

VILLAGE OF MAYBROOK BOARD OF TRUSTEES MEETING- MARCH 25, 2019

MEMBERS PRESENT: MAYOR DENNIS K LEAHY, TRUSTEE KEVIN GREANY, TRUSTEE JAMES R BARNETT,
TRUSTEE DARYL CAPOZZOLI

MEMBERS ABSENT:

DEPUTY MAYOR ROBERT PRITCHARD

ALSO PRESENT:

**ATTORNEY KELLY NAUGHTON, ENGINEER SEAN
HOFFMAN, SERGEANT MICHAEL MARESCA,
DPW SUPERINTENDENT MATTHEW THORP,
CLERK-TREASURER VALENTINA JOHNSON**

PUBLIC PRESENT:

**WILLIAM SCHIMPF, EDWARD WILLIAMS,
LAURA FITZGERALD (WVT), CHARLIE & JENN
WOZNICK, KILEY WALCOTT**

Mayor opened the meeting with the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Trustee Barnett, seconded by Trustee Greany, approving the minutes of the March 11, 2019 meeting as presented. 4 ayes, 0 nays.

APPROVAL OF BILLS & CLAIMS

Motion by Trustee Capozzoli, seconded by Trustee Greany, authorizing the following bills and claims as audited by the Board of Trustees:

GENERAL	\$67,523.19
WATER	\$ 9,225.73
SEWER	\$20,017.21
PAYROLL	\$ 692.28
TOTAL	\$97,458.41

TRANSFER OF FUNDS

Motion by Trustee Barnett, seconded by Trustee Capozzoli, approving the following bills and claims as requested by Clerk-Treasurer to cover deficit lines in the budget:

From: 8020.410A, Municipal Planner

To: 1620.400A, Buildings Contractual

Amount: \$5,000

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From: 1420.400A, Attorney- \$6,000
7440.410A, Engineer Retainer- \$3000
7620.410A, Adult Rec Bus- \$2,000
9710.700A, Serial Bonds Interest- \$2,267
9730.700A, BAN Interest, \$3,655
9055.800A, Disability Insurance- \$1,500
8170.400A, Street Cleaning Contractual- \$252.

To: 9060.800A, Hospital & Medical
Amount: \$18674.

From: 1410.400A, Clerk Contractual
To: 9040.800A, Worker's Comp
Amount: \$710.49

PUBLIC HEARING- 7PM

COMMUNITY DEVELOPMENT BLOCK GRANT FY-2020

Clerk read the Notice of Hearing and presented the Affidavit of Publication.

Motion by Trustee Barnett, seconded by Trustee Greany, to open the Public Hearing at 7PM. 4 ayes, 0 nays.

Engineer advised accordance with your request, our office attended the Orange County Office of Community Development Office (OCD) March 21, 2019 mandatory workshop on your behalf (see attached memorandum). Applications for 2020 funding are due to OCD by Friday, April 26, 2019. The Village must conduct a public hearing prior to the submission of the application (this evening). The intent of the public hearing is to provide citizens with information on the amount of funds available and the general purposes for which funds may be used. In addition, residents are also able to suggest projects for your consideration.

Engineer advised the census has been updated and more of the village can be done, over 8,000 linear feet has been completed in the last five years, we will wait for the new maps to come out from the County and select what will get done from that. This tonight is the required Public Hearing.

Trustee Barnett asked how much we are getting?

Engineer advised the County has 78.1 million to distribute, the maximum amount to apply for is \$125,000 and we received \$50,000 in the past two years.

Mayor asked about the I & R?

Engineer advised on the flows from the rain last year, the sewer lining done has impacted the I & R with the sewer lining we've done.

Mayor thanked Sean.

Motion by Trustee Barnett, seconded by Trustee Capozzoli, to close the Public Hearing at 7:07PM. 4 ayes, 0 nays.

Engineer advised he will schedule to meet with Matt and advise the Board by the April 26th deadline.

Bill Schimpf asked what area are we looking at?

Engineer advised the westerly side of the railroad tracks but will wait for the maps.

