of their debt. He added that sales tax projections are high for the coming year. Mayor Hurley inquired about the resource recovery agency restoring money to make a debt payment. Mike stated the County created 2 positions for solid waste commissioner at \$73,000 per year. He added the County Executive must appoint people to these positions. The Mayor stated that originally discussions were that user fees were to be based on the number of bedrooms. Mike responded that this is not on the table this year and the County legislators will not support this. Mike stated the idea was to close landfills and use the incinerator method. The County incinerator was only meant for Wappingers Falls, the Town of Poughkeepsie, the City of Poughkeepsie and Hyde Park and not the whole county. Mike added that the operator contract expires in 2014 and the first bond also expires in 2014. The County will be looking at these issues in the next 3 years.

Mike touched on the topic of a domestic violence worker and having the high costs of housing at the County jail. He stated the fund balance was used for family court assigned council since there are more cases with needy qualified people. He added that the fund balance affects a municipality's bond rating. Mayor Hurley stated it is a challenge since fund balance is tax dollars. She added that they must raise taxes if fund balance is lower. Mike stated he is concerned about sales tax since NYS must approve sales tax. He added that Dutchess County has a balanced compressed budget. Trustee Morse commented and gave a thank you from the Water Committee for the County's support and assistance. Frank Genova gave a thank you for the support given to the Cooperative Extension Service and particularly the 4H program.

Water/Sewer-Scott Osborne see attached. Mayor Hurley stated the Church Street curb box and the sewer manhole are high and will be permanently repaired in the summer when school is closed. She added that the bad news is the water upgrade meter reading system is required and the current system is not longer sustainable. Scott stated the company doesn't support the unit anymore and the battery life span is up. The battery does not recharge for more than one hour at a time. Scott added they must read with the meter reading gun. Currently they must write it down and then down load the meter readings at the office manually. Linda and Scott have been looking at grants to fund a new meter reading system and new meters of which approximately 500 are required to be compatible with the new system. Scott is working with Mark Grady from EJP on a temporary solution.

According to Mayor Hurley the change in the insurance rating will not be affecting the Village of Millbrook and the Town of Washington resident's insurance rates. The Mayor also stated that both individuals who gave the LOSAP presentation to the Village Board have left USB and have asked the Village to move with them as a client to Morgan Stanley. Mayor Hurley has contacted the Fire Dept. and has asked for their input since it is their retirement plan.

Fire Department-Representatives were unable to attend due to meeting conflicts.

Highway Department-Bob Collocola see attached. Bob stated that tree planting has started and snow this week will be taken care off. Bob added that 2 light poles have been taken care of on Franklin Avenue. After the latest storm they had to rebuild the manger. He added that all holiday decorations are up. They have also put up a wood shed on the adjacent property.

Bob reminded the public that the leaf and brush has ended on December 1st. He added that the snow parking ordinance is in effect. The Highway Dept has rebuilt the Kubota that is used for clearing the sidewalks of snow. Bob informed the Board that 45 cuts were made on the sidewalks to reduce tripping hazards. Trustee Morse commented on the MBA annual party and several attendees were evaluating the Village sidewalks and said they were in good shape. Bob stated the company who did the work stated the Village sidewalks were in great condition compared to other municipalities. Frank Genova stated they are blessed with a great Village of Millbrook and Town of Washington Highway Departments. He added that they shouldn't combine these 2 departments. If they do combine these departments the town operates on different areas of concern and responsibility.

Police Department-Officer Scribner see attached.

Court Audit-Rae D'Achille of D'Achille & Associates stated that Judge Meier had very little activity last fiscal year and she did not feel a need to go over his audit with the Board of Trustees. She stated that 26% of the court's revenue goes to NYS which is normal for Dutchess County. The Board must look at the findings from the last audit and compare to see if corrections were made. Rae stated that personal checks were collected but she had recommend money order, cash or credit card for payment collection. She added that if a check bounces then this causes extra work. Rae informed the Board that they can put into the Village code to not accept personal checks or the Board can recommend this practice to the Village Court. Rae stated that Judge Prisco did open a separate bail moneys account last year. She recommends the Court Clerk performs reconciliation on the bank accounts. Rae added that right now there is no diversification of duties. Right now all of the duties are centered. She ended by stating that cash collected and cash deposited has been corrected from last year with no violations this year.

