

VILLAGE OF MAYBROOK BOARD OF TRUSTEES MEETING- APRIL 24, 2017

MEMBERS PRESENT:

**MAYOR DENNIS K. LEAHY, DEPUTY MAYOR
ROBERT PRITCHARD, TRUSTEE NOREEN
REYNOLDS, TRUSTEE KEVIN GREANY, TRUSTEE
JAMES R BARNETT**

ALSO PRESENT:

**ATTORNEY KELLY NAUGHTON, ENGINEER SEAN
T. HOFFMAN, DPW SUPERINTENDENT
MATTHEW THORP, CLERK-TREASURER
VALENTINA JOHNSON**

PUBLIC PRESENT:

**ATTORNEYS FROM BURKE, MIELE, GOLDEN &
NAUGHTON, LLP, JOSEPH BYRNE, ED
WILLIAMS, LOTTIE & RAY RUMPF, COLIN
WILLIAMS**

Mayor opened the meeting with the Pledge of Allegiance.

Mayor presented Colin Williams with a certificate congratulating him on attaining Eagle Scout. Board congratulated Colin.

Tina advised and congratulated Attorney Kelly Naughton on her being named partner for our attorneys firm and new name: **Burke, Miele, Golden, & Naughton, LLP!** Board congratulated Kelly, Mayor advised he called Rick and advised that you are so deserving of this, works long and hard, and is a tremendous asset for the Village. Kelly thanked everyone.

APPROVAL OF MINUTES

Motion by Trustee Pritchard, seconded by Trustee Reynolds, approving the minutes of the April 10, 2017 as presented. (Trustee Greany abstained), 4 ayes, 0 nays.

APPROVAL OF BILLS & CLAIMS

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

GENERAL	\$46,880.86
WATER	\$ 4,051.27
SEWER	\$ 2,865.65
PAYROLL	<u>\$ 466.50</u>
TOTAL	\$54,264.28

TRANSFER OF FUNDS

VILLAGE OF MAYBROOK BOARD OF TRUSTEES MEETING- APRIL 24, 2017

Motion by Trustee Reynolds, seconded by Trustee Pritchard, authorizing the following transfer of funds as requested by Clerk-Treasurer:

From: 1620.400A, Buildings Contractual

To: 3120.100A, Police Personal Services

Amount: \$12,000

From: 1620.400A, Buildings Contractual

To: 9060.800A, Health Benefits

Amount: \$21,015.78

PUBLIC HEARING

CDBG FY2018

CDBG FY2018

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

Motion by Trustee Reynolds, seconded by Trustee Barnett, to open the Public Hearing at 8:05PM. 5 ayes, 0 nays.

Mayor advised on applying for more sewer lining, we're at 90%, so let's get more done if we can.

Trustee Pritchard advised there's really not enough time to look for anything else with the deadline approaching, sewer lining would be good.

Trustee Reynolds advised the sewer lining is such an asset, let's finish it up.

DPW Superintendent Matthew Thorp advised on doing Zone 2 and which lines to do.

Mayor asked if there was any public comment.

Motion by Trustee Reynolds, seconded by Trustee Pritchard, to close the Public Hearing at 8:09PM. 5 ayes, 0 nays.

WHEREAS, the Board of Trustees of the Village of Maybrook actively pursues grant opportunities for the betterment of the Village; and

WHEREAS, the Board of Trustees finds it in the best interest of its residents to seek funds under the Orange County Community Development Block Grant; and

WHEREAS, the application must be submitted to Orange County by April 28, 2017 to be eligible for consideration of this grant.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Maybrook is hereby submitting its Application for consideration under the FY-2018 Orange Urban County Consortium Community Development Program and that the chief elected official or executive officer is hereby authorized to submit this Application. They further certify that they have read and understood the Orange Urban County Consortium Community Development Guidelines for the FY-2018 program year, and have met all of its applicable requirements and that the information contained in the Application is accurate and true to the best of their knowledge.

PUBLIC HEARING

INTRODUCTORY LOCAL LAW #3 OF 2017 AMENDING THE MAXIMUM PERMITTED LOT COVERAGE IN THE I-3 DISTRICT

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

Attorney advised the local law is to provide an increase in the permitted lot coverage in the I-3 General District from 30% to 50%, the change will be in bulk table in the Code.

Deputy Mayor Pritchard advised it is predominately for the Galaxy site, and will help the tax base.

Motion by Trustee Barnett, seconded by Trustee Greany, to open the Public Hearing at 7:08PM. 5 ayes, 0 nays.

Trustee Barnett advised this is a great thing for the village.

Mayor advised we have the land, why nt use it and increase the revenue for all.

