

VILLAGE OF MAYBROOK BOARD OF TRUSTEES MEETING- JUNE 24, 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, CHIEF ARNOLD AMTHOR,
SERGEANT MICHAEL MARESCA, DPW
SUPERINTENDENT MATTHEW THORP, CLERK-
TREASURER VALENTINA JOHNSON**

PUBLIC PRESENT:

**EDWARD WILLIAMS, JENNIFER & CHARLIE
WOZNICK, LINDA & MIKE AMODIO, DONNA
BARLETTA, LAUREN PALEY, RON MCDONALD**

Mayor opened the meeting with the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Trustee Greany, seconded by Trustee Pritchard, approving the minutes of the May 28, 2019 meeting as presented. 5 ayes, 0 nays.

APPROVAL OF BILLS & CLAIMS

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

GENERAL	\$163,992.69
WATER	\$ 4,768.09
SEWER	\$ 7,511.33
PAYROLL	<u>\$ 692.28</u>
TOTAL	\$ 176,955.84

TRANSFER OF FUNDS

From: 1325.400A, Deputy Treasurer Contractual

To: 1325.110A, Deputy Treasurer Personal Services

Amount: \$52.20

From: 1410.420A, Administrative Bank Fees

To: 1410.100A, Clerk Personal Services

Amount: \$124.40

From: 1410.420A, Administrative Bank Fees

VILLAGE OF MAYBROOK BOARD OF TRUSTEES MEETING- JUNE 24, 2019

To: 1410.140A, Deputy Clerk

Amount: \$39.46

From: 1110.130A, Court Officers

To: 3120.100A, Police Personal Services

Amount: \$3,500

From: 1110.111A, Justice Court Personal Services

To: 3120.100A, Police Personal Services

Amount: \$ 1,000

From: 8310.400F, Water Adm. Contractual

To: 8310.111F, Water Admin Lori

Amount: \$11.46

From: 8310.400F, Water Adm. Contractual

To: 8310.112F, Water Adm. Linda

Amount: \$15.65

From: 8120.200G, Sanitary Sewers Equipment

To: 8110.111G, Sewer Adm. Lori

Amount: \$11.33

From: 8120.200G, Sanitary Sewers Equipment

To: 8110.112G, Sewer Adm. P.S. Linda

Amount: \$15.25

From: 5110.400A, Streets Contractual

To: 3120.100A, Police P.S.

Amount: \$1,391.

From: 5110.400A, Streets Contractual

To: 8989.110A, Reading Room Service Clerk

Amount: \$886.

