

**Water Quality Committee
Village of Millbrook
December 20, 2010**

In attendance: Trustee Stanley Morse, Frank Genova, Howard Schuman, Scott Osborne, Greg Bolner, Dr. William Augerson, Mark Carpenter from R.S. Lynch & Co., Ken Scherrible via speaker cell phone and Kayel C. Conklin.

Call to Order-Trustee Morse at 4:30 PM

Pledge of Allegiance-Trustee Morse

Aquifer Sub-Committee membership adjustment-Scott Tumblety will be out of the area for several months and Emma will be overtaking the responsibilities of alternate aquifers. Howard will chair and Frank will be the 3 members.

Announcement: Re Dutchess County Board of Health-Bill Augerson new president of dc board of health. See stan

Agenda Review-

Sewer and Water Rate Structure Analysis-see attached-Mark offered the analysis to compare to other municipal owned systems in Dutchess County. This information will assist in determining alternative funding options and expansion options. This information can be a tool to evaluate rate changes or system expansions according to Mark. He added that there are numerous ways to fund capital expenses through taxes, service fees or rates. There are 4 options for rate structure located on page 5. Mark stated the survey was a lengthy process. The Sewer Benefit Assessment (SBA) and high and lows from some that had several different systems.

Mark stated that page 7 gives an overall comparison of the Village's water system to other municipalities in Dutchess County. He added that the Village rates are low in comparison and some did include capital expenses. He referred the committee to page 8 which shows the sewer system rates for the Village are below average. He also stated the 3 highest numbers have less than 50 hookups. Page 9 includes an analysis of the rates received. Only 8 % use the flat rate structure since they have no meters. Consumption blocks located on page 5 equal a prorated usage. Some gave a decrease block advantage for local laundry mats and an increasing block for water conservation. Mark stated over half of the water systems use minimum charges which helps with the budgeting process. However, this is not good for water conservation efforts. Uniform volumetric charges are the most common. He added that flat rates are used when there is a lack of meters. Consumption block rates are used by 24 to 25 % of municipalities. Almost 50% use a minimum charge.

Frank asked if the charge system is based upon the type of use such as a spa versus a nursing home. He added that nursing homes have no opportunity to conserve water but a

spa does. Mark answered that no the rates are not based upon usage. Howard questioned if consumption exceptions are made. Mark stated that for seniors yes, consumption exceptions are made but for seasonal uses no exceptions are made. Mark stated that some municipalities have residential versus commercial rates. He added that if user block rates are used and you are only one using the water for a particular purpose then you are charged accordingly. Frank commented on looking at incentives versus penalties for water conversation. Bill asked if Mark had any ideas about trends. Mark answered he did not study trends for water use going up or down. He did add that rates are going up. Scott stated the consumption is stable for the Village. Mark stated that some municipalities evaluate their rates yearly. The Village has not raised its rates in some time. Bill stated he has observed in the Dutchess County private water suppliers that play by the same quality and performance rules. He added that sampling some of these may give commercial use data.

Water loss data findings-Emma Rosi-Marshall received data from Dana Sukow, the water/sewer clerk. She stated that the figures are very close comparing pumped water versus water usage. 129,000,000 gallons pumped versus 127,000,000 gallons used. That is a 10% loss which is in the ball park of average loss. Emma stated that it is a 2,000,000 difference over a 2 year period. Ken Scherrieble added that it is less than a 5% water loss and therefore there are no leaks to look for in the system. Emma offered to write up a summary for the files.

Aquifer Sub-Committee Project Plan-Howard Schumann gave a preliminary summation from the aquifer committee. See attached. Howard stated the highlight of the meeting was provided by Greg Bolner who submitted a breakdown of the 7 aquifers with 2 more identified. Howard went over the map and the locations for the 9 aquifers for the committee. Frank stated that the Stanford road situation equals the area numbered 5.

Howard submitted a table in the report showing rough estimates for the cost of on-sight infrastructure and pipes. Frank added that north of the Village on Valley Farm Road equals the area labeled number 5. Frank stated they would be remiss if they don't look at Stanford Road soon. Howard suggested they set up a measuring criteria. He recommended a dream scenario with money and difficulty having no weight for the Village. They need to set up a matrix with aquifers and properties. Howard added that distance may become an extremely important factor as well as the volume of water the aquifer can provide. The original intent is a backup aquifer for the Village. They can plan for an expansion with a second aquifer. Howard hopes the sub-committee can meet once a month.

Howard referred the committee to page 2 which states the tentative tasks that are not set in stone and may vary slightly. He added that it is difficult to have a hard and fast order. Greg told the subcommittee they have \$4,500 available to study as part of the Shared Services Grant. Frank stated they must decide where and when it would take place. Howard stated that a hydrologist may have to be hired. Kayel discussed with Greg and Ken about handling the preliminary work but the hydrologist funding would have to come from another source. Trustee Morse stated the committee has embarked on the

project since it is extremely important to the Village. The committee's responsibilities may expand and funding will be looked into.