Annual Financial Report (AFR)-Rae D'Achille stated the Village has 3 operating funds water, sewer and general. The budget reflects the Village's financial resources for just 1

year. See attached. Mayor Hurley stated that fund balance criteria is vague of what NYS requires we have. We tax today's taxpayer for today's expenses. She added that when the fund balance is below 20 % it will be difficult. They must have a fund balance to prepare for emergencies. The Mayor added that the Village uses some fund balance to offset taxes. She also stated that lower sales tax and mortgage tax revenue impact fund balance.

Rae stated that a balance sheet shows debt. What is owed to the Village and what the Village owes are the king of financial statements. The revenue and expenditure reports are income statements. Rae added that the Village has changed to modified accrual form of accounting as per NYS recommendations. She also stated that receivables in the water and sewer funds were overstated in the cash basis of accounting previously used. Now fund balance is more accurate.

Trustee Comments-Mayor Hurley stated that the Village is 1.3 million in debt for the oil spill. She added that the Board needs to spend \$300,000 to \$400,000 more in the form of a bond. Rae stated the Village should take out the rest of the cost and borrow that money. She added that any money not used can be used to pay down the debt. She also stated that bond procedures are time consuming. The Village may have to convert \$900,000 to a long term bond. Rae stated that BANs have low interest rates currently. She added that for serial bonds the Village must get bids and the interest rate may be slightly higher, possibly 5.25%. The Village's bond rating is based on the money they have and the ability to pay it back. She added that it only makes sense to consolidate debt. Mayor Hurley stated she wants the Board to consider 3 separate BANs which have a 5 year cycle. She added that some serial bonds cannot be prepaid. Rae stated that due to the complexity of borrowing the Board needs to determine the period of probable usefulness. Rae stated that capital projects do roll over from year to year in the budget. She added that NYS says this is possible once budget money is designated for capital projects. She also suggested billing once a month for water and sewer usage. Mayor Hurley requested Rae speak on capital projects and reserves for repairs for water and sewer for capital projects at some future date to the Board of Trustees. Trustee Morse made a motion to pass the resolution accepting the AFR as submitted. Trustee Cox seconded. Mayor Hurley abstained.

Oil Spill-Trustee Spagnola stated that the retaining wall between the Village Hall and the Collomelo property has been installed by Spectrum. He added that issues were solved by the engineer and the contractor who were on the sight. He also stated that grading is to be done at the wall when it is cured.

Miscellaneous-Mayor Hurley stated the fire alarm had been going off each morning since the electric eye in the gymnasium was detecting the steam from heating system and it will be desensitized. The Mayor and Trustee Spagnola] have attended the Planning Board meeting last month. She added that the Pelc Bed & Breakfast and the Bennett preliminary plat plan were approved. She added that Babbetts Kitchen is before the Planning Board to move their location to the former Keepers Market location. They are

working on parking upgrades for the Village code with the Planning Board and the Village Board. The Mayor added that the signage issue is being worked on as well.

Water Committee-Trustee Morse offered the attached which covered the 9 possible water sources potentially available to the Village.

Trustee Morse stated that in reference to the recent incidents taking place at the post office parking area he has met with the property owner of the post office area buildings. He added that the owner has painted lines in the parking area and that the owner felt concrete barriers would be a tripping hazard and concrete posts would not be attractive.

Mayor Hurley stated the fire and rescue contract between the Village of Millbrook and the Town of Washington has been finalized and she will ask the Board for approval to sign it. She added that everyone is very appreciative of the volunteers and the amount of savings to our taxpayers.

Mayor Hurley stated the Town of Washington has a draft of their visioning statement. She added that the Town Comprehensive Plan by nature will have to speak the Plan of the Village. She also stated that the items and goals of the Town of Washington are not necessarily those of the Village. The business district concentration was focused on. See attached. Trustee Morse commented on the visioning statement and the new leadership at the Town. They should be able to pick up what has been done so far and carry it forward. The Board should consider the diversity of housing which equals affordable housing and carefully managed development and stabilizing taxes. Trustee Morse stated that development equals higher taxes. They need to understand how new development is effecting the Town's character. They want clarified that the Village will serve as a housing center.

