

VILLAGE OF MAYBROOK BOARD OF TRUSTEES MEETING- JANUARY 14, 2019

MEMBERS PRESENT:

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

ALSO PRESENT:

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

PUBLIC:

**EDWARD WILLIAMS, LINDA LAROSA, DONNA
BARLETTA, LAUREN PALEY, PATRICK ROMANIK**

Mayor opened the meeting with the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Trustee Pritchard, seconded by Trustee Capozzoli, approving the minutes of the December 10, 2019 meeting as presented. 5 ayes, 0 nays.

APPROVAL OF BILLS & CLAIMS

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

GENERAL	\$219,249.63
REFUSE	\$ 20,265.29
WATER	\$ 25,353.94
SEWER	\$ 15,316.63
PAYROLL	\$ 1,557.63
TOTAL	\$281,743.12

TRANSFER OF FUNDS

Motion by Trustee Pritchard, seconded by Trustee Greany, authorizing the following bills and claims to cover deficit lines in the budget, as requested by Clerk-Treasurer:

From: 80010.400A, Zoning Contractual

To: 7310.440A, 5K

Amount: \$650

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From: 1620.100A, Buildings Equipment

To: 1320.400A, Auditor Contractual

Amount: \$280

From: 7140.200A, Playgrounds Equipment

To: 7550.400A, Celebrations

Amount: \$4,000

PUBLIC HEARING- 7PM

NOTICE OF PUBLIC HEARING ON REMOVAL OF ABANDONED VEHICLES LOCATED AT 308 HOMESTEAD AVENUE MAYBROOK, NY

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 7:02PM. 5 ayes, 0 nays.

Attorney Ashley Torre advised this is a due process hearing, the property owner not present and has been notified.

Attorney submitted two exhibits to the Board of Trustees: Exhibit 1 and Exhibit 2 copied to Village Clerk for her records.

Attorney advised Building Inspector Tim Ippolito is not able to be here this evening, but Linda Larosa is present and able to testify.

Clerk administered oath to Linda Larosa to testify.

Attorney asked Linda if Exhibit #1, Notice of Violation was served to property owner and how was it served.

Linda Larosa testified it was sent certified mail return receipt requested on 12/4/18.

Attorney asked if a receipt was received back?

Linda Larosa testified no.

Attorney asked if she has visited the property?

Linda Larosa advised yes, and there was a brown car, a maroon jeep.

Attorney asked if she took photos?

Linda Larosa testified yes, she took photos.

Attorney asked if there was license plates in the last pictures taken?

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Linda testified no plates, photos were taken on 1/8/19.

Attorney asked if the vehicles appear abandoned and unlicensed under Chapter 185?

Linda testified yes abandoned and yes unlicensed.

Attorney advised Board if they would like to ask any questions?

Mayor asked about the pallets lying around.

Linda testified there is a lot of junk lying around.

Attorney advised it must be specific to this case.

Deputy Mayor advised so since 12/4 and 1/8/19 it has not been touched, no movement.

Linda Larosa testified it's in court and they will be coming back into court.

Trustee Barnett advised so it's before Judge Schimpf, it's going further, they'll be back.

Mayor asked if there were any public comments.

Attorney advised the Board can vote to affirm and authorize removal at the owners expense. The other property maintenance is before the court, but the cars removal is before this Board.

Trustee Barnett asked how will the removal be done?

Sergeant advised they will need something from the Attorney to remove.

Motion by Trustee Barnett, seconded by Trustee Capozzoli, to close the Public Hearing at 7:15PM. 5 ayes, 0 nays.

Motion by Trustee Pritchard, seconded by Trustee Capozzoli, to affirm the Notice of Violation of 12/4/18 and authorize removal of vehicles on January 28, 2018, at owners expense, if not properly removed. 5 ayes, 0 nays.

CORRESPONDENCE

1. POLICE REPORT, NOVEMBER & DECEMBER 2018- Sergeant advised, it was a busy, active month. Discussed revised yearly report Deputy Mayor. Rec. & filed.
2. APPOINTMENT, KATHLEEN SHARPE- Motion by Trustee Pritchard, seconded by Trustee Barnett, approving the appointment of Kathleen Sharpe, based on Trustee Capozzoli and Bobbie Sue Conklin's recommendation, effective immediately at a rate of \$11.10 per hr. 5 ayes, 0 nays.
3. AUTHORIZATION, 2019 SERVICE AGREEMENT, PARTNERS IN SAFETY- Motion by Trustee Greany, seconded by Trustee Barnett, authorizing the approval of the 2019 Partners In Safety Service Agreement. 5 ayes, 0 nays.
4. AUTHORIZATION, 2019 ELECTION NOTICE- Motion by Trustee Pritchard, seconded by Trustee Barnett, approving the 2019 Election Notice for publication for the two vacant seats(Two Trustees- 2 Years) for the March 19, 2019 Election.
5. LETTER OF RESIGNATION- CAITLIN PETERKIN- Motion by Trustee Capozzoli, seconded by Trustee Pritchard, to accept, with regret, Caitlin Peterkin's letter of resignation, effective immediately. Board advised Caitlin did a great job and wishes her all the best. 5 ayes, 0 nays.

