

VILLAGE OF MAYBROOK BOARD OF TRUSTEES MEETING- MAY 28, 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, ATTORNEY JOHN AHEARN, ENGINEER SEAN HOFFMAN, CLERK-TREASURER VALENTINA JOHNSON

**PUBLIC PRESENT:** MARIE LOWN, LINDA AMODIO, MICHAEL AMODIO

Mayor opened the meeting with the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Motion by Trustee Barnett, seconded by Trustee Greany, approving the minutes of May 13, 2019 meeting as presented. 5 ayes, 0 nays.

**APPROVAL OF BILLS & CLAIMS**

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

GENERAL	\$7,239.01
WATER	\$7,509.22
SEWER	\$ 503.13
TOTAL	<u>\$15,252.00</u>

**TRANSFER OF FUNDS**

Motion by Trustee Barnett, seconded by Trustee Greany, authorizing the following transfer of funds as requested by Clerk-Treasurer to cover deficit lines in the budget:

From: 8121.100G, Infiltration Personal Service

To: 8120.100G, Sanitary Sewer Personal Service

Amount: \$100

From: 5142.100A, Snow Personal Service

To: 5110.100A, Street Maintenance Personal Service

Amount: \$2,075.60

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From: 1410.120A, Training Courses

To: 1410.150A, Special Overtime

Amount: \$161.49

From: 3620.420A, Building Inspector Equipment

3620.400A, Safety Inspection Contractual

To: 3120.100A, Police Personal Service

Amount: \$335.

From: 9010.800A, State Retirement

9030.800A, Social Security

To: 8989.110A, Reading Room Personal Service

Amount: \$146.

From: 5110.400A, Street Maintenance Contractual

To: 3120.400A, Police Contractual

Amount: \$1,600.

**CORRESPONDENCE**

1. INTRODUCTORY LOCAL LAW #2 OF 2019, A LOCAL LAW AMENDING THE ZONING MAP OF THE VILLAGE OF MAYBROOK- Attorney Naughton advised on the local law for Tower Avenue, and also advised the Board has a copy of the Short Environmental Assessment Form and documents to review for a work session for discussion, this is not a corner lot and leaves potential for challenge. The whole pink portion should be changed, as shown as zoning map distributed, is out of place , the law is to change to R-6 from B-2. Attorney advised on list of properties to be changed, is non-conforming, and we can talk next time, but she'd like to refer to the Orange County Planning Department and set a Public Hearing, it's only for 1.8 acres of the village. Attorney advised on zoning map from 2007, and it is more current than the County Map, shows what we have done since then, County just needs to revise the changes, they have them, but not a current zoning map showing such. Deputy Mayor advised Attorney to please check with Orange County to see if we can get current zoning maps done. Motion by Trustee Greany, seconded by Trustee Capozzoli, to set a work session at 6PM on June 24, 2019 prior to the next Board meeting. 5 ayes, 0 nays. Motion by Trustee Pritchard, seconded by Trustee Greany, approving to be Leady Agency and type as an Unlisted Action. 5 ayes, 0 nays. Trustee Barnett

asked if we can invite Chairman John Wilson to sit in on the work session. Deputy Mayor advised to wait for the Public Hearing and set for July, Trustee Greany agrees.

