

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

MEMBERS PRESENT:

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

ALSO PRESENT:

ATTORNEY KELLY NAUGHTON, ENGINEER SEAN HOFFMAN, SERGEANT MICHAEL MARESCA, CLERK-TREASURER VALENTINA JOHNSON

PUBLIC PRESENT:

PAUL BRAHM, TRISTAN BRAHAM, BRIAN TOMPKINS, MR. TOMPKINS, JENN & CHARLIE WOZNICK, LAURA(WVT), JAMES CAPACH

Mayor opened the meeting with the Pledge of Allegiance and welcomed everyone.

APPROVAL OF MINUTES

Motion by Trustee Capozzoli, seconded by Trustee Greany, approving the minutes of the February 11, 2019 meeting as presented. 5 ayes, 0 nays.

APPROVAL OF BILLS & CLAIMS

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

GENERAL	\$46,240.38
WATER	\$ 1,678.61
SEWER	<u>\$ 15,997.54</u>
TOTAL	\$52,588.52

TRANSFER OF FUNDS

Motion by Trustee Pritchard, seconded by Trustee Greany, authorizing the following transfer of funds to cover deficit lines in the budget:

From: 1680.400A, Central Data Processing

To: 8020.400A, Planning Contractual

Amt: \$360

From: 1910.400A, Unallocated Insurance

To: 9060.800A, Hospital & Medical Insurance

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Amt: \$7,000

From: 1410.420A, Administrative Bank Fees

To: 1920.400A, Municipal Association Dues

Amt. \$23.00

CORRESPONDENCE

1. AUTHORIZATION, SALARY INCREASE FOR P/T COMMUNITY CENTER CLERK BOBBIE SUE CONKLIN- Motion by Trustee Capozzoli, seconded by Trustee Barnett, approving a salary increase of \$1.00 more per hour for Bobbie Sue Conklin, from \$12.14 per hour to \$13.14 per hour effective March 4, 2019. 5 ayes, 0 nays. Trustee Capozzoli advised Bobbie Sue goes above and beyond , controls the operations for the Community Center, the children's programs, and passports, this will put a little distance pay wise between her and the current clerks that are new and were increased with the minimum wage hike. Bobbie Sue is always there and very dependable.
2. LETTER OF RESIGNATION, P/T POLICE OFFICER ANTHONY GALENO- Trustee Barnett advised that Officer Galeno has done a great job, good officer and handsome young man. Sergeant Maresca advised we will regretfully accept, he will certainly be missed, he did a lot of work for Sergeant. Motion by Trustee Barnett, seconded by Trustee Capozzoli, to accept with regret and best wishes, Officer Anthony Galeno's resignation effective March 6, 2019. 5 ayes, 0 nays.

Clerk welcomed our Attorney Kelly Naughton back! It's wonderful to see she is feeling better!

MAYOR'S REPORT

1. Village of Montgomery St. Patrick's Day Parade- Just a reminder, the Village of Montgomery St. Patrick's Day Ramble Parade will be held on Saturday, March 23rd. Line-up will be noon and kick off will be at 1 pm. The Village of Maybrook will have a section in the parade as we have had in the past. There is still time to include organizations in the village who would like to march with the Maybrook section. Those interested can contact me directly by email at dennisk.leahy@villageofmaybrook.com or Trustee Jim Barnett at jimbarnett@frontiernet.net.
2. Budget Work Session- Budget Work Session scheduled for Wednesday, February 20th at 5:45 pm was cancelled due to inclement weather. The Work Session has been rescheduled for this Wednesday, February 27th at 5:45 pm.
3. Galaxy LLC.- Since our last meeting, the Deputy Mayor Bob Pritchard and I met with the representatives from Galaxy LLC. Our DPW Supervisor Matt Thorp and Village Engineer Sean Hoffman were also present as we discussed water and sewer connections to their property as they are in the final stages of their SEGRA. We were also informed that they have been contacted by

businesses interested in their site and discussions are taking place. As expected, interest has grown since the Consolidated Funding Application (CFA) Grant announcement in December 2018. Also this past week, we met with New York Empire State Development Senior Project Manager in the Mid-Hudson Regional Office James Kostenblatt to discuss grant disbursement for the CFA grants received by the village and to bring him up to speed on Economic Development as well. We are hopeful for some good news soon as it is still early in the new year. We will keep everyone up to date on any new developments.

4. **VFW Post 2064 and Auxiliary 2019 “Patriots Pen Essay” and “Voice of Democracy Audio Essay” Contest-** This past Sunday, I had the honor of being invited as a Guest Speaker along with Past VFW Post 2064 Commander and Vietnam/Purple Heart Recipient John Luffman for the Maybrook Veterans of Foreign Wars Post 2064 annual Patriots Pen Essay Contest and Voice of Democracy Audio Essay Contest Awards Ceremony. Congratulations to VFW Post 2064 Commander Bob Beck, VFW Post 2064 Auxiliary President Donna Caudy, VFW Post 2064 Auxiliary Chairperson Sandy Kratz, Auxiliary District 2 President Linda LaRosa and the members of the VFW Post 2064 for sponsoring this contest for youth in the Town of Montgomery through the Valley Central School District. This year’s contest winners were an inspiring group of young people and I wish them all the best in future endeavors. Congratulations to the award recipients, their teachers and their families! Last but not least, Thank you VFW Post 2064 and Auxiliary for sponsoring a wonderful event for the young people in our community!
5. **Next Scheduled Village Board Meeting-** Our next Village Board Meeting is scheduled for Monday, February 25th at 7 pm at the Maybrook Government Center.