Deputy Mayor Pritchard advised it won't impact parking, will impact revenue for the roadway. (Maintenance of the road)

Trustee Reynolds asked if it's the same amount of lots?

Deputy Mayor Pritchard advised yes, could be more or less buildings.

Trustee Barnett asked if this is good for them?

Deputy Mayor Pritchard advised they asked about it.

Mayor advised on businesses that want to come into the village.

Motion by Trustee Barnett, seconded by Trustee Reynolds, to close the Public Hearing at 7:12PM. 5 ayes, 0 nays.

Motion by Trustee Reynolds, seconded by Trustee Pritchard, approving Lead Agency and as an Unlisted Action for SEQRA. 5 ayes, 0 nays.

Motion by Trustee Pritchard, seconded by Trustee Reynolds, approving a Negative Declaration. 5 ayes, 0 nays.

Attorney read the 239 referral from Orange County Department of Planning, listed as a local determination.

Motion by Trustee Pritchard, seconded by Trustee Barnett, approving Local Law #3 of 2017 Amending The Maximum Permitted Lot Coverage In The I-3 District. 5 ayes, 0 nays.

PUBLIC HEARING

SEQRA PUBLIC SCOPING SESSION

SCOPING DOCUMENT

FOR PREPARATION OF A DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT

Motion by Trustee Reynolds, seconded by Trustee Pritchard, to open the Public Hearing at 7:15PM. 5 ayes, 0 nays.

Attorney advised on the 13 pages of the Scoping Document for the EDC B-2 district and create additional uses, developers won't have to do SEQRA, this will help because it's all done.

Trustee Barnett asked if this is for shovel ready projects?

Attorney advised yes, asked Board if they had any questions or changes to let her know, she has one typo to correct which Deputy Mayor Pritchard advised on.

Mayor advised this will entice investors to come here.

Deputy Mayor Pritchard advised it will encourage developers to come to the downtown district, bring in shopping, eateries, it's the plan for down the road.

Joseph Byrne asked where?

Deputy Mayor Pritchard advised the B-2 zone by the bank, deli, and down Main Street.

Mayor advised we are doing away with a step for investors to come in and do business.

Attorney advised and showed map with the location.

Deputy Mayor explained this allows for multiple space to be utilized.

Motion by Trustee Pritchard, seconded by Trustee Reynolds, to close the Public Hearing at 7:19PM. 5 ayes, 0 nays.

Motion by Trustee Reynolds, seconded by Trustee Barnett, approving the Scoping Document and fix one typo. 5 ayes, 0 nays.

Mayor thanked Kelly, Max, Deputy Mayor Pritchard.

CORRESPONDENCE

Clerk read letter of thanks from the Town of Montgomery Seniors Independence Project for sponsoring the tenth annual Volunteer Recognition Awards Dinner at the Maybrook Senior Center.

Clerk advised she has emailed all on the report from Don for the sewage treatment plant for March 2017.

Attorney advised she has prepared two resolutions, one for 304 Tower Avenue and one for 121 Clark Place for our files for the Board approval for relief from Local Law #1 of 2017.

1. BUILDING INSPECTOR'S REPORT, MARCH 2017- Trustee Barnett advised on a house on Tower Avenue , Tim's on top of it, citation will be issued tomorrow. Rec. & filed.
2. COUNTY WASTER CONTRACT JUNE 1, 2017- Motion by Trustee Greany, seconded by Trustee Reynolds, authorizing a one year extension of the current contract at the same price, \$234,514.08. 5 ayes, 0 nays.
3. LETTER, BILL SCHIMPF- Board wishes Bill all the best, happy to see Bill is feeling better.
4. TOWN OF MONTGOMERY CHAMBER- Clerk advised of the \$100 donation from the Chamber for our summer concert music series with the Maybrook Wind Ensemble. Board advised this is very nice.
5. BID OPENING DATE- ROUTE 208 SIDEWALKS PROJECT- Engineer Sean T. Hoffman advised on the schedule and how we will proceed with the Bid Opening

on 5/17/17. Motion by Trustee Barnett, seconded by Trustee Greany, authorizing to set the Bid Opening on May 17, 2017 at 11:00AM. 5 ayes, 0 nays.