#### **MAYOR'S REPORT**

1. **Homestead Avenue Sidewalk Replacement-** Work continues this week on the sidewalk replacement on Homestead Ave between Clark Place and Oak Street. The weather this week looks favorable for continuing work on this project.
2. **Maybrook Wind Ensemble-** On Friday, May 17<sup>th</sup> the Maybrook Wind Ensemble hosted their 5<sup>th</sup> Annual "Spring Concert" at the Maybrook Senior Center. This was the first concert under the direction of Roy Coates. It was a very nice concert and well attended.
3. **Valley Central Government Class-** On Tuesday, May 21<sup>st</sup>, I was invited to speak about Local Government with the Valley Central Government Class at the Valley Central High School. I had a nice time meeting and taking questions from the kids. Thank you to Scott Kramer for inviting me to his class.
4. **Village of Maybrook Memorial Day Parade and Service-** The Village of Maybrook hosted our annual Memorial Day Parade and service yesterday, May 27<sup>th</sup>. Thank you to our Trustee Kevin Greany for his hard work in organizing the event! Thank you to our Guest Speaker Orange County Veterans Service Agency Christian Farrell, the 2019 Grand Marshall Dorothy Flournoy, the Maybrook VFW Post 2064 Commander Robert Beck, the VFW Post 2064 Auxiliary, the Maybrook Police Department, the Maybrook Fire Department led by Chief Ted Ginkuiti and Ladies Auxiliary, the Peoples Regular Baptist Church and Pastor Tom Jackson, the NY School of Music (Walden) who performed the "Star Spangled Banner. A "Special Thank You" to Maybrook Fire Department Ladies Auxiliary for helping with refreshments after our service, Dunkin Donuts for coffee and tea, Shoprite for donating water and juice, Mainline Diner for donating rolls and bagels and Buddy Nelson and Patrick Manz for providing cars for the parade. I would also like to mention and thank our Maybrook Department of Public Works for their hard work in getting our village ready for Memorial Day. Last but not least, we thank our young men and women in the Maybrook Troop 236 Boy Scout Band, Scoutmaster Bill Giannico, Band Leader Jim Barnett, Venture Crew Leader Abby Williams and the Maybrook Troop 236 Boy Scout Band. They truly made our Memorial Day special in the Village of Maybrook!

5. **Town of Montgomery Memorial Day Service**- On Sunday, May 26<sup>th</sup>, I attended the Town of Montgomery Memorial Day Service. It was a very nice event and well attended. Congratulations to Supervisor Rod Winchell and the Event Coordinator Tim Dempsey for their preparation and hosting the event in the Town of Montgomery.
6. **Village of Maybrook Community Wide Yard Sale**- will be held on Saturday, June 15<sup>th</sup> throughout the village from 8 am to 3pm. All residents are welcome to participate!
7. **Village of Maybrook Family Movie Night**- Our first Village of Maybrook Family Movie Night will be held on Friday, June 21<sup>st</sup> at the Frederick Myers Veterans Memorial Park and begin at dusk. The featured movie will be “A Dog’s Way Home” sponsored by the Otterkill Animal Hospital and Stewarts Shops. It’s a great family event and free to all residents!
8. **Village of Maybrook Kick Off the 4th of July Celebration**- will be held on Friday, June 28<sup>th</sup> 7 pm to 10 pm at the Frederick Myers Veterans Memorial Park. There will be live music, Shoprite will be selling hamburgers and hot dogs, Stewarts will be selling ice cream and Georges Famous Zeppoles will be there as well! To close out the evening there will be \*FIREWORKS\* (Rain Date is Saturday, June 29<sup>th</sup>). This event is planned the Friday before the 4<sup>th</sup> of July week. When residents get home from work, they can kick off the 4<sup>th</sup> of July with their family and friends at the park. Fingers crossed for good weather.
9. **Next Scheduled Village Board Meeting**- Our next Village Board Meeting is scheduled for Monday, June 24<sup>th</sup> here at the Maybrook Government Center beginning at 7 pm. There is only one meeting scheduled for the months of June, July and August.

## TRUSTEES’ REPORTS

**TRUSTEE KEVIN GREANY**- Thanked everyone for yesterday, crowd was out, Christian Farrell did the best speech in a very long time, Miranda Calarco is away in Spain, we had the singers from the school and they did a great job and want to sing next year with the scouts playing. Thanked the residents for coming out, special thanks to Lori who does all the letters. God Bless America, the speech really got to him, brings out what Memorial Day is all about.

**TRUSTEE JAMES R BARNETT-** Advised the school was good with the music yesterday, they can surely sing with us next year. The weather was perfect, good job Kevin and Dennis as emcee, there were more people out which was nice to see. Christain's speech was superb and meaningful to all.

Advised the 34<sup>th</sup> Annual Scouts Awards Dinner will be held on June 9<sup>th</sup> at 5PM.