Kayel put together another map showing other aquifers and sub-aquifers. Kayel will be available to assist and be a member of the sub-committee. Trustee Morse stated he wants to attend the sub-committee as well. Frank stated his concerns over eliminating the Mabbettsville areas and they should be removed from consideration as a water source. He added that a red flag is being raised. Changes in the Mabbettsville area should preclude any recommendations the subcommittee gives. Emma stated that when developing a matrix the committee should consider the current and potential future uses as well as road crossings. Frank stated he doesn't want to waste the designated \$4,500 on this option. Bill stated the area looked at by the committee should consider future utility and have in the preliminary data as a source so it shows a more comprehensive approach was used. Emma added that it is still valuable to keep on the list and if it goes to the bottom of the list because of these issues then we have the supporting data. Bill also stated that if they were to exclude then it could be a mistake.

Cary IES Road Salt Report-Trustee Morse stated and referred to a pamphlet he received at a local seminar he attended recently. One author of the pamphlet is Vicky Kelly. Trustee Morse stated he asked Vicky to attend the meeting in January. Bill stated that salt contamination of wells and water sources in Dutchess County are widespread. He added that along the interstate people are being sued. A number of municipalities who have let their salt source spread outside of the holding units have been sued as well according to Bill. Bill stated this is no small problem since food sources are affected as well. Frank added that fertilizer spreading may also be an issue and they have had clinics to help determine the amount being spread and the size of the fertilizer since the calibration on the equipment is important. Salt spreader calibration is also important.

New Project: Factors Outside the Village-Trustee Morse commented on the Mabbettsville syndrome which equals the Village Board of Trustees were notified by the Town of Washington Planning Board. Ultimately, the Town ZBA upheld an auto body paint shop's permit to operate. He added that a water-based paint is used by this shop. The Village has researched and on August 5, 1982 a new Village law for public health was passed to protect the water source to the Village. 3 zones were established. Zone 3 encompasses the water source area. On November 16, 2010 the Town ZBA gave their approval to uphold the permit.

It was proposed by the Board that phase 4 include factors outside of the Village. Trustee Morse added that expansion of the committee's responsibilities may change upon the needs of the Village. Frank showed on the map a stream he believes goes through the property of the auto paint shop which flows to the Village water source. Bill stated that the structure of things in the Village depends upon a water source that is not located within the Village. He brought up the question of how can the Village influence and control the actions of others that affect the Village water source. He added that the Village may have to file a water impact statement by the auto paint shop. Trustee Morse stated the existing use made the permit able to be upheld. Bill stated the

logic of the Town ZBA is in question. Emma asked if they are a point source. Emma also asked where does the waste go? Frank stated that it is a grandfather issue.

Frank stated that 10 years ago they found fault since zone 2 did not include the Shaw Pond which is partly in Stanfordville. Howard stated the problem facing the Planning Board for the Town was they were instructed to look at whether to grandfather the permit or not. The Village should look at the actual permit and other factors such as health and safety issues. Frank raised the question on water soluble paints. Frank stated there was no mention of the volume of autos which could affect the amount of paint used on trucks versus cars. Bill stated that common sense and reason tools are not used in legal issues often. It may harm the Village water source.

Other entities in NYS may help to avoid these issues according to Bill. Frank stated that follow-up and enforcement must take place and are the key. Bill suggested a general topic of protecting the Village water supply from outside factors. Ken stated that watershed rules and regulations were written up some 15-20 years ago and should be on file with NYS to protect the Village whether grandfathered or not on the permit. They should check on this and bring those full issues to the Village Board. Frank offered to research this issue. Emma asked where is the auto body shop putting their waste? Bill asked if an environmental impact statement would answer all of these questions. Emma stated they need to protect our existing water source. Bill stated if the committee finds other water sources they still want to make sure they have the mechanism in place to protect it. Trustee Morse stated he recognizes the impact of what the Town ZBA did or did not do so far. Howard stated they may want to raise the question of filing an Article 78 against the Town ZBA. He feels they failed to address the health and safety issues. Kayel recommended the committee read the book titles "A Civil Action" which took place in Massachusetts involving a tannery. Bill stated the Town ZBA put the issue back into the hands of the Village Board.

Roundtable discussions-Howard brought up the topic of a cancer causing chemical. Bill thought that perhaps it is chromium. Howard stated that on the news the map showed out west and showed specific cities. Bill stated he was struck by it not being a more industrial problem. He added that it is used in plastics. Howard also added that it is not being tested for at this point. Trustee Morse stated Kayel will meet with the subcommittee. Mark stated he saw different information on the SBA information from several municipalities.

Future Meeting Scheduled-Monday, January 17, 2011

The meeting concluded at 6:25 p.m.

Respectfully Submitted,

Linda T. Wiltse
Village of Millbrook
Clerk/Treasurer