MAYOR'S REPORT

- **Maybrook Wind Ensemble**- The Maybrook Wind Ensemble will be hosting its "Spring Concert" on Friday, May 19th at 7 pm in the Maybrook Senior Center. The admission is free however they do accept donations to help defray their costs. It's a wonderful performance and a nice evening provided by talented musicians. More information will be provided on the Village of Maybrook website as we get closer to the date.
- **Town of Montgomery Seniors Independent Project Dinner**- On April 19th, I, along with Maybrook Village Clerk/Treasurer Tina Johnson attended the Town of Montgomery Seniors Independence Project Volunteer Recognition Dinner which is held annually in memory of deceased Maybrook resident Ruth Gardner who was also a Charter Member of TOMSIP. This years dinner was held at the Maybrook Senior Center. Congratulations to the 2017 Volunteer of the Year Deborah Christopher and the 2017 Community Partner Award recipient Bauer Landscaping. The Village of Maybrook appreciates the time and efforts of those who volunteer for this program and their support of seniors in our town. We wish the Town of Montgomery Seniors Independence Project continued success going forward.
- **Well #7 in Country Club Heights**- This past Thursday, residents may have experienced a drop in water pressure and discolored water for a short period in the Country Club Heights section of the village which is water fed by Well #7. The Village of Maybrook Department of Public works cleaned sludge from the pump at Well #7 and experienced mechanical problems. A Code Red announcement was sent to the residents in Country Club Heights. The message was also put on the Maybrook website and the Maybrook Facebook Page. The problem was resolved quickly and I thank Maybrook DPW Supervisor Matt Thorp and the DPW Crew for getting Well #7 cleaned up and back on line.
- **Next Village of Maybrook Board Meeting** – will be held on *Monday, May 8th* at 7 pm in the Maybrook Government Center.

- **Village of Maybrook Website**- as always, a reminder that the Village of Maybrook website is up and running so please check it regularly at www.villageofmaybrook.com.

TRUSTEES' REPORTS

TRUSTEE KEVIN GREANY- Welcomed Sean!

Congratulated Kelly on her partnership with the firm, they made the right decision, the firm means a lot to the village and he appreciates all they have done, it's well deserved.

Advised on the odor at the sewage treatment plant, it's been adjusted and all is good. We had the DEC visit and it was thumbs up, advised on filters that are needed, recommends to get so many a year, he will meet Sean at the plant Monday morning at 9AM.

TRUSTEE JAMES R. BARNETT- Thanked Matt for his help with the water issues, did a phenomenal job, could have been quite a disaster, thanks him and the crew, fantastic.

Asked about the date for July 4th event, Mayor advised it will be on June 30th, and a rain date on July 1st.

DEPUTY MAYOR ROBERT PRITCHARD- Congratulations to both Sean & Kelly.

Distributed drawings for parking scenario, shows about 45 spaces, asked if the Board's in agreement, DPW will do a lot of work. Grants are not looking favorable for parking lot, if we go to commuter it changes a lot.

Advised the grants for Galaxy are very good, federal DOT, has received an email from Don at Galaxy, they are moving forward with an attorney for the annexation petition.

Advised on the grant for the inter-connection for the park, will know more on that soon.

Advised the re-zoning is on track, will occur before current moratorium ends.

Advised he liked the article in the Times Community News that Wallkill's loss is Maybrook's gain for the bus company, they are in contract to purchase the property.

TRUSTEE NOREEN REYNOLDS- Thanked Tina and the Walden Rotary Club for inviting her to their meeting today and for the wonderful lunch, the club honored the Community Center and libraries in the Town and presented us with a check for \$250.

Advised the Community Center staff requests to increase the amount of fines for late books to .25, and is recommending an increase to .25 but no more than .75, and the \$5 maximum amount to be paid increased to \$10, which will include audio books and DVD's. Board agreed.

DEPARTMENT HEADS

DPW SUPERINTENDENT MATTHEW THORP- Advised on email for agreement with Aqua Gard, the install is \$5,920 and the agreement fee is \$3,890 for Well #7. Attorney advised there are a couple of changes and she will send out. Motion by Trustee Barnett, seconded by Trustee Greany, authorizing Mayor to sign after Attorney's changes. 5 ayes, 0 nays.

ENGINEER SEAN T. HOFFMAN-

1. **Community Development Block Grant (CDBG) Municipal Application FY-2018** – Application due to the Orange County Office of Community Development Office by 3:00 PM Friday, April 28, 2017. On April 17, 2017 DPW Superintendent Thorp and I met to discuss previous sanitary sewer lining work and potential sewer mains to be included in this year's application for funding. We are currently working to obtain all documents to be submitted with the application and expect to submit an application on your behalf before the deadline.

2. **CDBG FY-2016 Sanitary Sewer Lining** – During your March 13, 2017 meeting, you received a report that the contractor, National Water Main Cleaning Co., commenced work on February 24, 2017. We understand lining has been completed and Engineer DeWinter is processing the contractor's application for payment, final change order (to balance bid quantities) and contract close-out documents. We will provide any assistance we can to expedite contract closeout and reimbursement under the provisions of the Community Development Block Grant program.