CORRESPONDENCE

1. LETTER, KARA GRIPPEN, GOVERNOR'S DIRECTOR OF REGIONAL AFFAIRS: AIM FUNDING- Mayor advised he hopes it comes, it's \$13,000 but still means a lot to a small village like us, Senator Skoufis is looking into it, sent letters, also has two others working on it.
2. 13TH ANNUAL VOLUNTEER APPRECIATION & RECOGNITION DINNER- Clerk advised the Board is invited on April 24, 2019 at 6PM at the Maybrook Senior Center, please let her know this week if you will be attending.
3. LETTER OF RESIGNATION, POLICE OFFICER KRISTOPHER D. KOLVENBACH- Mayor advised we are going to miss Kris, everyone might remember him, he was badly hurt in an auto accident and has recovered, came a long way, thank goodness, and is doing well, we will miss him and will accept his resignation with regret. Trustee Barnett advised he will miss Kris, he's a good officer, all of his jobs are part time and here's hoping some department will pick him up full time, he's a great officer. Trustee Capozzoli advised Kris is an absolute wonderful asset. Motion by Trustee Barnett, seconded by Trustee Capozzoli, to accept with deep regrets to a wonderful officer, Kris's resignation effective March 31, 2019. 4 ayes, 0 nays.
4. POLICE REPORT, FEBRUARY 2019- rec. & filed.

MAYOR'S REPORT

1. **Village of Montgomery St. Patrick's Day Parade-** This past Saturday, the Village of Maybrook participated in the Village of Montgomery "St. Pat's Ramble Parade" with our own section. I want to thank Alexa and Alyssa Scholz who held the Maybrook Banner, the Maybrook VFW Post 2064 and Auxiliary, Wallkill Valley Federal Savings and Loan, Regular Peoples Baptist Church, Maybrook Wind Ensemble, Tri-County Community Partnership "Hope not Handcuffs", Shoprite and the Maybrook Police Department and Maybrook Engine Company No.1. Last but not least, we were proudly led by our very own Maybrook Troop 236 Scout Band who always do a fantastic job of representing our village during the St. Patrick's Day celebrations during the month of March! I also want to thank the Montgomery St. Pat's Ramble Committee for all of their hard work in organizing this event. They are a great group of volunteers who work hard all year round and have been very

supportive of our village. I can't thank them enough for their community pride. Looking forward to next year!

2. **Tentative Budget** – The Village of Maybrook filed our tentative Budget by the deadline which was Wednesday, March 20th. The tentative budget for 2019-20 includes a 9% increase. The new tax rate for Montgomery (Maybrook) will be \$15.43 per thousand assessed. The new rate for the Town of Hamptonburg will be \$10.03 per thousand assessed. Maybrook residents with a \$150,000.00 assessed home will see a \$190.00 increase. That equates to \$16.00 a month. The increase on a \$150,000.00 assessed home for the past 11 budgets is \$824.00 which is a \$74.95 average increase per year. A Town of Hamptonburg resident with a \$150,000.00 assessed home will see a \$123.00 increase. That is \$11.00 a month. The increase on a \$150,000.00 home in the Town of Hamptonburg for the past 11 budgets is \$757.00 increase which is a \$68.82 average increase per year. Some may have seen in the Times Herald Record this past Friday and article that advised the New York State Comptroller published “Municipalities in Stress for Fiscal Year Ending 2018”. The article labels the Village of Maybrook as being “Moderate Stress”. We scored a 55.8 point fiscal score. Had our score come in less than 55 points we would have been labeled “Susceptible to Fiscal Stress”. So how did we get here, we used fund balance over the years to continue our progress on our infrastructure while keeping the tax rate low for the residents. Our fund balance is at zero and we need to build it up going forward. Our plan is to stay the course with economic development, continue infrastructure upgrades and continue to keep an eye on our expenditures in the coming year. Our expenditures in the Village of Maybrook is \$3,579,096.00. We have the lowest expenditures of all the villages in town and the 3rd lowest in Orange County. We made a lot of infrastructure improvements this past year and we will continue to chip away again in 2019-20.

3. **Village of Maybrook Easter Egg Hunt**- The Village of Maybrook Easter Egg Hunt will be held on Sunday, April 14th at noon at the Maybrook Senior Center. There will be raffles for Easter Baskets, an Easter Egg Hunt and a special visit made by the Easter Bunny. This event is free for toddlers and Kindergarten through 5th Grade. Shoprite will be serving light refreshments.

4. **Village Elections**- Congratulations to Trustee James Barnett and Trustee Kevin Greany on being elected for another term on Election Day

this past week. Looking forward to working with them as we continue to move Maybrook forward.