Public Comments-Frank Genova thanked the Board for their time and energy they have dedicated to the Village. He complimented the Board for implementing the Water Committee. Howard stated that in reference to the auto body shop where the Town of Washington ZBA approved their permit, the Village has certain rights to look after the water shed area. What is the Village intending to do? Mayor Hurley stated they have started to look at the 3 zones regarding the water supply for the Village. She added the Town addressed the use of the permit as issued by the Town of Washington. She also added that there was no opportunity for the Village to address the water issue at the ZBA meeting. The Mayor stated she is concerned on where do they stop. She wants to be cautious in reference to the farming fertilizer pollutants, etc. Frank stated that this issue is very sensitive since the shop will be using water soluble paints. Is the Village asking the zoning administrator in the Town of Washington to do periodic inspections? Who is minding the store is what the Village needs to look at. Frank informed the Board that the NYS DEC is terribly understaffed. He added that the auto body shop is in zone 2 which is just upstream from the Village's water source. Mayor Hurley stated that they may charge the Water Committee with recommendations of handling protecting the Village's water sources. Howard stated the auto body shop is in zone 2 and the ZBA stated the Village must exercise its rights as to the criteria to protect the Village's water sources.

The Village must take action. Rebecca stated it is not clear who is to enforce the protection of the Village's water source. Frank stated it is key that VRI does a water analysis and add this aspect to the committee's information.

Mayor Hurley reminded the Board that the re-organizational meeting date is set for Wednesday, January 5th, 2011. Wednesday, January 12th is the date for the regular departmental reporting meeting and February 5 is the Town of Washington Comprehensive Plan Vision statement meeting. All of these meetings are posted on the Village website.

Executive Session-Trustee Spagnola made a motion to enter into executive session to discuss the Oil Spill in reference to the Collomelo litigation and Debonis property and the Thorne Building Project lease at 9:35 and Trustee Morse seconded. All were in favor.

Trustee Cox made a motion to exit out of executive session and Trustee Morse seconded at 10:40 p.m. All were in favor.

Adjourned at 10:41 p.m. with a motion made by Trustee Morse. The motion was seconded by Trustee Cox. All were in favor.

Respectfully submitted,

Linda T. Wiltse
Village of Millbrook
Clerk/Treasurer

**Village of Millbrook
Wastewater Treatment Plant Operations Report
December 2010**

	September	October	November
Total Monthly Precipitation (Snow/Rain)	7.1"	4.4"	2.9"
Total Effluent Flow (gallons)	3,842,300	6,255,700	5,775,400
Average Daily Flow (gallons)	128,000	202,000	193,000

SPDES Laboratory Permit Samples (mg/L)

