

VILLAGE OF MILLBROOK
BOARD OF TRUSTEES
November 17, 2014

1. Call to Order/Pledge of Allegiance
2. County Legislator Michael Kelsey
3. Department Reports
 - Fire/Rescue- Matt Rochfort/Ted Bownas/Laurie Olson
LOSAP Audit
Fire Contract with Town-December 11th Town Hall
 - Water/Sewer- Scott Osborne Clarifier Proposal
 - Highway- Bob Collocola
 - Building/Zoning-Kenneth McLaughlin
 - Police- Tim Collopy
 - Planning Board Stan Morse Code Review
 - Clerk- Linda Wiltse
Annual Report
4. Public Hearing Local Law-Crosswalks
5. Arbor Day Proclamation
6. Central Hudson Pole Replacement/Tree Trimming
7. Public Participation
8. Project Updates/Trustee Comments
 - Attorney General-Pet Dealers
Request Attorney to prepare IMA's
Camera Grant
9. General Correspondence
10. Upcoming Dates to Remember
 - Tuesday, December 9th- Regular Meeting
 - Monday, December 22nd-ReOrg Workshop 7 pm
 - Tuesday January 5, 2015-ReOrg
11. Audit of the Bills
12. Adjourn

**Village of Millbrook
Board of Trustees
Minutes November 17, 2014**

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

Pledge of Allegiance led by Mayor Hurley

In Attendance-Mayor Laura Hurley, Trustee Collopy, Trustee Herzog, Attorney Jeffrey Battistoni and Clerk Linda Wiltse. Deputy Mayor Spagnola and Trustee Cox were absent.

Dutchess County-Legislator Michael Kelsey-The County Executive will hold a 2015 Tentative County Budget Town Hall Event - *Marcus Molinaro* on Monday, November 24 at 5:30 pm at the *Farm & Home Center* in Millbrook, N.Y. and the D. C. Cooperative Extension Board will *hold a meeting* on Monday, November 24 at 7:00pm at the *Farm & Home Center*. The Dutchess County budget does meet the tax cap. This was accomplished by reducing the number of employees and combining two departments.

Fire Dept.-The audit of the LOSAP program currently shows assets of \$116,357 was previously submitted to the Board of Trustees for review. The audit was conducted by Theodore J. Eglit Jr., CPA an independent auditor. Mayor Hurley as the fellow board members to speak on any questions or concerns. None were provided. Trustee Herzog made a motion to accept the audit of the LOSAP program and Trustee Collopy seconded. All were in favor.

On December 11, 2014 the Town of Washington will hold a public hearing on the contract with the Village for Fire and Rescue Squad coverage at 7 pm.

Water-Scott Osborne read the attached report. All monthly sampling and maintenance has been performed. The total water produced was 8,485,000 gallons, the average daily flow was 273,700 gallons and the peak flow was 405,000 gallons. Continuation of the installation of new water meters with 87 left to install is still underway. The Village has 12 meters in stock to continue on with this project. Fire hydrants were serviced. Two new water lines were inspected at the Town of Washington Hall and at 12 Exmoore Lane. Atlantic Testing is checking the paint in the water storage tank for lead. No report is available to date. Six feet of pipe on a service line was replaced with the Public Works Dept. assistance. The Tellerday home has an outside faucet leak, the running water can be heard but they are having trouble locating the leak origin. Deputy Mayor Spagnola is assisting with this issue. The homeowner stated their water pressure was okay inside the home.

A recent power outage has knocked out one controller at the plant which was just replaced. The entire circuit board had been replaced. The control board may not be the problem this time. Deputy Mayor Spagnola will be asked to assist on this issue as well. The specifications were requested for the upgrades at the water infiltration gallery. Specifically, in relation to the generator. The existing generator is not working but the controls can be redone for the water level to pump to come on earlier to keep the water level up at the storage tank. Trustee Herzog inquired about the long range plans for a new generator which cost some were in the range of \$60,000. The Village is looking for the Dutchess County Board of Health (BOH) to approve the proposed upgrades which does include a new generator. The old controller can be reconnected. The Village has 10 months left on the timetable with the BOH.