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6. BUILDING INSPECTOR'S REPORT, DECEMBER 2018- Trustee Barnett advised on a few tv's out. Mayor advised Clerk to put some stickers in the Trustees' mailboxes, if you are out and see this, place a sticker on it so they know they can't be picked up. Mayor advised on breakdowns with the garbage company trucks recently.
7. LETTER OF THANKS, VALLEY CENTRAL VOLLYBALL TEAM & THE VAN PELTS- Mayor advised we have a very good relationship with Valley Central, we help them and they help us. Rec. & filed.
8. LETTER OF THANKS, LINDA LAROSA & FAMILY- Board advised how sorry they were for Linda losing her Mom. Rec. & filed.
9. LETTER, NYS EMPIRE STATE DEVELOPMENT, RE: ESD STRATEGIC PLANNING & FEASIBILITY STUDY PROGRAM VILLAGE OF MAYBROOK- PEDESTRIAN RAILROAD TUNNEL, CFA #81702- Advised the Village of Maybrook has been recommended for an award of up to \$25,000 from the Empire State Development Strategic Planning & Feasibility Study Program. Mayor advised this is a big step in the right direction.

MAYOR'S REPORT

TRUSTEE KEVIN GREANY- Advised on phone call we received last week on the \$600,000, it won't go to waste.

Advised Sean met with Donnie last week, sewage treatment plant is running good.

TRUSTEE JAMES R BARNETT-Advised the \$600,000 that Galaxy received is wonderful news, great thing.

Thanked Sean for taking care of the DEC issue, he did a lot of work and really helped us.

Thanked Billy and Randi for getting the Christmas trees up.

Advised on the opioid crisis and how bad it is and needs to be dealt with very soon, glad to hear we're doing something.

Advised on Patrick Maguire's Eagle Scout project, painting both sides of the hallway here at the Government Center, he will be Eagle Scout #74 when done, thanked Mayor for approving the project and Matt for all the materials.

DEPUTY MAYOR ROBERT PRITCHARD- Advised this is very positive news about the road with EDC, we will know more for the February meeting, \$600,000 will go a long way. The Village needs this tax base, it's a beautiful start.

Advised Montgomery Overall Service took pride in what they own , it looks great, taking care of these decrepit cars, makes and helps the village, thanked everyone.

TRUSTEE DARYL CAPOZZOLI- Wished everyone a Happy New Year!

Advised we are still waiting on the lights at the Community Center.

Thanked Tina for helping with the hiring process.

Advised he is working on the equipment with Matt, start thinking about surplus equipment.

Advised on the numbers of patrons at Community Center.

Welcome Kathleen Sharpe.

SERGEANT MICHAEL MARESCA- Advised on scams going on with Central Hudson, reminds everyone not to fall for it.

DPW SUPERINTENDENT MATTHEW THORP- Advised on 1/6/19 flooding on Heard Avenue was from the Evergreens, he contacted TAM, Evergreens will pay for it, there was a clog underneath the road. Mayor advised Evergreens Management said Matt helped and thank you.

Advised on equipment maintenance .

Advised Sean and he met on Community Development and sidewalks.

Advised the guys go out once a day for leaf bags and the dumpster is still here.

ENGINEER SEAN HOFFMAN-

1. **Community Development Block Grants (CDBG)** a. *FY-2019* – Application for sewer lining submitted to the Orange County Office of Community Development Office (OCCD) in April 2018. We understand the Village received confirmation of a grant award in the amount of \$50,000. Last week we spoke with OCCD Director Anderson to determine if the Village could combine the FY-2019 work with the FY-2018 work (see below) under a single bid to reduce administrative costs. Generally, OCCD will allow this but requested to review the bid documents and advised the FY-2019 funding may not be available until later this year. We are currently working with Superintendent Thorp to finalize sewer selection for booth FY-2018 and FY-2018 and anticipate this work occurring in late spring 2019. [**]

b. *FY- 2018* – This work includes lining of sewer segments including Prospect Avenue, Volunteer Place and several easements. We received a copy of the executed agreement with the County on July 11, 2018. In December, OCCD advised via electronic correspondence that the FY-2018 CDBG Funds are now available and requested an updated schedule. See above. [**]

c. *FY-2017* – This work includes the lining of sewer segments including Prospect Avenue and Broadway. Work was completed November 7, 2018. The Contractor, NWMCC, submitted a revised application for payment which we transmitted to the Village under our December 12, 2018 cover for forwarding to OCCD for processing and payment. [**]

