

**Water Quality Committee
Village of Millbrook
October 24, 2011**

In attendance: Trustee Stanley Morse, Ken Sabia of VRI, Howard Schuman, Dr. William Augerson, Frank Genova and Russell Urban-Mead from the Chazen Companies, Linda Wiltse, Clerk.

Call to Order-Trustee Morse at 4:33 PM

Pledge of Allegiance-led by Linda Wiltse

Administrative Notes-Trustee Morse stated they will schedule a December meeting at a later date. No meeting will be held in November due to Election Day and Holiday conflicts.

This meeting is to prepare for the presentation to the Village Board at a meeting to be held on November 14, 2011.

Review of June 2011 meeting with Chazen-

Legal & Statutory Matters-

Village of Millbrook NYSDOH Public Water Supply Rules & Regulations

-1992 Law (modified in 1995) called for 5 year inspections schedule

-One inspection done in 1992, none since-"inadvertent oversight"

Possible Village Inspectors-Village Board should discuss

-CAC designated inspector

-VRI

-Code/Zoning Enforcement Officer

The Water Committee would recommend the CAC-Town of Washington CAC which the Village has on board for conducting the inventory and census every 5 years. They would make regular annual visits to the protection zones to make sure the property owners comply with the rules and regulations set forth by the NYS Commissioner of Health to protect the Village's potable water sources. Frank Genova stated the CAC does not have a member qualified to conduct these inspections. The CEO should be the inspector Ken Sabia suggested and the CAC should work in conjunction with them stated Frank. Howard Schuman stated the CAC should be a consultant and not doing the actual inspections. The CAC should hold an advisory role and VRI may assist and train the CEO to conduct the inspections. Russell Urban-Mead stated the CEO may warrant and need some backup for the 5 year report.

Education of aquifer area homeowners/businesses-communications

-Set rules, obligations & requirements

Frank stated the CAC could make site visits, assist with the education process and produce some literature or educational materials. The CEO could handout these materials while conducting inspections Ken added. Russell also added he has a handout showing the different zones to all of the property owners. This would cover zones 2 and 3 since zone 1 is owned by the Village where the pumps are located. Russell recommended an annual mailing to zone 2 and 3 property owners and businesses. This handout should also include that the property owners are subject to visits by an inspector. Russell referred to the June 28 meeting handout.

CAC=Conservation Advisory Committee. They may have the ZEO or the CEO work in conjunction with VRI and the CAC as well as the Board of Health and the NYSDEC according to Frank. Russell recommended an engineering consultant such as Chazen. Russell and Ken stated the Health Dept. and the NYSDEC would most likely be unavailable for assistance. Chazen should head up this group as chair. It was added that the NYS law on the books supersedes local Village and Town of Washington law authorizing the Village to inspect the 3 water zones located in the Town of Washington.

Review of July 2011 meeting with Chazen-

Current 1992 Law covers only existing water facility-covers existing watershed equaling zones 1, 2 & 3.

-If a back-up aquifer identified elsewhere, new VOM/TOW law desirable

Initial goal of identifying a back-up aquifer replaced by strengthening current rules, regulations of our existing aquifer-protect what we have which is not covered in the 1992 law and would be needed.

Russell recommended moving the previous sentence to the summary portion of the presentation which would then be supported by several other bullets.

New Model ordinance available-used by others. Discussion opened on a new model municipal ordinance and they referred to the new model law bullet. The 1992 law is soft on language Russell stated and zone 2 does not match the current mapping perfectly. Some topics are vague and therefore hard to enforce. The 1992 law was designed to protect surface water only and the boundaries could have been mapped better. The precise levels of enforcement are vague in the 1992 law Russell stated. Russell commented on a law the Town of Washington could adopt to protect pervious property from becoming impervious. There is no special permit required for certain uses in watershed area. Russell will assist Trustee Morse with reorganizing the bullets in section 2.

