

**Village of Millbrook
Board of Trustees
Minutes April 10, 2012**

Call to Order by Mayor Hurley at 7:05 p.m.

Pledge of Allegiance led by Mayor Hurley

In Attendance-Mayor Hurley, Deputy Mayor Spagnola, Trustee Cox, Rebecca Valk Attorney and Clerk Linda Wiltse

Water/Sewer-Scott Osborne see attached. Scott stated there are problems with one of the new blowers. He added that it keeps shutting down and he has HSI coming to look at the issues. The Eastern Dutchess Government Center's new meter was ordered and received since the current meter measured in cubic feet and had to be converted into gallons. Scott stated Dutchess County will be disconnecting all buildings not in use to make sure water is not being used. The motor control for older pump #1 is down. The pump motor or controls may be the faulty. The controls can be rerouted and reconnected. It will be costly to replace either the controls or the 25 HP motor.

The Oath of Office was given to Peter Manzi-Doro who was appointed by the Board of Trustees to the Planning Board in a meeting held on March 27, 2012. The oath was administered by Clerk Linda Wiltse.

Fire Department-Mayor Hurley stated there are 23 active Rescue Squad members and 6 drivers. The Rescue Squad went out on 381 calls in 2011.

Highway Department-Bob Collocola stated they filled in the shoulder on lower Ciferri Drive. They cleared the brush and put up a new fence near the dam on Stanford Road as well as remove the tree up against the dam. All immediate problems were taken care of at the dam. New brakes were put on the backhoe and it was serviced. Street signs and posts were replaced as needed. Mulch was put around the trees along Franklin Avenue, the Thorne Building and the Village Hall property. Bob stated the band shell needs painting and he will call the Lions Club in reference to the painting needs. He obtained two proposals for paving Valley Farm Road. The first proposal was for \$161,000 which is turn-key with all the work being performed by the contractor. The second proposal was for \$116,000 with some work being performed by the Village Highway Dept. Mayor Hurley stated she will call Steve Lynch to see if the Village is approved to repair manholes on Valley Farm Road from the Shared Services grant funds.

Dutchess County Legislature Mike Kelsey-Mike stated the County has four bonds they are considering and they will vote on in May. The first is \$1.7 million for highways which will be following a 4 year plan. The second is \$1.9 million for vehicles for the jail and sheriff related vehicles. The third is \$225,000 to fix a roof at Dutchess Community College and Mike stated he is looking to vote no since they approved dorms a year ago. Mayor Hurley asked about bonds and what terms does the county use. Mike responded

that the bond has to be for the life of the project. He added that vehicles have a shorter life than roads for example.

Mike strongly recommended attending a seminar Dutchess County is providing in reference to the funds available through the Consolidated Funding Act (CFA) at the NYS level. Linda Roberts the Planning board Chairperson and Clerk Linda Wiltse will attend the seminar on April 25th representing the Village. The Dutchess County Rail trail extension was voted on in April and they accepted the easement between Morgan Lake and the existing walkway. Mike stated the District Attorney is getting a raise of which the legislature has no control over. It is controlled by NYS. In March they voted on the Deputy County Executive position. In February the Mental Hygiene money came in to close the Psychiatric Center. The Legislature will be voting in May on a local law allowing a property tax exemption for handicap persons. This allows those disabled and having an income below a certain amount to choose between this exemption or the Star exemption. Mayor Hurley asked about the jail. Mike responded there has been no movement. He added there may be a connection between the \$800,000 and the Psychiatric Center for jail usage.

Clerk/Treasurer-All interest has been posted and bank balances have been submitted. Revenue and expense control reports have been submitted as well. Unpaid Village taxes were submitted to Dutchess County in November. The Village received a check on April 4, 2012 for these unpaid taxes in the amount of \$50,248.37. This check covered the SBA, taxes, penalties and the relevy of unpaid sewer and water bills. As instructed by the Board of Trustees, the Clerk Linda Wiltse submitted a letter to the Dutchess County Transportation Council in reference to the Village's interest in participating in a sidewalk study. The Clerk informed the Board the \$60,000 transfer to the Fire Truck Reserve Account was completed. Clerk Linda Wiltse read a letter submitted by the Millbrook Golf & Tennis Club requesting permission to conduct a fireworks display on Tuesday, July 3, 2012. The Board approved the event with the stipulation that the Fire Dept. is available in case of an emergency.

Clerk Linda Wiltse read the resolution requesting a budget modification from fund balance to the Fire House line in the amount of \$27,000. This was required since the paving project at the Fire House could not be completed before the 2010-2011 budget was closed. Trustee Cox made a motion to accept the modification and Trustee Spagnola seconded. All were in favor.

Local Law Joint Emergency Plan-Mayor Hurley stated it is necessary to reintroduce the local law since changes were made. The Mayor made a motion to schedule a public hearing for April 24th. Trustee Cox seconded and all were in favor. In section 8 referred to the police auxiliary force which is not practical. They also amended the duties of the director since it was not needed. In this section the language was amended as well. In reference to the fair market value language in section 5 subsection 2 the meaning of fair market value was clarified.