Sewer-Scott Osborne read the report as follows. All monthly sampling and maintenance has been performed. The total effluent flow was 3,575,600 gallons. The average daily flow was

115,300 gallons and the peak daily flow was 149,500 gallons. The Village recorded 5.8 inches of precipitation. The inflow protector covers inside manholes were installed. Sand was added to filter bed #4. Aeration blower #1 is not working which was new in 2010. Scott explained that the VFD fault controller inside is not functioning properly. The company will be contacted but Scott warned that they are located in Houston, TX and the cost to have them travel here and make the necessary repairs could be costly. An estimate requesting the clarifier total repairs has not been submitted to date by VRI. Previously the Village has received an estimate for a portion of the repairs. VRI offered to handle snow removal at the water and waste water facilities for the Village. The Board of Trustees declined the offer.

Public Works Department-Robert Collocola read the report as follows. All of the sanders were installed on the trucks. A water leak was repaired and the NYS Route 44 was paved back on the bypass. The crew assembled and was trained on the new camera system and trailer. Sand and fill were delivered to the waste water treatment plant. Tree stumps were ground and new trees were planted. Brush and leaf pickup is well underway but only the top-kick can be used for leaf removal. The Central Hudson lighting grant program has been implemented at the garage and the lights are installed and complete. Bob will be meeting with Central Hudson Tuesday in regard to the pole and tree removal plans.

Holiday decorations will be installed within the next week weather permitting. The holiday trees will not be attached to the light poles but will be put on the building fronts instead. Trustee Collopy inquired about certain street lights not functioning throughout the Village including a new one on the green. Michael Schultz from Millbrook Electric will look into the issue. Light bulbs near the China Tokyo restaurant need replacing. Joseph Still pointed out a large crack in the road on Merritt Avenue that may be a fall or trip hazard. Bob stated he will look at tomorrow.

Building Dept.-The report from the Building Dept. is not completed. The medical practice opening has not applied for a building permit. A letter was sent out to Groomingdales dog grooming and snack business.

Police Dept.-Trustee Collopy met with Officer in Charge Justin Scribner to compile the report as follows. Violations were given for the months of August, September and October for comparison abilities. Total incidents reported were 24 in August, 32 in September and 52 in October at 60 working hours per week staffing. The Board is looking at different patterns.

Mike & Gladys Lang attended the meeting to comment on noise and nuisance issues on Friday and Saturday evenings with Coach's located on Church Street. Public urination, foul language and smoking outside were concerns also discussed. The Board was asked to speak with the owners. The owners are not always on site. Joseph Still stated there is a noise ordinance in the Village Code which is under review. The Langs inquired as to the possibility of creating additional restrictions when the property changes owners. Mayor Hurley suggested an 11 pm bar restriction as an example. Experiences and conversations with prior owners were revisited. Trustee Collopy will speak with the owners of Coach's and the Langs. A door bouncer, closed doors, surveillance systems and common courtesies were discussed at length.

Planning Board-Stanley Morse Chairperson-The Planning Board will not meet tomorrow due to lack of an agenda. The Board has a full quorum with the addition of the newest member, Heather Lavarney. All of the Board members have met or exceeded the training requirements for the year. Stan stated the Board is starting to see an improvement with the Planning Board and better communication between the Building Inspector, Kenneth McLaughlin.

Code Update-Chairperson, Stanley Morse reported the committee has held two meetings to date. Each meeting has been open, frank and lively. A division of duties was established. Parking data from the American Community Survey and the 1985 Village Master Plan were reviewed. Currently, the Village has met approximately 50% of the goals input into the 1985 Master Plan. In addition to these items, also distributed was the schedule of uses and the Mission Statement. The Code will be revised due to excessive verbiage, ambiguities, code enforcement issues, penalties and definition clarification requirements. Two meetings are planned for each month. The Village attorney and Trustee Collopy weighted in on the code revision process and topics.