Discussion continued on the following topics:

Mabbettsville Aquifer concerns

-High water table

-No "special use" permit process in place

-Many local septic systems present could offer contamination sources

-Larger watershed boundaries needed than in 1992 Law- moved to June meeting items

New Model Law

-Current NYS law constrains or bans nothing-critic of 1992 law

- New Model Law includes protocols for pumping tests
- New Model Law include “quality” of water
- Capacity & volumes of water are included in new Law
- Impacts on wetlands & streams now overlooked in Town of Washington
- “Population density” should be added as a factor for consideration
- New Law should included “clustering” concept as a precaution
- Bennett site should be considered, and added, as a primary site

New Ordinance would have to be passed by the Town of Washington

Review of September 2011 meeting with VRI-

- No set schedule or designated communications methods in place
- VRI will supplement the new VB 3-ring binder with procedures (index)
- Communication Plan for resident notification not in place/needed
- Main plan plus back-up plan needed

Six most likely emergencies

1. Multiple, simultaneous water & sewer breaks (earthquake)
2. Severe drought
3. Chemical contamination
4. Loss of both turbine pumps
5. Loss of Haight Avenue water tank
6. Terrorism

VRI has adequate outside resources available to help

Water Tower has, at most, 24 hour availability in an emergency

Trucking in water: VRI job-trucked water would be back-fed in hydrants

Back-up Aquifer: Dig a deep rock well instead of pursuing a new aquifer

Russell stated a deep rock well on the Village parcel would allow for a more vertical separation from any contaminations. Frank commented on rock wells versus a backup aquifer. He added that he was adamant about pursuing a new backup aquifer in another location.

Howard stated a deep rock well may provide some protection from certain contaminations. Frank repeated he wants another water supply. Howard stated that before pursuing the backup aquifer first they must protect the aquifer the Village has. He added they may not be able to pursue that since the NYS Dept. of Health may not allow them to. Russell informed the committee that for major expenditures the Village may set their own rates to maintain their own system as long as it is not for profit. The Village cannot raise rates to go look for more water. A reserve may be set up for this purpose. Frank stated the Board needs to decide if the Village wants and needs an emergency water source system.

The Committee will prioritize protections. A backup aquifer will be a lower priority than protecting our current water source. They must identify the aquifer, purchase the land,

drill, set up for water access and then ultimately set up a piping system to connect users of the water system.

Does the Committee recommend a backup aquifer source? Frank stated they must move forward by identifying, getting permission to buy the land, buy the land, then lay out the zone contributing to the water shed, use grants to put wells in, and hookup to a potential delivery system.

Trustee Morse stated he would concur with much of what Frank said. Howard commented on the fact that the Village water supply is adequate for the village in the foreseeable future. The Village may dig wells to help protect the water supply from contaminations and take care of a drought since they would be drawing from a lower supply system while giving them protection from things the Committee members were concerned about in the beginning meetings. The Village then can look at the long term goal of a backup aquifer. The Village may look for potential places but not go further than buying the backup aquifer property.

Ken concurred with Howard since once they find another aquifer and input the pipe and mains, the costs are huge and to supply the existing residents would cause the rates to be astronomical. All testing for viable wells must be done and if the testing is not done they cannot be put on line. Ken added the disinfection process must be done regularly and they will have huge costs for a water source that may have to be used in the event of an emergency. They must be able to meet the Village's daily demand.

Russell supports Frank and if rock wells were used continuously there is a likelihood of pulling the contamination into the water source. The Village may want to check gravel and soil composition to set up as a potential source to supply growth and development in the future.

Summary for end of presentation- Russell presented a summary of ideas for the conclusion as follows.

- Focus first on protection of quality & capacity of existing water program.
- Per 1992 Law
 - 5 year survey needed (Village personnel & consultant)
 - Inspections & annual report (Village ZEO)
- Educational mailings to zone 2&3 residents and communication with Town of Washington about 1992 Law.
- Meet with Town of Washington to discuss adopting the model aquifer law
 - Opportunity to add protection for Village watershed
 - Opportunity for Town of Washington to protect whole Town of Washington
- Long term planning: explore drilling back-up wells on existing Village site and/or adding sources from other parcels (e.g. Bennett College)
- Address emergency response issues.

Future Meeting Scheduled-N/A.

Adjourn-The meeting concluded at 6:02 p.m.

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Respectfully Submitted,

Linda T. Wiltse
Village of Millbrook
Clerk/Treasurer