From: 8510.400A, Community Beautification

To: 7550.400A, Celebrations

Amount: \$733.75

CORRESPONDENCE

1. SET PUBLIC HEARING FOR INTRODUCTORY LOCAL LAW #2 OF 2019, ZONING MAP AMENDMENT- Motion by Trustee Greany, seconded by Trustee Capozzoli, to set a Public Hearing on July 22, 2019 at 7PM. 5 ayes, 0 nays. Attorney advised we have received the GML from Orange County Department of Planning.
2. DAVID GRIFFITH: RE: FENCE PERMIT- David Griffith advised on the fence in his backyard, advised he was told by the Building Inspector he needs a 3 ft. setback, he just wants to replace the existing dilapidated fence, it's been there since they bought the property, he wants to replace one section in the back on the left and right and was told a firetruck can't get back there, which he spoke to Matt Thorp and was told no firetruck can fit back there, they would not go there. Matt Thorp advised on the townhouse design when constructed by Schoonmaker Homes, the address is 316 Saracino Drive, at the time you could put a fence on the property line. David Griffith advised he filed a complaint against Linda Larosa with Tina due to a problem regarding a fence at his Dad's residence and what Linda said, and feels ever since that happened he's been getting push back from Tim three days later from Tim on his fence on Saracino Dr. David Griffith showed the Board photos. Mayor advised he will meet with Building Inspector. Matt Thorp advised he'll have to go to the ZBA for a variance. Attorney advised she will discuss with Building Inspector and Mayor.
3. BUILDING INSPECTOR'S REPORT, MAY 2019- Trustee Barnett advised the red deli is down. Rec. & filed.
4. AUTHORIZATION , APPOINTMENT OF P/T POLICE OFFICER JOSEPH P WHITE III- Chief Amthor advised Joe needs to attend Phase II, no cost to the village, we will fill two existing vacancies which will help cover shifts. Phase II is from 7/8-7/19, will star SFT after that. Motion by Trustee Capozzoli, seconded by Trustee Greany, approving the appointment of Joseph P White III, as a part time officer at the rate of \$20.84 per hour, effective immediately. 5 ayes, 0 nays. Board asked how Officer Gina Kehoe was doing, Chief advised she is doing well.
5. AUTHORIZATION, APPOINTMENT OF P/T POLICE OFFICER JOHN ERPS- Motion by Trustee Barnett, seconded by Trustee Capozzoli, approving the appointment of John Erps , at a rate of \$20.84, effective immediately. 5 ayes, 0 nays. Chief advised John will also begin Phase II on 7/8/19.
6. AUTHORIZATION, DECLARE POLICE VEHICLES #403 & #404 AS SURPLUS EQUIPMENT- Motion by Trustee Barnett, seconded by Trustee Greany, authorizing two police vehicles, #403 and #404 as surplus equipment. 5 ayes. 0 nays. Chief advised the old stuff on the cars is not easily able to be used on new vehicles, not compatible anymore. Chief advised on the Enterprise Package and will speak to the Board before we go in that direction, suggests we put the vehicles on Actions International, you'll get something for them, he will work with Sergeant Maresca on it.
7. AUTHORIZATION, GENERATOR SERVICE MAINTENANCE CONTRACT 4/1/2019-3/31/20- Motion by Trustee Pritchard, seconded by Trustee Greany, authorizing Mayor to sign contract for the sewage treatment plant at \$906.50 per year. 5 ayes, 0 nays.
8. POLICE DEPARTMENT REPORT, MAY 2019- Sergeant Maresca advised on DWI checkpoint, was successful and will continue to do. Mayor advised kudos to officer Hughes for catching and bringing in kids that were putting graffiti on equipment at the Danny Meyer Park Friday night during movie night, had the parents come in and pick up their kids and they will be paying for the damage. Rec. & filed.

VILLAGE OF MAYBROOK BOARD OF TRUSTEES MEETING- JUNE 24, 2019

9. AUTHORIZATION, CDBG-18, MAYOR TO EXECUTE AMENDMENT & EXTENSION OF MUNICIPAL COOPERATIVE AGREEMENT- Engineer advised on additional \$10,000, Mayor must execute and Board authorize Mayor to sign. Motion by Trustee Pritchard, seconded by Trustee Capozzoli, approving amendment for additional \$10,000 and Mayor to sign the agreement. 5 ayes, 0 nays.
10. AUTHORIZATION, CDBG-19, MAYOR TO EXECUTE CHANGE ORDER #1- Motion by Trustee Pritchard, seconded by Trustee Capozzoli, authorizing Mayor to execute Change Order #1. 5 ayes, 0 nays.
11. AUTHORIZATION, DASNY SAM 6442, MAYOR TO EXECUTE CHANGE ORDER #1 AND 2- Engineer advised on work that has been completed, did the work at 2016 price(curbs and sidewalks) \$7,450 for traffic control(#1) and \$2,360.40 for #2.Motion by Trustee Barnett, seconded by Trustee Greany, authorizing Mayor to sign Change Order #1 and #2. 5 ayes, 0 nays.
12. AUTHORIZATION, BACKHOE LEASE- Matt Thorp advised he is requesting a purchase order to order the backhoe which we budgeted for, \$12,705 per year, 5 year lease, will get rid of backhoe, got \$13,000 for the old one. Motion by Trustee Pritchard, seconded by Trustee Greany, authorizing the 5 year lease agreement, Matt to have a purchase order issued in the amount of \$12,705 for the first year's payment. 5 ayes, 0 nays.
13. LETTER, SHOP RITE MONTGOMERY- Mayor advised he will attend and participate the dunk tank event to raise money for the 2019 Veterans' Campaign, on July 27th from 12 noon to 7PM.