5. **Montgomery Elementary D.A.R.E** - On March 22nd, the Montgomery Elementary School held their annual D.A.R.E. Graduation. I was honored to attend and speak at this event. Congratulations to Officer Jack Smith, Montgomery School Principal Mr. Cannino and his staff on another successful D.A.R.E. Program. Parents, teachers and Community Officials gathered to celebrate the achievement of the 5th graders who completed the program. All the best to them as they finish up 5th grade at the Montgomery Elementary School and start their first year in Middle School in the fall.

6. **Maybrook Engine Company No.1 Installation and Awards Banquet**- The Maybrook Engine Company No. 1 held their 104th Annual Installation and Awards Banquet at the Otterkill Golf Course this past Saturday evening. I was honored to be a guest in attendance and to present Longevity Certificates of Achievements to members who have served from 10 years to 45 years as a volunteer fireman. I thank them for their service and dedication to our community and wish them safe journeys when they are dispatched to help people in need of assistance.

7. **Next Scheduled Village Board Meeting**- Our next Village Board Meeting is scheduled for Monday, April 8th at 7 pm at the Maybrook Government Center. This meeting is also our Re-organization Meeting.

TRUSTEES REPORTS

TRUSTEE KEVIN GREANY- Advised on how they used money from the Fund Balance to lower taxes, now we need to raise taxes and get back on track.

Advised the STP is up and running well.

JAMES R BARNETT- Advised he rode through the village today with Linda, the bulldozer that was on the front lawn is gone, advised on two vehicles, one will go to the court to the Judge, and the other will receive a letter.

Advised it's an honor to be re-elected, we can't deplete our Fund Balance, shocked at this, it won't happen again, it kept the taxes low by using the Fund Balance, but it doesn't work when you have to slam them with a tax hike, we have no choice, it must be put back and it will be. The Department Heads do know and the choices we have to make, we must be sound and get off this list, we must be extremely fiscally responsible,

we don't pay our employees a lot, they're getting 2%, wish we could give more. We have people that are dedicated and have been here a long time.

Mayor advised we are fiscally responsible, looking at others, we used the Fund Balance to keep the tax rate down and build the village.

Bill Schimpf asked have revenues been depleted, can't control it, have we experienced a down, less revenue?

Mayor advised yes, revenues have depleted, we've honestly been under taxing.

Bill Schimpf asked can we get more revenue?

Trustee Barnett advised yes, Galaxy, that's a positive but it's not revenue right now.

Bill Schimpf advised but meantime it's not overspending, we need revenue sources right now.

Mayor advised on AIM funding, there's been no increase in eight years. He understands the tax cap, but it's bad for a small village.

Trustee Barnett advised as well as everything goes up, retirement, workers compensation, medical.

Trustee Capozzoli dares anyone to say we're overspending, we're not doing that.

Trustee Barnett advised he's not criticizing, but no one on this Board gets free medical like some municipalities get 100% free after 10 years.

Mayor advised he is confident we'll get out of this. He's received positive feedback with a business interested in Galaxy project, businesses are looking to develop here, advised of road opening up on Main Street by the VFW.

Trustee Greany asked if they must spend the \$660,000 on the project?

Mayor confirmed yes.

TRUSTEE DARYL CAPOZZOLI- Advised he touched on what he wanted to say, he went through every line in this budget and there is no way or where to cut.

Advised the Community Center is all good.

Advised on equipment from the County, an over-seeder, waiting to hear when we can get it done.

DEPARTMENT HEADS

SERGEANT MICHAEL MARESCA- Advised he is going to miss Galeno and Kolvenbach, they are good officers.

Advised the new officer, Jeffrey Perez will start on 4/6/19.

DPW SUPERINTENDENT MATTHEW THORP- Advised on work for as soon as the weather breaks, repair work, work on ballfields.

Advised Sean & he will meet for the Community Development application and one piece of equipment is out for repairs(Frankie's truck).

Trustee Barnett asked when the street sweeper would be out?

Matt advised it's being worked on.

Matt advised it also takes us two years to get the unpaid taxes and water sewer levy, which accounts for the budget.