Flood Plain Law-Mayor Hurley made a motion to open the public hearing on the flood plain law and the motion was seconded by Trustee Spagnola. All were in favor. Rebecca introduced this local law in the first meeting in March. This law must be the same for most municipalities in Dutchess County. The spirit of the law is the same; they have just tweaked some of the language. The NYS DEC has submitted a letter of approval as per the attached document. Once the law is adopted the DEC will deem the Village in compliance. Andrew Ciferri asked what sections of the Village are in the flood plain. Mayor Hurley responded that most properties in the flood plain are located in Alden Terrace area. Andrew questioned that once the law goes into effect can insurance companies mandate the property owners carry flood insurance. The Mayor stated this law will allow residents to acquire flood insurance. Parcels on the map will be required to carry flood insurance if they are applying for a mortgage. If they pay cash for the purchase of property then flood insurance would not be required. The Board decided to keep the public hearing open for now.

Millbrook Literary Festival-This year the event will be sponsored by the Millbrook Public Library and held on June 16, 2012. Most of the festivities will take place on the Library property. The Library has submitted their annual report and a list of programs they offer throughout the year.

Project Updates-Trustee Spagnola spoke with Chazen & Company in reference to finalizing the oil spill closure report so the Board can review and submit it to the NYS DEC for approval. Once the DEC has approved then the Village can grade the property. This closure will apply to all 3 parcels affected by the oil spill.

The Planning Board will meet next Tuesday, April 17. They will receive a presentation on behalf of the Cardinal Hayes Home for Children. The Village has received confirmation from Blumenthal & Brickman that all ties have been severed with Bennett Acquisitions LLC. Mayor Hurley stated she will attend the Planning Board meeting to start dialogue with the Planning Board.

The Water Committee is very active and they will meet at the end of the month. The Committee has asked the Town of Washington to appoint a liaison to the Water Committee. Howard Schuman stated the Committee is looking to work with the Town of Washington and they will be looking at the 1992 law. The committee needs to identify parcels affected by the 1992 law and located in the water shed area. The inventory request in the 1992 law will be discussed.

Andrew asked about water billing issues specifically in reference to Church Alliance. Andrew inquired if there has been any progress on the Thorne Building. The Mayor stated the building will be shut down for the foreseeable future. The Board will meet with Harris Beach law firm on April 20th about lease and the ownership concerns. Andrew asked if an action is taken against Blumenthal Brickman when they were in contract with Heithaus, can they be found responsible for future actions. Rebecca responded that they cannot be held accountable for future actions. In reference to the safety of the property the court ruled that Bennett Acquisitions is solely responsible.

There is currently a default motion against Bennett Acquisitions. They may bring a contempt application if they fail to comply.

Local law Flood Damage Prevention-Trustee Cox made a motion to close the public hearing. Trustee Spagnola seconded. All were in favor. Rebecca read the SEQRA action and the long form EAF. A Negative Declaration means there is no immediate action that has impact and future impacts will be reviewed at the time they arise. Rebecca focused on part 3. Mayor Hurley read part 3 as attached. Rebecca stated future impacts are not ascertainable. The Mayor asked for adoption of the full environmental assessment form. Trustee Cox made a motion to adopt the full environmental assessment form and Trustee Spagnola seconded. All were in favor. Mayor Hurley read the resolution to adopt the local law on flood damage prevention as per the attached. The Negative Declaration was read by the Mayor. The resolution was offered and a motion made to adopt by Trustee Spagnola. Trustee Cox seconded. All were in favor. The Board authorizes the filing of the Negative Declaration. The last step is to adopt the local law. Trustee Cox made a motion to adopt the local law on Flood Plain Damage Prevention. Trustee Spagnola seconded. All were in favor.

Trustee Comments-No additional comments were submitted.

Meetings- April 16th- Budget Meeting
April 17th-Planning Board of Trustees
April 20th-Special Meeting-Attorney Client
April 24th-Regular Meeting/Public Hearing 2012/2013 Budget & Local
Law Emergency Disaster Plan

Executive Session-Trustee Cox made a motion to enter into executive session at 8:50 pm. Trustee Spagnola seconded and all were in favor. The Board entered into executive session to discuss attorney client privilege in relation to the oil spill and potential litigation.

Trustee Spagnola made a motion to exit out of executive session at 10:00 pm. Trustee Cox seconded and all were in favor.

Audit of Bills

Adjourned at 10:08 p.m.with a motion made by Trustee Cox. The motion was seconded by Trustee Spagnola. All were in favor.

