

Village of Millbrook Board of Trustees
Village Hall- 35 Merritt Avenue Millbrook NY 12545
Meeting Minutes

October 9, 2018

I. Call to order

Mayor Brown called the meeting to order at 6:30 PM and led the Pledge of allegiance.

Roll Call: Mayor Brown, Deputy Mayor Rochfort, Trustee Herzog, Trustee Hicks, Trustee Van DeWater, Officer Witt, Public Works Supervisor (PWS) Collocola, Fire Chief Bownas, Attorney Valk and Clerk Witt.

II. Administrative Business:

Minutes: Deputy Mayor Rochfort makes a motion to accept the minutes of 9/25/2018 with two corrections, seconded by Trustee Hicks and all were in favor.

III. Departmental Reports:

Fire Department: Fire Chief Bownas read from the attached September report. No questions from the Board.

IV. Old Business:

Sign Moratorium: Mayor Brown explained he would like a moratorium on sign enforcement while the sign code update is going through the process, new signs would still go through the permit application process. Attorney Valk says there is no need to formally adopt a moratorium for signs and strongly recommends not to adopt one. Mayor Brown asked Attorney Valk if three months would be a good timeframe to review, introduce and approve the sign code update. Attorney Valk says the Village would most likely want public input and it would likely be a couple of meetings, so look for a January timeframe. Attorney Valk says as far as enforcement goes, Ken McLaughlin (Code Enforcement Officer) should use his discretion.

Debate: Mayor Brown announced the debate for Trustee candidate is Monday, October 22, 2018 at 6PM at the Village Hall. The debate is sponsored by the Millerton News. The League of Women Voters will have a moderator. He also said, for those who can't make it, it will be aired live on Channel 22.

Public Hearing Local Law (LL) #1 2018- FEMA change Flood Damage Prevention: Mayor Brown opened the Public Hearing. Attorney Valk says the change is to update subsection 3 to add the letter of map revision effect September 28th, 2018. She said the Village is required by the DEC to do this update the code to include this revision and it is a Type II action under SEQR and has no environmental impact. Mayor Brown opened the Public Hearing for public comment. Mr. Abbott, Village resident, stated he would like to see the maps and review the information. Mayor Brown said the Village Clerk could not locate the maps. Attorney Valk said she would ask the DEC to forward the maps with the letters of revision with her cover letter to the DEC when she submits the LL. Mayor Brown said after it's submitted, it may take some time for FEMA to respond with the request. Mary Keelan, Village resident, said there are some documents posted, but it would be helpful to have additional documents. Trustee Herzog made a motion to close the Public Hearing seconded by Deputy Mayor Rochfort and all were in favor. Mayor Brown read from Resolution 17A:

RESOLUTION- 017A

Mayor Brown offered the following resolution, which was seconded by Deputy Mayor Rochfort, who moved its adoption:

WHEREAS, a local law was introduced entitled A LOCAL LAW OF THE VILLAGE OF MILLBROOK, DUTCHESS COUNTY, NEW YORK TO AMEND VILLAGE CODE CHAPTER 115 “FLOOD DAMAGE PREVENTION,” Section 115-6 “BASIS FOR ESTABLISHING AREAS OF SPECIAL FLOOD HAZARD”; and

WHEREAS, a public hearing in relation to said local law was held on October 9, 2018 at 6:30 p.m., Prevailing Time; and

WHEREAS, notice of said public hearing was given pursuant to the terms and provisions of the Municipal Home Rule Law of the State of New York; and

WHEREAS, said local law has been on the desks of the members of the Board of Trustees for the Village of Millbrook for at least seven (7) days, exclusive of Sunday.

WHEREAS, the New York State Department of Environmental Conservation has amended the Flood Insurance Rate Map (“FIRM”) by Letter of Map Revision effective September 28, 2018 and the Village must amend its code to reflect the amendment (copies of such correspondence are on file with the Village Clerk); and

WHEREAS, this action is a Type II action pursuant to 6 NYCRR §617.5(c)(19) “official acts of a ministerial nature involving no exercise of discretion...” and §617.5(c)(27) “adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list.”

NOW, THEREFORE, BE IT RESOLVED that the following local law is hereby enacted:

VILLAGE OF MILLBROOK LOCAL LAW NO. 1 OF THE YEAR 2018

Section 1. Section 115-6 of the Village Code is amended to read as follows:

115-6. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard for the Village of Millbrook, Community Number 360219, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

1. Flood Insurance Rate Map Panel Numbers:
36027C0315E;36027C0320E
whose effective date is May 2, 2012, and any subsequent revisions to these map panels that do not affect areas under our community’s jurisdiction.
2. A scientific and engineering report entitled “Flood Insurance Study, Dutchess County, New York, All Jurisdictions” dated May 2, 2012.
3. Letter of Map Revision, Case Number 18-02-0573P, effective September 28, 2018, amending Panel 36027C0315E and 36027C0320E of the Flood Insurance Rate Map.

The above documents are hereby adopted and declared to be a part of this chapter. The Flood Insurance Study and/or maps are on file at: Village of Millbrook, Village Hall, Office of the Village Clerk, 35 Merritt Avenue, Millbrook, New York 12545.