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 Friday, September 14, 2018 DOT confirmed receipt of the plans and application and requested another plan modification. Revised plans were transmitted via certified mail under our September 18, 2018 cover. Since your last meeting, DPW Superintendent Thorp has obtained all releases. 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 perform the project however the County bid excludes traffic control which they estimate to be \$7,450. CMC submitted the NYSDOT required bond to us on January 10, 2019. We have completed the NYSDOT permit application and will forward to CMC for execution after we obtain Superintendent Thorp's signature (this is a joint application for permit requiring both the Village and contractor to sign). [**]

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. Additionally, this grant includes replacement of some sidewalks between Schipps Lane and West Spring Street. 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. We are currently waiting for paperwork from DASNY so they may process a revised grant agreement. In the meantime, we requested the surveyor add Country Club Drive to the survey and anticipate completion of the survey later this week (depending on weather). [**]

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 November 28, 2018 Mayor Leahy, Deputy Mayor Pritchard, Superintendent Thorp and I met with Don Liloia and Engineer Winglovitz to discuss water, wastewater and road connections.

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.

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 have advised the Developer and updated the punchlist as of today (January 14, 2019). [**]

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 April 3, 2018 Mayor Leahy, Superintendent Thorp and I met with NYSDEC representatives to discuss proposed permit modifications including potential grants available to the Village to assist with possible upgrades. In accordance with that meeting the NYSDEC will allow the Village to prepare a perform water quality sampling and prepare a model in an attempt to demonstrate disinfection will provide no public health benefit. You have received a proposal from Carpenter Environmental for \$118,000 for this sampling and model. Additionally, the Village submitted an application for an Engineering Planning Grant to study effluent disinfection and determine how it may be implemented at the Village STP. 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). The Village has two (2) options: (1) you may decline the grant and proceed with the sampling and model (the cost for this work is not covered by the recent grant); (2) you may accept the grant and proceed with the engineering report necessary to design a new effluent disinfection system at the STP (the cost for the engineering report is covered by the grant). If you proceed with the grant and engineering study the Village will need to send confirmation of the acceptance of the grant to EFC. [**]

6. Sewage Pollution Right to Know (SPRTK) & NY-Alert – On September 28, 2018, due to extremely intense rainfall, Manhole No. 128 overflowed. This overflow was reported by the WWTP Contract Operator by telephone using the NYSDEC's Spill Response Hotline. We received correspondence on October 22, 2018 indicating the Village must report spills in accordance with the NYS Sewage Pollution Right to Know Act (SPRTK). The SPRTK Act requires owners and operators of Publicly Owned Treatment Works (POTW) and Sewage Systems (POSS) to report discharge of untreated sewage within two (2) hours of discovery. NYSDEC requires owners and operators to utilize the NY-Alert system to electronically report spills. Since the Village has not previously registered for the system we have prepared agreements on your behalf to utilize and register the Mayor and Superintendent Thorp as "Notifiers" – those who are authorized to report spills on the Village's behalf. Signed forms were submitted to NYSDEC December 4, 2018. On January 8, 2019 Superintendent Thorp advised he received confirmation from NYSDEC and has setup his password to utilize the NY-Alert system. We will advise the NYSDEC that this has been completed. [**]

7. Sewer Treatment Plant Inspection – On November 15, 2018 a representative from NYSDEC inspected the STP. Subsequently, NYSDEC provided a written report dated December 19, 2018 indicating a marginal overall rating (NYSDEC utilizes three (3) ratings: satisfactory, marginal and unsatisfactory). The NYSDEC's December 19, 2018 report included a Notice of Violation (NOV) which requires a response from the Village by January 31, 2019. On January 8, 2019 we met with Superintendent Thorp and Operator VanLueven of JCO to review the NOV and exchange information. On January 11, 2019 we spoke with Roy Rysinger, Vice President of JCO, to further discuss the NOV. We hope to have a draft response by your next meeting for your review and comment prior to submission to NYSDEC. [**]

Engineer advised the Board we must email EFC it's our intent to go away from monitoring and disinfection for \$118,000, or email EFC the village is interested in WWTP Disinfection Study for Planning Grant #84350. Motion by Trustee Pritchard, seconded by Trustee Capozzoli, to confirm with EFC to accept grant for disinfection study. 5 ayes, 0 nays.

Board thanked Sean, great job!

Board thanked Ashley for the Public Hearing.

Patrick Romanik asked the Board if 4 x 8 signs can be put on Village property, on the north side and south side and Country Club Drive for Fire Department membership drive. Board advised ok, they will work with him.

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

Respectfully submitted,

Valentina Johnson
Village Clerk-Treasurer