Respectfully submitted,

Linda T. Wiltse
Village of Millbrook
Clerk/Treasurer

**Village of Millbrook
Wastewater Treatment Plant Operations Report
April 2012**

	January	February	March
Total Monthly Precipitation (Snow/Rain)	2.2"p	1.1"r	1.1"
Total Effluent Flow (gallons)	6,561,600	5,657,400	5,468,100
Average Daily Flow (gallons)	219,000	195,000	176,000
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

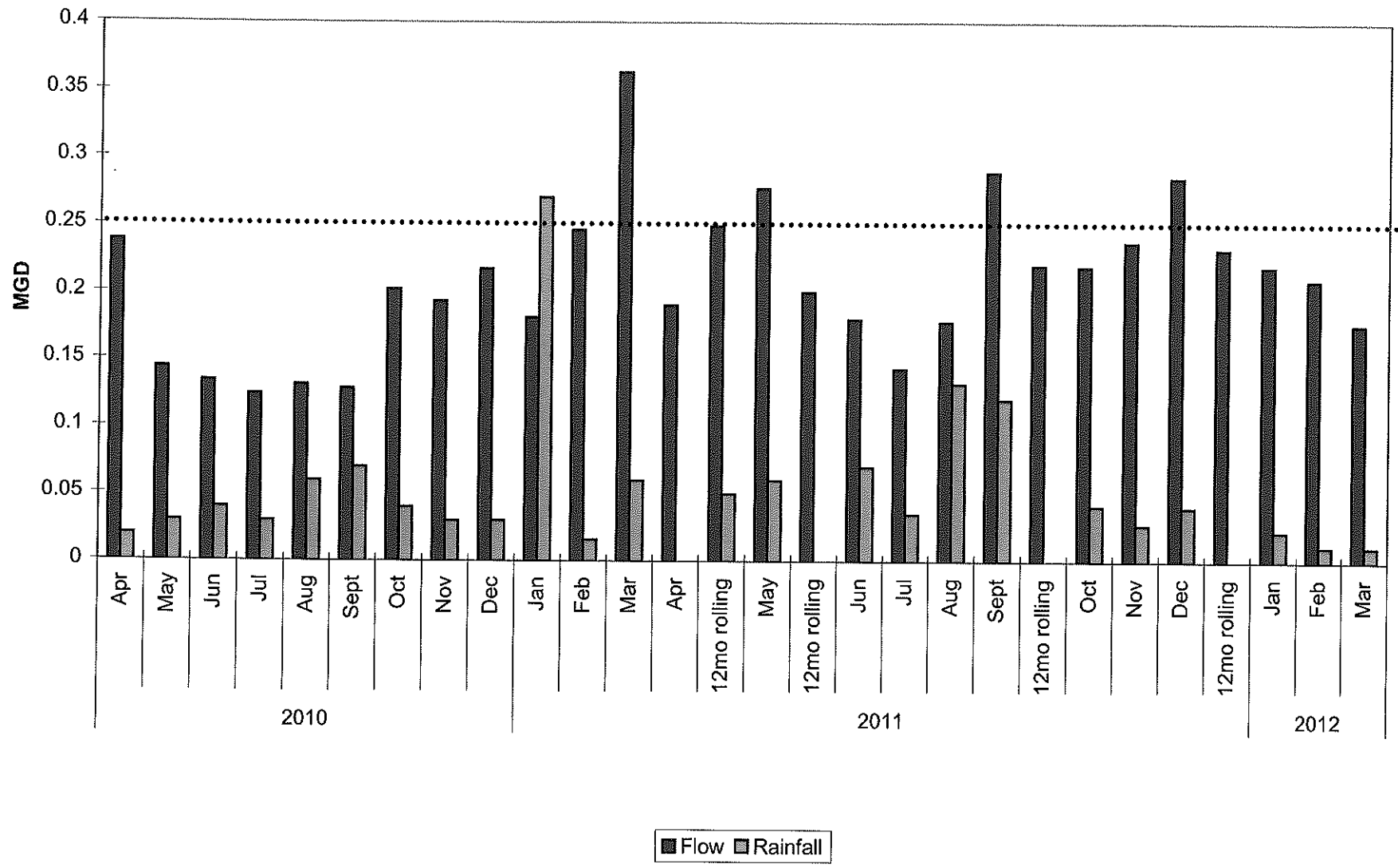
Discharge Limits BOD₅ = 15.0, Total Suspended Solids = 15.0, Total Kjeldahl Nitrogen (TKN) = 8.0, Coliform = 200 *exceeds limits

Operator Notations

1. Performed monthly maintenance and sampling.
2. Met with TAM regarding manhole work
3. EarthCare hauled 29,000 gallons of sludge
4. Cleaned filter beds
5. Pine Plains Ford onsite to service tractor
6. Blower #2 having problems. Contacted ~~HIS~~ for assistance

HSE

Two Year Monthly Flow



**Village of Millbrook
Water Treatment Plant Operations Report
April 2012**

	January	February	March
Total Water Produced (gallons)	6,425,000	6,070,000	6,565,000
Average Daily Flow (gallons)	207,300	209,300	211,800

Laboratory Samples Taken

Total Coliform	Absent	Absent	Absent
Coliform Detected	0	0	0

Special Samples

Operators Notations

- 1 Performed monthly maintenance.
- 2 Reading water meters
- 3 Controls down at the plant for the pumps. Pendragon Tech came to check controls. Installed new digital control.
- 4 Met with Andrew Richard from Dutchess County about installing meter at EDGC
- 5 Ordered meter for EDGC

Village of Millbrook Two Year Monthly Flow Water