ENGINEER SEAN HOFFMAN-

Community Development Block Grants (CDBG) a. *FY-2020* – In accordance with your request, our office attended the Orange County Office of Community Development Office (OCD) March 21, 2019 mandatory workshop on your behalf (see attached memorandum). Applications for 2020 funding are due to OCD by Friday, April 26, 2019. The Village must conduct a public hearing prior to the submission of the application (this evening). The intent of the public hearing is to provide citizens with information on the amount of funds available and the general purposes for which funds may be used. In addition, residents are also able to suggest projects for your consideration. **[**]**

b. *FY-2019* – Application for sewer lining submitted to the Orange County Office of Community Development Office (OCD) in April 2018. We understand the Village received confirmation of a grant award in the amount of \$50,000. We spoke with OCD in January and were advised FY-2019 funding may not be available until later this year; perhaps December.

c. *FY- 2018* – Draft plans and specifications were submitted to OCD for review and approval under our March 15, 2019 cover. If OCD provides comments within the month (i.e., by April 15, 2019) we anticipate bidding by May 10, 2019. **[**]**

d. *FY-2017* – Clerk Johnson advised today the Village has received payment from the County and the Contractor may be paid tomorrow. **[**]**.

2. Homestead Avenue Sidewalk Improvements a. Clark Place to William Street (SAM Grant 6442) – On August 31, 2018 NYSDOT conditionally approved the plans for permitting. At your September 10, 2018 meeting you completed SEQRA and we submitted the plans and permit application the following day. On September 14, 2018 DOT requested additional plan modifications. On October 14, 2019 NYSDOT verified the plans are now acceptable. On October 29, 2018 we met with a potential contractor, CMC, to discuss the project. CMC is the low bidder on the County's contract. CMC advised they could

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perform the project however the County bid excludes traffic control which they estimate to be \$7,450. CMC returned the signed permit application to us on January 22, 2019 and we submitted the application to NYSDOT and confirmed delivered on January 25, 2019. On February 19, 2019 NYSDOT contacted the Village requesting the original signed and sealed bond and revisions to the Contractor's insurance documents. On February 21, 2019 NYSDOT confirmed all required revised insurance documents have been received. The Contractor provided us with the revised bond which was submitted to NYSDOT under our February 22, 2019 cover. On March 1, 2019 NYSDOT indicated two (2) additional releases were required as well as two (2) additional agreements with the Village (PERM 36, Consultant Inspection Agreement, and PERM 50 Inspection and/or Supervision Payment Agreement and Indemnification Agreement). We

responded to the DOT under our electronic cover of March 4, 2019. On March 7, 2019 Mayor Leahy and I spoke with Senator Skoufis' Chief of Staff, Carlos Valle, to request the Senator's assistance to discuss permitting with DOT. We are scheduled to meet with representatives from NYSDOT on Friday, March 29, 2019. [**]

b. Main Line Diner to Aristotle Drive (SAM Grant 7732) – In 2016 the Village applied for a second SAM grant to construct sidewalks along the easterly side of Homestead Avenue/NYS Route 208 from the Main Line Diner north to Aristotle Drive. On January 3, 2019 DASNY confirmed the Senate Finance Committee approved the project change to include installation of a new sidewalk along Village Streets (i.e., Country Club Drive) rather than replace sidewalk along Homestead Avenue/NYS Route 208. On January 16, 2019 DASNY confirmed this approval and requested completion of some additional documents so the grant distribution agreement may be revised. We received the requested documents and discussed with DASNY Grant Program Assistant McCormack on January 30, 2019. In accordance with her request we submitted a written request for instructions on completing these forms to DASNY on February 1, 2019. We received a response from DASNY this afternoon anticipating a response from their legal department by the end of today. At the time of writing this report no response has been received. Attached is a copy of the concept plan for the County Club Drive sidewalk for possible discussion this evening. [**]

3. Galaxy Maybrook Rail Yard Redevelopment – This project involves the redevelopment of 70-acres of the former Maybrook Rail Yard for approximately 888,000 square feet of commercial use. During your January 22, 2018 meeting, you adopted the Expanded EAF Part 3 outline. During your April 23, 2018 meeting, Engineer Winglovitz estimated submission of the EAF in July. On March 1, 2019 Mayor Leahy, Deputy Mayor Pritchard, Superintendent Thorp and I met with Don Liloia and Engineer Winglovitz to continue discussions on water, wastewater and road connections based on recent title search conducted by the applicant.

