

**Water Quality Committee
Village of Millbrook
July 25, 2011**

In attendance: Trustee Stanley Morse, Scott Osborne of VRI, Howard Schuman, Dr. William Augerson, Frank Genova and Russell Urban-Mead from the Chazen Companies.

Call to Order-Trustee Morse at 4:30 PM

Pledge of Allegiance

Russell stated last month the Committee reviewed the existing law on the books protecting the water shed area and the aquifer that provides water to the Village residents. He added that if another water source is acquired by the Village then a new law would need to be passed between the Town of Washington and the Village of Millbrook since NYS will not address any additional legislation. Local adopted zoning ordinances are the way preferred to give a measure of protection to the Village water source. The Village is obligated to enforce the laws on the books passed by NYS. They may remove some redundancy. A new law must be adopted by the local municipality who may use the model ordinance which was altered to meet specific local needs. Russell stated conversations on these topics are recommended because compromise is important. He added that special use permits may be needed for certain businesses such as gas stations and dry cleaners as a reasonable measure of protection is required. More protection was given equal to the high priority area to wells servicing many homes/businesses versus a single well servicing only one home received a less strict level of protection. See page 3 of the attached document.

Dr. Bill Augerson stated Pleasant Valley preferred or found more convenient to treat every water source equally. They did not have a water source providing water to a large number of residents unlike the Village according to Russell. Frank Genova expressed concerns which are getting worse in Mabbettsville. He added another concern is the high water table in Mabbettsville. He also added that septic systems located near the surface are of potential concern as well as uses of the former bowling alley for example. The boundaries for the Town of Washington where the water source is located should be broadened. They can add or amend the map to add high priority areas as things change. They can also identify more high priority areas.

Trustee Morse asked if the current law is inadequate. Russell responded that the NYS law is a good housekeeping law assuring that the SPEDES permits are in order. The NYS law constrains and/or bans almost nothing. The new model law includes protocol for pumping tests of a new proposed water source. It also includes data to make informed decisions on a new water source if available. The NYS law was adopted to protect the quality of water sources but the new model law includes quantity as well. It may be easier to include a clause to include supersedes. Russell added that capacity and volume are included in the new model law. He added that often what are overlooked are the impacts on wells and streams. The new law must look at other existing wells and the

environment. Dr. Bill Augerson stated the population density in the town is not as much of an issue in the Village if significant growth is not expected. He added there is not a whole lot of data to suggest significant growth requiring improvements. It is a low cost to add this protection. Howard added that it is a good time to put it in. Russell stated it compliments new water regulations with compensating recharge. The overall water balance for the site is in place.

In population centers that have walk-able centers in these zoning areas, we must give up on water recharge a little. In dense Village centers we must take reasonable measures. We do not want to penalize clustering. We do not want to remove or lessen the burden of clustering according to Dr. Augerson. Frank added the Town of Washington has control over clustering.

Cluster subdivisions are usually serviced by wells and septic systems. This ordinance steps passed things that are already regulated. Clearly the Village has enforcement obligations based on the NYS regulations. The Village must meet with the Town of Washington Board and they have an obligation to represent the town residents. The Town Board may choose other areas that deserve of high priority areas in addition to the Village's water source area. Cluster situations may deserve a high priority area of protection since they are a fairly concentrated area such as Mabbettsville. This is due to the fact that one upset could affect several people. This area may overlap the Village's water shed source area. The gravel areas may have to be included in the high priority area due to them feeding directly from rainfall into the water sources. This ordinance addresses high use versus low use or population density areas. Dr. Bill Augerson stated this is a people's aquifer ordinance. Howard added the aquifer health may require limiting growth in certain areas.

Russell recommended making potential water source areas such as the former Bennett Collage a high priority area now rather than later. Dr. Bill Augerson stated the Committee started out talking about new potential water sources and they are now talking about protecting water sources. It is very good planning to protect potential water sources on the Village's part but the laws must be passed by the Town of Washington Board. Discussion on hamlets versus villages continued as to similarities and differences. Amenia has a 2 zone model which Russell is recommending.

The purpose of next month's meeting is for water protection discussions. What should the Village be doing on a day to day basis to protect the water field? Pumping rates were one example. Dr. Augerson stated the basic structure is a set of questions of where are we now in a formal sense. What are our resources in terms of people, resources and machinery? Communication with the Village is important. VRI experiences in emergencies in the recent past, protocol and procedures on how to notify users, the public and Village are also important. What are more serious emergencies the Village should think about? What arrangements do they have access to outside of VRI? In the event of a prolonged power failure how long can the generator function and how is additional fuel obtained? The Village must have alternate plans to deal with long and short term emergencies. An uncertainty may require a mobile generator for example. If an

interruption of the water supply occurs, the Village needs to know how to analyze this type of event. If a malicious tampering with the current water source occurs, has anyone thought of how to respond? They picked plausible emergencies such as a major slow moving tropical storm and then they estimated times of recovery. Dr. Augerson asked for thoughtful opinions on pipeline interruptions.

VRI is an important source of advice to the Village in case such an event should occur.

Future Meeting Scheduled-Monday, August 29, 2011, 4:30 PM Village Hall

Adjourn-The meeting concluded at 6:05 p.m.

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Respectfully Submitted,

Linda T. Wiltse
Village of Millbrook
Clerk/Treasurer