Trustee Collopy added that the Village does not want to restrict business but be open to businesses and expansion. He inquired about the dependency of the Planning Board on their consultant and the possibility of phasing out his expertise in the future. Joseph Still, Planning Board member, responded that the Board can now but the consultant's expertise are needed on larger projects. Stan added that he has no plans to cut back on the consultant's (David Clouser & Associates) input since he is so new to the Board. Mayor Hurley stated she wants to give the Planning Board the tools to be comfortable with using the code by removing ambiguous language. The Village desires to focus on the process and the procedure to open a business rather than on concerns about lawsuits in this day and age. Processes and procedures for opening businesses are under review. The Village has looked at other municipality's websites, documents and applications.

Clerk/Treasurer-Clerk Linda Wiltse stated that interest has been posted and bank balances were submitted for the all Village accounts for the months of October 2014. The expense and revenue control reports were submitted. Bank statements continue to be reconciled for all Village accounts. Clerk Linda Wiltse requested the minutes from the meetings held on August 20, 2014 be approved with the amendments given by the Board. Mayor Hurley made a motion to approve the minutes from the meeting held on August 20, 2014 with the amended language as instructed. Trustee Herzog seconded. All were in favor.

To date the Clerk has received \$863,566.25 in taxes, \$28,898.19 in Sewer Benefit Assessment fees, water re-levied bills and \$35.62 in omitted taxes. Updated unpaid tax bills were mailed showing a sum of \$49,873.41 to be collected. Franchise fees were received from CSC Holdings, LLC for the first half of 2014 in the amount of \$17,610. Balance sheets can be provided to the Board quarterly. The Annual Financial Report was submitted to the NYS Comptroller and the Village as submitted by Theodore Eglit, CPA. A review and meeting with Ted Eglit is scheduled and after a preliminary review some amendments will be required and the AFR will be resubmitted to the NYS Comptroller.

The Arbor Day Proclamation was read by Clerk Linda Wiltse. Mayor Hurley made a motion to approve the Arbor Proclamation and Trustee Herzog seconded. All were in favor. This document will be included in the Village's application to continue to be classified as a Tree City USA.

Local Law #1 2014 "S220-15 Crosswalks"-The public hearing was opened on the Local Law #1 2014 "S220-15 Crosswalks" with a motion made by Trustee Herzog and seconded by Trustee Collopy. All were in favor. Each crosswalk was named individually in the language showing a total of 19 establishing on the streets or parts of streets designated crosswalks. The short SEQRA form was prepared and presented by the Village Attorney, Jeffrey Battistoni showing a Type 2 action.

Joseph Still clarified the law in reference to crosswalks and who has the right of way. Vehicles must stop at crosswalks and yield the right of way to pedestrians to proceed. However, if a light

exists the right of way belongs to vehicles. Crosswalk safety issues and concerns were discussed especially for school children at Merritt Avenue and Elm Drive. Additional pedestrian crossing signs will be installed at specific locations in the Village. The public hearing remained open.

Correspondence-

Central Hudson-Central Hudson corresponded recently with the Village stating they are investing in our neighborhood to improve the reliability of the electric service. Utility poles and electric wires serving portions of the Village will be rebuilt to accommodate growth in electric use, replace aging infrastructure and reduce the incidence of power outages. Portions of Merritt Avenue, Church Street, Front Street, Elm Drive and Maple Avenue will have crews working on them in regard to this project. The work will begin in mid-December and is estimated to take approximately 4 to 6 weeks to complete. Measures will be taken to control traffic and disruptions are expected to be minimal.

Central Hudson has made the storm notification system available to customers and municipalities.

Puppy Mills-The New York Attorney General's Office has sent a letter to the state's municipalities and county governments urging them to pass pet dealer/puppy mill regulations within their jurisdictions. Brian Shapiro, New York state director for The Humane Society of the United States issued the following statement: "Dogs and cats bred for the commercial pet trade are often raised in neglectful, substandard conditions and we encourage New York's cities, towns and counties to pass legislation regulating pet dealers in their local communities. This is a great opportunity to take advantage of the Attorney General's offer to help draft sound, enforceable laws that protect our pets and consumers. We applaud Attorney General Schneiderman's continued commitment to protecting the welfare of animals in New York State."