3. **Homestead Avenue (NYS Route 208) Sidewalk Improvements** – During your February 13, 2017 meeting, you authorized the preparation of plans and specifications for bidding this work. We understand Engineer DeWinter is completing the preparation of the plans and specifications at this time. Once the plans and specifications have been completed we will coordinate bidding with the Dormitory Authority of the State of New York (DASNY) and Clerk Johnson.

Engineer advised he has spoken to Dan Gueron, a set of plans are being sent to him and they will meet with his engineer.

ATTORNEY KELLY NAUGHTON- Thanked everyone for all of their kind words.

Advised Mark Taylor has reached out to her regarding the Galaxy property.

Advised at the last meeting, the Board approved waivers for two properties, 304 Tower Avenue and 121 Clark Place, she put together resolutions for Tina's files and for the Board regarding the approval given at the last meeting. Motion by Trustee Pritchard, seconded by Trustee Barnett, to accept the following resolutions as presented and approved by the Board on April 10, 2017:

Resolution

304 TOWER AVENUE – RELIEF FROM LOCAL LAW 1 OF 2017

WHEREAS, the Owner of the property located at 304 Tower Avenue, Maybrook, New York (known on the Village tax maps as Section 109, Block 2, Lot 26) formally requested relief from Local Law 1 of 2017, continuing the moratorium on the issuance of permits, certificates of occupancy and approvals for development in the B-2 district; and

WHEREAS, pursuant to Local Law 1 of 2017 a public hearing was held before the Board of Trustees on April 10, 2017 with regard to this request for relief; and

WHEREAS, said Owner presented evidence to the Board of Trustees relating to the hardship he is suffering as a result of this local law. He stated that the structure is in need of serious repair, and that he has purchased materials to perform the repairs, but is unable to obtain a Building Permit to do so.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby finds that the Owner of 304 Tower Avenue will suffer a demonstrable hardship if Local Law 1 of 2017 is strictly applied with regard to this property, as the structure on the property is damaged (*i.e.*, there are holes in the roof, etc.). The Owner is seeking a Building Permit from the Building Department to repair the structure and to bring it into compliance with the Building Code.

BE IT FURTHER RESOLVED, that the Board of Trustees has determined that the actions the owner of the property seeks to take are not inconsistent with the vision of the Board of Trustees for a traditional downtown neighborhood being proposed in the B-2 district.

BE IT FURTHER RESOLVED, that the Board of Trustees is hereby waiving the application of Local Law 1 of 2017 as it applies to 304 Tower Avenue to permit the Owner of the property to obtain building permits and perform restorative work on the property, and to bring the structure into compliance with the Building Code.

121 CLARK PLACE – RELIEF FROM LOCAL LAW 1 OF 2017

WHEREAS, the Owner of the property located at 121 Clark Place, Maybrook, New York (known on the Village tax maps as Section 111, Block 5, Lot 14) formally requested relief from Local Law 1 of 2017, continuing the moratorium on the issuance of permits, certificates of occupancy and approvals for development in the B-2 district; and

WHEREAS, pursuant to Local Law 1 of 2017 a public hearing was held before the Board of Trustees on April 10, 2017 with regard to this request for relief; and

WHEREAS, said Owner presented evidence to the Board of Trustees relating to the hardship she was suffering as a result of this local law, and stated that she has been unable to sell the property because it is currently zoned for commercial development, as opposed to being zoned for residential development, which would be consistent with the surrounding community.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby finds that the Owner of 121 Clark Place Avenue will suffer an economic hardship if Local Law 1 of 2017 is strictly applied with regard to this property. The Owner is currently seeking a zone change from the Board of Trustees.

BE IT FURTHER RESOLVED, that the Board of Trustees has determined that the actions the owner of the property seeks to take are not inconsistent with the vision of the Board of Trustees for a traditional downtown neighborhood being proposed in the B-2 district.

BE IT FURTHER RESOLVED, that the Board of Trustees is hereby waiving the application of Local Law 1 of 2017 as it applies to 121 Clark Place to permit the Owner of the property to request, and potentially obtain, a zone change from the Board of Trustees, subject to its discretion.

Attorney advised on a resolution for the P & N Alarm issue, it is now resolved. Motion by Trustee Barnett, seconded by Trustee Reynolds, authorizing Mayor to sign any and all documents pertaining to P & N Alarm issue that's resolved. 5 ayes, 0 nays.

Motion by Trustee Barnett, seconded by Trustee Reynolds, meeting was adjourned at 8PM. 5 ayes, 0 nays.

Respectfully submitted,

Valentina Johnson

Village Clerk-Treasurer