Section 2. This local law shall take effect as of the date of filing with the New York Secretary of State. RESOLVED that the Village Clerk shall file a certified original of this local law in the office of the Village Clerk and one (1) certified copy in the Office of the Secretary of State, State of New York. The foregoing resolution was duly put to a vote which resulted as follows:

Mayor Brown	Aye
Trustee Rochfort	Aye
Trustee Herzog	Aye
Trustee Hicks	Aye
Trustee VanDeWater	Aye

DATED: Millbrook, New York



V. New Business:

Public Hearing- Community Development Block Grant (CDBG)- Village Hall Restrooms:

Mayor Brown informed the Board that he and Clerk Witt have put in an application for the CDBG for making the Village Hall restrooms ADA compliant and, to date, have not heard anything from the committee on the application. Deputy Mayor Rochfort made a motion to open up the Public Hearing for the CDBG, seconded by Trustee Hicks and all were in favor. Mary Keelan, Village Resident, asked if the bathrooms are for children that are handicapped. Mayor Brown said it would be for the general public. Mary Keelan says her recommendation would be to have an overall ADA plan to include parking as well. Deputy Mayor made a motion to close the Public Hearing, seconded by Trustee Van DeWater and all were in favor. Mayor Brown then read the following resolution:

Resolution Authorizing the Submission of the 2019
Community Development Block Grant Application

Activity Title: Make restrooms at VHall ADA compliant

WHEREAS, the Village of Millbrook (hereinafter referred to as the Municipality) is participating in the 2019 Dutchess County Community Development Block Grant Consortium, and

WHEREAS, input from citizens and groups has been received and considered at a public hearing, and

WHEREAS, an application has been prepared for the above referenced activity which addresses our community concerns.

NOW, THEREFORE BE IT RESOLVED, that the 2019 application to the Dutchess County Community Development Block Grant Program for the above referenced activity is approved.

BE IT FURTHER RESOLVED, that the submission of the application to the Dutchess County Department of Planning and Development is authorized.

Motion Made By: Mayor Brown

Seconded By: Trustee Herzog

Executed By: Sarah Witt- Village Clerk - 
(authorized official)

Date: October 9, 2018

VI. Sexual Harassment Policy- NYS Law: Mayor Brown read that NYS had passed a law stating it requires that every employer in the State of New York regardless of size is required to adopt a sexual harassment prevention policy pursuant to new Section 201-g of the Labor Law. Mayor Brown read the following resolution:

Village of Millbrook
Board of Trustees
Resolution #020-2018

WHEREAS, at a duly convened meeting of the Village of Millbrook Board of Trustees the Board has reviewed and hereby adopts the NYS Standards for Sexual Harassment Prevention Policy effective immediately.

Dated: October 9, 2018

Moved by: Trustee Herzog

Seconded by: Deputy Mayor Rochfort

Ayes: 5

Nays: 0

Certified by: 
Sarah J. Witt
Village Clerk
10.09.2018

VII. Departmental Reports:

Police Department: Officer Witt read from the attached September report.
Additional comments: Trustee Van DeWater thanked the police dept. for doing the school checks. Officer Witt expressed the police dept.'s welcome to School Resource Officer (SRO) Freer. Officer Witt informed the Board Officer Aluisio has completed training.
Public Works: PWS Collocola read from the attached report.
Additional Comments: PWS Collocola said the snow ordinance is going to go into effect December 1st and would like to have the Police Dept. issue warnings around that time.
Church Street Repair Update: PWS Collocola says JSK is waiting on the pre-cast wall for the repair.
Water and Sewer: Scott Osborn from VRI read from the attached water and sewer reports.
Additional Comments: Delaware Engineering may need to send an extension letter to the DEC about the SPDES permit due to the camera being out for repair.
Treasurer: Clerk Witt read from the attached reports there is a typo on the Fire Reserve bank account. Clerk Witt will make the correction and post corrected amount with the minutes. Clerk Witt then read from the Voucher Total Report. Mayor Brown made a motion to accept the Voucher Totals as presented, seconded by Deputy Mayor Rochfort and all were in favor.

October 9, 2018 Voucher Totals

Vouchers 17891-17903	2018	2019	TOTAL
A - GENERAL FUND	271.99	86,053.37	86,325.36
F - WATER FUND		10,790.27	10,790.27
G - SEWER FUND		14,226.36	14,226.36
H - CAPITAL PROJECTS			0.00
TA - TRUST & AGENCY FUND			0.00
T - TRUST FUND		7,700.00	7,700.00
	271.99	118,770.00	119,041.99

VIII. Trustee Updates:

Deputy Mayor Rochfort: Had nothing to report.
Trustee Hicks: Had nothing to report.
Trustee Herzog: Said the Millbrook Central School District will be getting an award for Trees for Tribes from WIC on that upcoming Friday.
Trustee Van DeWater: Said he had interviewed someone for the Chair of the Steering Committee. He also said we may have to extend the date for forming the Steering Committee beyond the November 1st deadline to get more members. Trustee Van DeWater said there is a deadline of 10/12 to pass a resolution to apply for the Greenway Grant. He doesn't recommend applying for the grant this round

because we could only apply for what was put in the budget, which is \$3000, and what is needed would be around \$30000. The Board agreed with Trustee Van DeWater and decided to wait to apply for the grant. Deputy Mayor Rochfort said he would like to be on the Steering Committee. Mayor Brown recommended contacting Heather LaVarnway to see if she would be part of the committee.

- IX. Mayor Brown:** Showed the Board that the Village of Millbrook made the cover of MainStreet Magazine and that this issue talks a lot about the Village.
- X. Public Comment:** During public participation discussions included the 2018-year end report, the state audit, GovDelivery notifications, signs, the garbage can at the library, brush pick up, questions about Bennett and volunteers for operating the camera for Board meetings.
- XI. Adjournment:** Mayor Brown made a motion to adjourn the meeting at 8:38 PM, seconded by Deputy Mayor Rochfort and all were in favor.

Respectfully Submitted by:



Sarah J. Witt Village Clerk/Treasurer