MAYOR'S REPORT

1. **Maybrook Co-ed Adult Beach Volleyball-** The Maybrook Co-ed Volleyball program started on Thursday, May 30th. All going well with the program!
2. **Maybrook Troop 236 Annual Scout Awards Dinner-** On Sunday, June 9th, the Village Board and I were invited to attend the Maybrook Troop 236 Boy Scout's Annual Awards Dinner. Congratulations to the young men and women of the troop on their amazing accomplishments this past year. I wish them all a safe trip to Ten Mile River Scout Camp and Busch Gardens this summer! Congratulations and thank you to Scout Master Bill Giannico, Scout Master Abby Williams and Band Director Jim Barnett for your hard work this past year. Your efforts are always appreciated and never forgotten.
3. **Town of Montgomery Chamber of Commerce Awards Dinner-**The Town of Montgomery Chamber of Commerce hosted their Annual Dinner and Awards Ceremony at the Maybrook Senior Center. It was a wonderful event to support local businesses in our town. Congratulations to the Town of Montgomery Chamber of Commerce "2019 Business of the Year" recipients! Shop Rite Montgomery, Mod 66 Spa & Salon, Verizon Wireless Zone and the Hudson Heritage Federal Credit Union. Thank you to the members of the Town of Montgomery Chamber of Commerce who work hard all year long promoting local businesses in our town and for hosting a wonderful event. Jennifer Cuevas, President, Joan Buck Smith, Tina Johnson, Lisa Spizuco, John Fallon, Donna Jennings, Matthew Flanagan, Larry Fumes, Nick Johannets, Ray Lustig.

VILLAGE OF MAYBROOK BOARD OF TRUSTEES MEETING- JUNE 24, 2019

4. **VFW Post 2064 Flag Day Ceremony-** The Maybrook VFW Post 2064 and Auxiliary held their annual Flag Day Ceremony on Friday, June 14th. It was a very nice ceremony and well attended with a performance by the Maybrook Troop 236 Scout Band as well.
5. **Village of Maybrook Community Wide Yard Sale**– was held on Saturday, June 15th throughout the village. We had nice weather and it looked like many residents participated as well.
6. **Maybrook Women’s Recreation Softball-** is set to begin Tuesday, July 9th and run through to September 17th the sign-up deadline is this Friday, June 27th. This information and the registration form are available on the Village of Maybrook website. Copies of the registration form are available here at the Government Center also.
7. **Village of Maybrook Family Movie Night**– Our first Village of Maybrook Family Movie Night was held on Friday, June 21st at the Frederick Myers Veterans Memorial Park. After consecutive days of rain, we ended up having a nice evening for this event. The featured movie was “A Dog’s Way Home” and we thank our sponsors the Otterkill Animal Hospital and Stewarts Shops. I also want to thank Maybrook Police Officers Chip Lahar and Matt Hughes for interacting with the children at the event. Our next Maybrook “Family Movie Night” will be held on Friday, July 25th. The featured movie will be announced on the Maybrook website in the coming weeks.
8. **Village of Maybrook Kick Off the 4th of July Celebration**– will be held on Friday, June 28th 7 pm to 10 pm at the Frederick Myers Veterans Memorial Park. There will be live music performed by Rockridge, Shoprite will be selling hamburgers and hot dogs (proceeds will go to the Shoprite Veterans Fund), 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 29th). This event is planned the Friday before the 4th of July week. When residents get home from work, they can kick off the 4th of July with their family and friends at the park. Fingers crossed for good weather.
9. **Primary Day**– Primary Day is tomorrow, June 25th from 6 am to 9 pm. Voting in the Village of Maybrook will be held at the Maybrook Senior Center.
10. **Valley Central School Class of 2018-** On behalf of the Village of Maybrook Board of Trustees, we wish to Congratulate the Valley Central School Class of 2019! Good health, happiness and safe journeys in the years to come!
Next Scheduled Village Board Meeting– Our next Village Board Meeting is scheduled for Monday, July 22nd here at the Maybrook Government Center beginning at 7 pm. There is only one meeting scheduled for the months of June, July and August.

A Happy and Safe 4th of July to All

TRUSTEES' REPORTS

TRUSTEE KEVIN GREANY- Advised the sewage treatment plant is up and running, phosphates still high, looking into that.

Advised on attending the Town of Montgomery Chamber of Commerce, very nice evening.

Advised he is looking forward to Friday night.

Congratulated Jenn Woznick, who's daughter is graduating from high school and off to college.

TRUSTEE JAMES R BARNETT- Advised Flag Day was very nice ceremony, we were one of only two ceremonies held in the entire Orange County, very sad. The Village Board was there, Mayor spoke well, VFW did a great job, says a lot for us, glad we did it.