TRUSTEES' REPORTS

TRUSTEE KEVIN GREANY- Advised it is very quiet, STP is running well.
Advised he spoke to Linda about the 5K race, will speak again in April.
Glad to see Kelly back!

TRUSTEE JAMES R BARNETT- Advised Attorney John Ahearn did a good job, but it's good to have Kelly back!
Advised no ride with Linda today, she had to do something this afternoon.
Advised Deputy Mayor & Mayor worked hard on the Galaxy project, and thanks them.
Advised good news for Bobbie Sue, she deserves it.
Advised on 2/13 Eagle Scout #74 Patrick Maguire, also Kevin Touhey got permission to do the Danny Meyer Park for his project.
Advised he is very proud of this, on 2/1, girls were allowed in the troop, they were the first Scout Unit in entire council, the first to turn in an advancement sheet, girls can go up to the rank of Eagle, will be nice to eventually see a girl.
Advised on 3/23, the St. Baldrick's Parade will be held in the Village of Montgomery, a lot of fun, Maybrook has the biggest contingent of the entire town, we have the VFW, Fire Department, Peoples Baptist Church, come out and have some fun!

DEPUTY MAYOR ROBERT PRITCHARD- Advised Eagle Scout Program is very good.
Advised he met with ESD, the contract is coming in the next two weeks, lot of work to do.
Advised on the two year moratorium in Westchester County, they were not anticipating growth, feels some businesses might come up this way.
Advised on meeting earlier tonight regarding the Rumpf property and some interest in it, for what it's zoned for.

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Advised on the garage on Homestead Avenue, still waiting for a clear title for the property, wants to close on it.

Advised the Attorney and Engineer are looking into easements for the tunnel, he feels good about it.

TRUSTEE DARYL CAPOZZOLI- Welcomed Kelly back.

Thanked the Board for supporting Bobbie Sue.

Advised waiting on the weather to break for the parks.

Advised the signs are in for the Fire Department, they will get in touch with Matt to see where to put them.

DEPARTMENT HEADS

Mayor advised Matt was unable to attend tonight but sent an email with an update.

POLICE SERGEANT MICHAEL MARESCA- Advised Board he'd just like to speak on a personal note about his grandfather, thanked everyone for the fruit basket, he passed away at the age of 92 years, was a World War II veteran, on a navy ship, but he didn't know all that his grandfather witnessed and found out some very interesting and fascinating things about him. He is so very proud of it. Board sends their condolences and sympathy to Michael and his family.

ENGINEER SEANHOFFMAN-

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. We spoke with OCCD in January and were advised FY-2019 funding may not be available until later this year; perhaps December.

b. FY- 2018 – We received a copy of the executed agreement with the County on July 11, 2018. In December, OCCD advised via electronic correspondence, FY-2018 CDBG Funds are available. Draft specifications were completed February 11, 2019. On February 19, 2019 OCCD requested all municipal grant recipients submit information (e.g., scope of work and photographs of the project site) to NYS SHPO to verify the proposed project will not impact cultural or archaeological resources. We submitted this information February 22, 2019. On February 22, 2019 OCCD advised all municipal grant recipients of changes in policy and procedures requiring modifications to the specifications. We are currently reviewing these modifications and will circulate revised specifications as soon as possible. **[**]**

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. On January 17, 2019 OCCD Senior Account Clerk Fox indicated receipt of the claimant certification and requested additional information from our office. On February 1, 2019 OCCD Senior Account Clerk Fox requested further modifications to the payment form which were submitted February 4, 2019. It is our understanding all OCCD comments have been satisfied and the County is processing the Contractor's payment application.

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

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NYS DOT 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 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 NYS DOT and confirmed delivered on January 25, 2019. On February 19, 2019 NYS DOT 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. We will continue to follow-up with NYSDOT regarding issuance of the Highway Work Permit. [**]

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. 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. On February 20, 2019 we received the survey and prepared a concept plan. We have commenced detailed design and will review with Superintendent Thorp when the plans reach 50% complete. [**]

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 February 14, 2019 Mayor Leahy, Superintendent Thorp and I met with Don Liloia and Engineer Winglovitz to discuss 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.

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 (by March 15, 2019).

6. **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 required a response from the Village by January 31, 2019. On February 7, 2019 the NYSDEC accepted the Village's response which included an extension of the prior interim approval for two (2) Water Treatment Chemicals (WTC's), ECE-8648 Cationic Polymer and SternPAC. We have, with the assistance of JCO, completed the required forms which will be signed by Superintendent Thorp and submitted to NYSDEC. [**]

ATTORNEY KELLY NAUGHTON- Happy to be back, thanked everyone for their support and beautiful plant.

Mr Jim Capach asked about the Galaxy project and asked about the road being built. Board advised Mr. Capach the Village is not building the road, Galaxy is. Board discussed project with Mr. Capach.

Motion by Trustee Barnett, seconded by Trustee Capozzoli, meeting was adjourned at 7:35PM. 5 ayes, 0 nays.

Respectfully submitted,

Valentina Johnson
Village Clerk-Treasurer