NYCOM-The NY Conference of Mayors (NYCOM) has been working on the issues of spending New York State's \$5.1 billion in surplus received in assets and settlements. The Governor, state legislators, advocacy groups, and editorial boards have suggested spending these newly found resources in various ways, including the following:

- Fund state tax relief
- Invest in public infrastructure improvements
- Reduce state debt and long term liabilities
- Target urban economic development projects
- Increase pay-as-you-go capital investments
- Establish a revolving loan fund to support worthy projects by localities
- Divide money evenly between MTA and the DOT capital plans

Cablevision Franchise Contract-Attorney Jeffrey Battistoni was asked to review the Cablevision Franchise Contract which is due to expire on January 28, 2015.

Gymnasium Outside Door-A quote was requested and received by Mayor Hurley for the replacement of the gymnasium outside door for an approximate total of \$6,800. The cost will be divided amongst the Village, the Town of Washington Recreation Dept. and the Millbrook Central School District. The Millbrook Central School District's attorney has advised the school district to draft a formal agreement for the use and maintenance of the Village Hall gymnasium.

Crosswalks-Jeffrey Battistoni introduced in draft form the Local Law #1 of 2014 entitled A Local Law of the Village of Millbrook, Dutchess County, New York to amend Chapter 220 of the Village Code entitled "Vehicles and Traffic". A new section is added as follows: S220-15 Crosswalks. Pedestrian crosswalks shall be established on the streets or parts of streets described in Schedule XXIII (S220-55), attached to and made a part of this Chapter."

Trustee Comments

Shared Services Grant-Trustee Herzog reported that the Shared Services Grant trailer is up and running. Training took place 10 days ago with representatives from the Village of Millbrook, the Town of Washington and VRI attending in addition to Deputy Mayor Spagnola and Trustee Herzog. The training included the checking of the trailer, assembly of the camera system, the data cards and the program was scoped. 200 feet of storm pipe was scoped on Valley Farm Road as part of the training exercise. Discussion ensued in regard to training and the hurdles encountered. The SPEDES Permit pipe inspection requirements will be met with the use of the new camera system. A log book will be kept to comply with the grant requirements.

Wappingers Creek Watershed Intermunicipal Council-The Wappingers Creek Watershed Intermunicipal Council will meet on January 9th at a location to be determined.

The Village will be seeking the assistance of implementing the Watershed Protection Law in the Town of Washington. The Mayor has reviewed the application before the Town of Washington for a parcel located in the Village's watershed zones and there was no reference to the law and how to make certain Village concerns are addressed. The Village's interests need to be reviewed and considered for the Mabbettsville Market that may be reopening. The process begins with the Dutchess County Board of Health and then goes to the Town of Washington Planning Board with an application for septic systems.

Local Law #1 2014 "S220-15 Crosswalks" Continued-The public hearing for Local Law #1 "S220-15 Crosswalks" was closed with a motion made by Trustee Herzog and seconded by Trustee Collopy. All were in favor. The Mayor was authorized to sign the SEQRA short form for a Type 2 action with a motion made by Trustee Herzog and seconded by Trustee Collopy. All were in favor. A motion was made by Trustee Collopy and seconded by Trustee Herzog to accept Local Law #1 2014 "S220-15 Crosswalks" into law to be filed with the NYS Dept. of State. All were in favor.

Public Participation-Occurred throughout the meeting

Correspondence-

Upcoming Dates to Remember-

December 5, 2014-Tree Lighting & Light Parade

December 29, 2014-Workshop Meeting 5pm

December 31, 2014-New Year's Eve Millbrook

January 6, 2014-Reorganizational Meeting

January 13, 2014-Regular Board Meeting

Audit of the Bills

Adjourn-Trustee Collopy made a motion to adjourn the meeting at 9:41 pm and Trustee Herzog seconded. All were in favor.

Respectfully submitted,

**Linda T. Wiltse
Clerk/Treasurer
Village of Millbrook**