Advised Life Scout Aaron Goldstein will be painting the police department for his Eagle Scout project, he met with Sergeant Maresca, Brandon O'Brien will be doing the VFW Post.

Advised he and Linda did not ride through the village today, Linda had to leave early.

Advised he heard great reports on the Maybrook Wind Ensemble and the new conductor, asked the Mayor to again speak to them about having a concert in the afternoon for more seniors to attend, they really don't come out at night.

Advised on new administrator for the Assumption Church on July 1<sup>st</sup>, 32 years old, Matthew Ryan.

**DEPUTY MAYOR ROBERT PRITCHARD-** Advised Sean the sidewalks look great, will help downtown.

Advised residents on the storms we are experiencing and advised on the tree that fell on a house here in the village, watch and check your trees.

Advised nothing tonight on EDC.

Advised no news on 205 Main Street, lot of activity down there.

**TRUSTEE DARYL CAPOZZOLI-** Thanked Matt and crew and the residents for a very nice Memorial Day.

Advised on number of patrons at the Community Center for April and May, very busy.

## DEPARTMENT HEADS

### ENGINEER SEAN HOFFMAN-

1. **Community Development Block Grants (CDBG)** a. *FY-2020* – Application for sewer lining submitted April 26, 2019. We understand the CDBG Advisory Committee tentatively anticipates conducting site visits by the end of this month.

b. *FY-2019* – Application for sewer lining submitted to the 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* – During your May 13, 2019 meeting you authorized award of the project to the apparent low bidder, National Water Main Cleaning Company (NWMCC), subject to confirmation by OCD that the bid met HUD and County requirements. Once we receive confirmation from OCD we will schedule a contract signing and pre-construction conference with the contractor. [\*\*]

2. **Homestead Avenue Sidewalk Improvements** a. Clark Place to William Street (SAM Grant 6442) – Work commenced May 15, 2019 and is nearing completion. The Village DPW has been onsite daily and our office has been providing periodic construction inspections as required by NYSDOT. During review of the work with Superintendent Thorp it was determined two (2) of the driveways and one (1) curb ramp were installed at variance with the plans. We have discussed replacement of these driveways with the Contractor. Once the work is completed our office will coordinate preparation of a punchlist with Superintendent Thorp and assist with NYSDOT permit closeout and payment under the DASNY grant . [\*\*]

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. The last document, Certificate of Municipal Site Control, was executed by the Village and electronically submitted to DASNY May 24, 2019. DASNY will now prepare a revised Grant Disbursement Agreement (GDA). Once the GDA is received DASNY will pay for cost incurred in connection with the work including surveying, design and permitting. [\*\*]

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 Village of Maybrook May 28, 2019 Page 2 of 2

meeting, Engineer Winglovitz estimated submission of the EAF in July. On May 13, 2019 Mayor Leahy, Deputy Mayor Pritchard, Superintendent Thorp, Attorney Naughton and I met with Don Liloia and others 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.

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). During your April 9, 2019 meeting you adopted a resolution: (1) designating an authorized agent to execute a grant agreement; (2) appropriating local matching funds and; (3) completing SEQRA. A copy of the resolution was submitted to NYSDEC on April 17, 2019.

**6. STP Phosphorous** – On May 14, 2019 Superintendent Thorp and I met JCO to discuss elevated phosphorus levels at the STP. The Village's SPDES permit limits the monthly effluent total phosphorus concentration. Since January 2019, there has been four (4) exceedances of total phosphorus. JCO is attempting to increase the dosage of the chemical utilized to treat phosphorous but believes the elevated phosphorus may be from a source within the collection system. Since the amount of treatment chemical is limited and since the Village Code regulates the concentration of phosphorous which a user can discharge to the collection system, we are working with JCO, the DPW and Building Department to identify the phosphorus source. In the meantime, JCO will continue sampling and provide our office with anticipated treatment chemical dosages which we will review with the NYSDEC. [\*\*]

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**ATTORNEY KELLY NAUGHTON-** Advised she has reviewed the local law from the Village of Walden for Maybrook and still has issues and should speak about it in the work session on 6/24. Kelly will look into and discuss then.

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