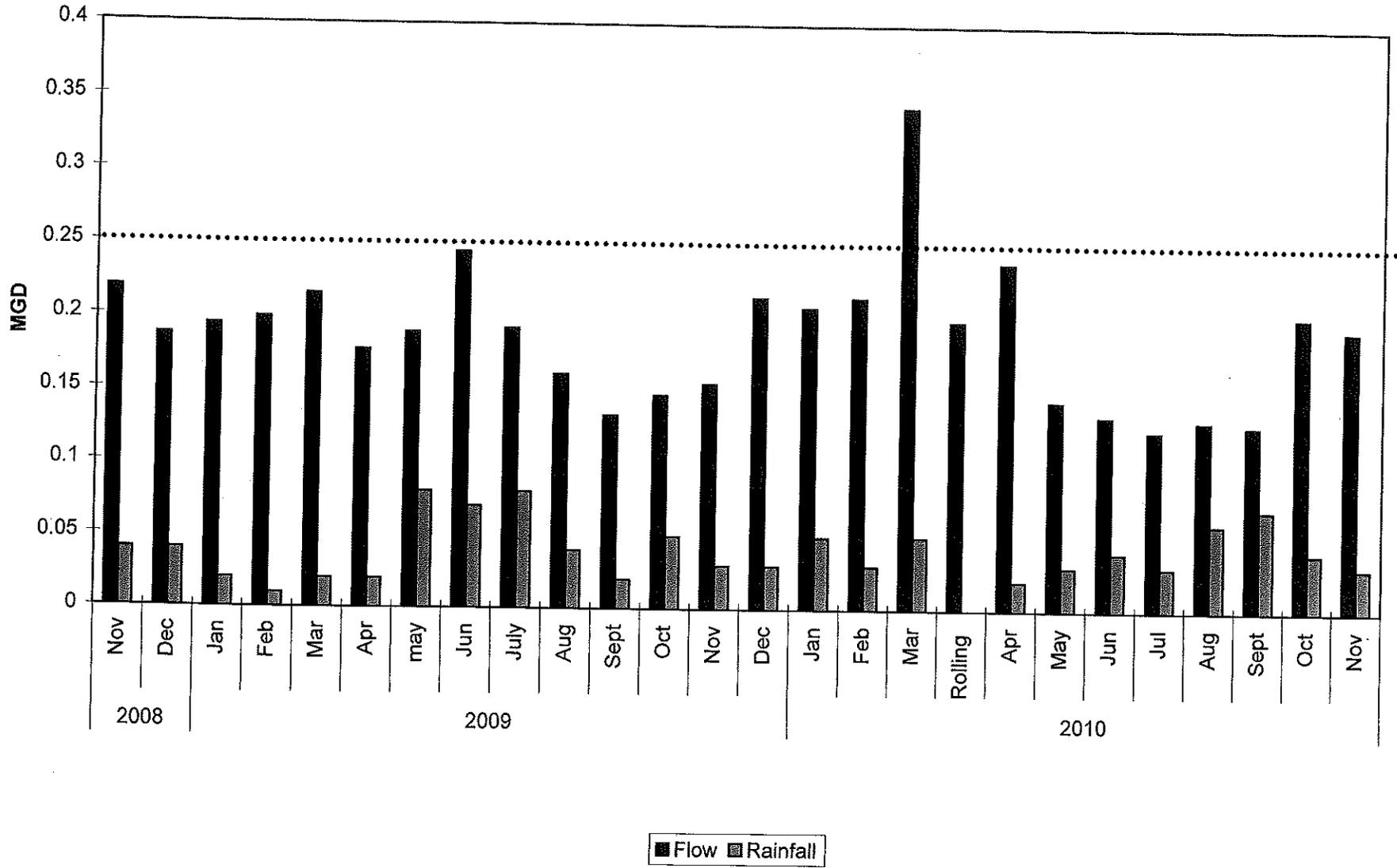
BOD ₅	<4	<4	<4
Percent Removal	98%	98%	98%
Total Suspended Solids	<1.0	<1.0	<1.0
Percent Removal	99%	98%	98%
TKN as N	1.7	<1	<1
Fecal Coliform	<20	<20	<20

Discharge Limits BOD₅ = 15.0, Total Suspended Solids = 15.0, Total Kjeldahl Nitrogen (TKN) = 8.0, Coliform = 200 *exceeds limits

Operator Notations

1. Performed monthly maintenance and sampling.
2. Received delivery of 24 tons of filter sand
3. Earthcare hauled 29,000 gallons of sludge
4. Made repairs to pump #1 at the Bennett pump station
5. Flow meter was calibrated
6. Made temporary repairs to manhole #87 on Haight Ave

Two Year Monthly Flow



**Village of Millbrook
Water Treatment Plant Operations Report
December 2010**

	September	October	November
Total Water Produced (gallons)	6,118,000	5,665,000	5,265,000
Average Daily Flow (gallons)	203,900	182,700	175,000

Laboratory Samples Taken

Total Coliform	Absent	Absent	Absent
Coliform Detected	0	0	0

Special Samples

Operators Notations

- 1 Performed monthly maintenance.
- 2 Collected the monthly samples.
- 3 Inspected water tap and new service line at the Golf course
- 4 Installed 3 new water meters
- 5 Water main break at 123 Nine Partners Lane
- 6 Located the curb box and shut off water at 8 Dineen Rd
- 7 Shut off water at 24 Merritt Ave
- 8 Made temporary repair to broken valve box at Alden and Church

Village of Millbrook Two Year Monthly Flow Water