Advised to VOTE tomorrow, Primary Day, polls are open from 6AM to 9PM.

Advised on the painting done on the Railroad Caboose by Abeer Ahmed, the caboose is a reminder of how Maybrook was the Hub of the East, very important part of history, he did it for his Eagle Project and it came out beautiful.

Advised we have a new priest coming on 7/1 Father Rhineman, 31 years old, looking forward to meet our Board and Mayor, hoping he keeps our church open.

DEPUTY MAYOR ROBERT PRITCHARD- Congratulated Jenn Woznick on her graduate!

Congratulated our new part time officers and wish Gina a speedy recovery.

Advised on EDC, there has been another inquiry for industrial space.

TRUSTEE DARYL CAPOZZOLI- Advised on patrons at the Community Center.

Wished everyone a safe and Happy July 4th.

Congratulated Chief and Sergeant on new hires.

Advised Matt Thorp he can get some mowing done while it's not raining finally.

Congratulated all of our graduates in the village.

DEPARTMENT HEADS

DPW SUPERINTENDENT MATTHEW THORP- Advised on sewage treatment plant and drums.

Advised on a feed pump, one quote is for \$2,164.95, another for \$1,636.25, waiting for another quote.

Advised on computer gear box that was bad so they repaired it for free.

Advised he is getting mark outs for parking space on Everett Place.

Advised on storm sewer on Wiley Street and Abbey Avenue.

Advised the Board of work on Rakov Road, getting prices, the base is good, will do 9,600 square feet, expand , we will need to pay for tree removal, it will substantial parking about 30-40 spaces.

ENGINEER SEAN HOFFMAN-

Community Development Block Grants (CDBG) a. FY-2020 – Application for sewer lining submitted April 26, 2019. On June 20, 2019 we met with CDBG Advisory Committee to review the application. Typically, grant recipients will receive a notice of award by early December. [**]

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). After confirmation from OCD that the bid conformed to HUD requirements, a pre-construction conference was conducted June 10, 2019. During the meeting NWMCC submitted bonds and insurance which were reviewed by Attorney Naughton and required revision. We are currently waiting for NWMCC to submit revised documents and have contacted OCD to determine whether a portion of the insurance coverage may be waived. In the meantime, the Village was awarded an additional \$10,000 in grant funding and OCD has requested you execute an Amendment and Extension agreement. After this agreement is executed, we will ask that you authorize a change order to modify your contract with NWMCC. We intend to utilize the additional grant funds to line an additional 182 linear feet of sanitary sewer along Volunteer Place. [**]

2. Homestead Avenue Sidewalk Improvements a. Clark Place to William Street (SAM Grant 6442) – Work was substantially completed on June 4, 2019. We are currently receiving the last of the concrete laboratory test results on the last samples and some remaining closeout paperwork. We contacted NYSDOT on June 10, 2019 to advise them the work was complete. We have asked that you approve two (2) change orders: Change Order No. 1 increase the contract by \$7,450 for traffic control work (this work was not included in the County's bid) and Change Order No. 2 which increases the contract by \$2,360.40 to account for as-built quantities (additional 14 linear feet of curb and 128.60 square feet of sidewalk). [**]

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. The revised Grant Disbursement Agreement (GDA) was received this afternoon and will be forwarded to Attorney Naughton for review. We ask that you authorize the Mayor to execute the revised GDA subject to Counsel's review. Once the GDA is full executed 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 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.

VILLAGE OF MAYBROOK BOARD OF TRUSTEES MEETING- JUNE 24, 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. On June 19, 2019 Superintendent Thorp provided our office with the new chemical to be used to address the elevated phosphorous. We will commence preparation of the application to be submitted and approved by NYSDEC. [**]

Motion by Trustee Barnett, seconded by Trustee Pritchard, to enter into executive session to discuss matters of personnel. 5 ayes, 0 nays. 7:55PM.

Motion by Trustee Capozzoli, seconded by Trustee Pritchard, to exit from executive session at 8:39PM. 5 ayes,, 0 nays.

Motion by Trustee Greany, seconded by Trustee Capozzoli, meeting was adjourned at 8:40PM. 5 ayes, 0 nays.

Respectfully submitted,

Valentina Johnson
Village Clerk-Treasurer