4. Planning Board Applications – The following provides a summary of ongoing Planning Board applications: a. *Maybrook Glen* – This is an application for a fifty (50) lot residential subdivision on 64.656 acres with frontage on Highland Avenue, Prospect Avenue and Logan's Way. A Resolution of Condition Subdivision Approval was approved during the August 14, 2017 Planning Board meeting. The developer is working to submit a number of legal documents, some of which will require your consideration (i.e., performance bond form, offers of dedication, abandonment of a portion of Prospect Avenue right-of-way). On July 16, 2018, Developer Gueron submitted a written extension request to the Planning Board which indicated he is currently working to obtain a performance bond and securing sufficient financing for construction. During the August 9, 2018 Planning Board meeting, the Board granted an extension until January 10, 2019. The developer has submitted an extension request which we understand was considered during the February 14, 2019 Planning Board meeting.

b. *Logan's Way/Primary Construction, LLC* – On July 11, 2018 Developer O'Donnell met with us to review the dedication and acceptance of public improvements including the subdivision road. On August 24, 2018 Superintendent Thorp and I met with Developer O'Donnell and his contractor (Corewood) to review the work. On August 31, 2018 a punchlist was distributed based on that field meeting. The Developer advised on November 14, 2018 that he is having difficulty completing the punchlist items due to the weather. On November 20, 2018 the Building Department reviewed the site and indicated no change to the vacant lots and confirmed the debris at the end of the road including the boat and trailer were still onsite). The Village received an extension of the Developer's letter of credit on January 2, 2019. Subsequently, Clerk Johnson was able to locate a 2010 letter from the Developer's engineer certifying completion of the underground utilities and other infrastructure. We advised the Developer and updated the punchlist on January 14, 2019.

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c. *Knollwood Development* – This is an application for a 28 lot residential subdivision on 18.812 acres with frontage on NYS Route 208/Homestead Avenue. During the August 9, 2018 Planning Board meeting the Board reviewed the sketch plan, declared their intent to be SEQRA Lead Agency and classified this as an unlisted SEQRA action.

5. **SPDES Permit Modification** – In February 2018 the Village received correspondence from NYSDEC indicating the SPDES permit will be modified to require seasonal effluent disinfection commencing 2023. On January 2, 2019 the Village received a grant award letter from NYSDEC and EFC for up to \$24,000. This grant requires a minimum 20% local match (\$4,800 if Village receives entire \$24,000 from NYS). In accordance with discussions during your January 14, 2019 meeting, on January 15, 2019 we confirmed with EFC that the Village will accept the planning grant. EFC has provided us with several documents which must be completed and submitted within two (2) months which we are working to complete and submit.

Kiley Walcott advised on Clark Place and the crosswalk sign, but no crosswalk.

Matt Thorp advised we didn't put the sign there, Logan's Way did.

Kiley Walcott advised he's concerned because there is no crosswalk, it's a dangerous spot, people fly down Clark Place, before Maiden Lane.

Trustee Capozzoli advised yes, it's a terrible spot.

Matt advised Mr. O'Donnell's responsible to do that, and it's a bus stop.

Mayor thanked Mr. Walcott and advised Sean & Matt they will go up and look at it before they go to meeting on Friday.

ATTORNEY KELLY NAUGHTON- Advised the Board on some enforcement actions for a property owner will be served this week.

Advised on policies and rules and regulations for the use of the senior center and any new uses, advised on Boy Scouts, Girl Scouts, Zumba, any new uses, by Board resolution.

Motion by Trustee Capozzoli, seconded by Trustee Greany, to place a moratorium on any new uses for the rental/use of the Maybrook Senior Center. 4 ayes, 0 nays.

Bill Schimpf asked if there are any other considerations for the Community Development besides sewer lines?

This was part of the Public Hearing but no one said anything.

Bill Schimpf advised he's fine with I & I and sewer lines.

Kiley Walcott asked if the water tower project is still being pursued?

Mayor advised it's on the back burner, Matt, our Congressman and two others are working on this. It's 1.7 million vs. 650,000, it's never been touched.

Engineer advised it wouldn't qualify for Community Development because that tower serves the entire village.

Charlie Woznick advised Ron Decker i=was suffering from kidney stones, doing better now. Charlie's dad has Parkinson's.

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Board extends get well wishes to both, hope all works out.

Trustee Barnett advised on a good day the scouts had on tv marching in the NYC St. Patrick's Day parade, it was a great day!

Motion by Trustee Barnett, seconded by Trustee Greany, to enter into executive session for matters of personnel, with no intention of any action and then coming out and closing the meeting. 4 ayes, 0 nays. 8PM.

Motion by Trustee Capozzoli, seconded by Trustee Greany, to exit from executive session. 4 ayes, 0 nays. 8:10PM.

Motion by Trustee Capozzoli, seconded by Trustee Greany, meeting was adjourned at 8:11PM. 4 ayes, 0 nays.

Respectfully submitted,

Valentina Johnson
Village Clerk-Treasurer