

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,
SERGEANT MICHAEL MARESCA, DPW
SUPERINTENT MATTHEW THORP, CLERK-
TREASURER VALENTINA JOHNSON**

PUBLIC:

**CARMINE COLONTUONO, KIT CUSHMAN,
CHRISSEY CUSHMAN, COLLEEN ROMANIK,
DONNA BARLETTA, LAUREN PALEY, JIM
CAPACH & DAUGHTERS, TOM SERRALaura
FITZGERALD (WVT)**

Mayor opened the meeting with the Pledge of Allegiance to the flag.

Tomorrow is September 11th, the Village of Maybrook Flags will be at half-mast to honor those who perished, those who sacrificed their lives to assist, and the family members who continue to suffer their loss of loved ones as a result of that tragic day on September 11, 2001. Before we begin tonight's meeting, I would like to request a moment of silence to acknowledge the 17th Anniversary of September 11th 2001. May we always remember and never forget!

APPROVAL OF MINUTES

Motion by Trustee Barnett, seconded by Trustee Pritchard, approving the minutes of the August 27, 2018 meeting as presented. 5 ayes, 0 nays.

APPROVAL OF BILLS & CLAIMS

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

TRANSFER OF FUNDS

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

CORRESPONDENCE

Clerk advised and congratulated Attorney Kelly Naughton on the firm, Burke, Miele, Golden & Naughton, LLP for receiving, once again, an award for the Top 25 Hudson Valley Lawyers who ranked top in the list in the 2018 Upstate New York Super Lawyers! Board congratulated Kelly and John Ahearn, and to please pass on to Attorney Rick Golden and the rest of the firm! Well deserved!!!

CORRESPONDENCE

1. LETTER OF RESIGNATION, ANN MARIE PEARSON- Trustee Capozzoli advised he's known Ann for a short time, but heard she did a good job. Trustee Barnett advised Ann was very cooperative and helpful. Motion by Trustee Capozzoli, seconded by Trustee Barnett, to accept with regrets Ann's letter of resignation, effective immediately. 5 ayes, 0 nays.
2. POLICE REPORT, AUGUST 2018- Sgt. Maresca thanked everyone for their help with the Bike Rodeo, and advised their DWI Checkpoint went well and was successful. Rec. & filed.
3. BUILDING INSPECTOR'S REPORT, AUGUST 2018- Trustee Barnett advised the garage is down on Tower Avenue, all taken care of, the red deli has been cleared out, waiting for him to get a demolition permit to take it down. Rec. & filed.
4. VALLEY CENTRAL EDUCATION FOUNDATION'S HARVEST AWARD RECEPTION-Tina advised on the invitation on October 4, 2018 at the Otterkill Golf & Country Club, at 5PM, \$50 each, please let her know if interested in attending. Rec. & filed.
5. BREAST CANCER AWARENESS MONTH OF OCTOBER- Motion by Trustee Barnett, seconded by Trustee Pritchard, to recognize October as Breast Cancer Awareness Month, as in past years. 5 ayes, 0 nays.
6. AUTHORIZATION, AWARD OF SEWER LINING PROJECT CDBG FY2017- Engineer advised on CDBG FY2017, and Bid Opening results from 9/4/18, bid received for \$25,075.50 from National Water Main Cleaning Company was the low bid, they did the work for the village last year. Orange County Community Development had no problem with bids. Motion by Trustee Barnett, seconded by Trustee Capozzoli, to award CDBG FY2017 to National Main Water Cleaning Co. for \$25,075.50. 5 ayes, 0 nays. Engineer advised the grant is for \$50,000 for sewer lining, we can add to it but it must be in that area.

MAYOR'S REPORT

1. Village of Maybrook Family Movie Night- Family Movie Night is scheduled for this Friday, September 14th at the Frederick Myers Veterans Memorial Park and will begin at dusk. The featured movie will be "Coco". This Family Movie Night is sponsored by the Wallkill Federal Savings and Loan. Stop down at the park with your family and enjoy a movie in the park with your friends and neighbors! This event has been pushed out since July because of the significant amounts of rain we

experienced this summer. Hoping for good weather on Friday evening and we will notify residents if there is a cancellation.

2. **General Montgomery Day**- This past Saturday I was invited to participate in the General Montgomery Day Parade. It was nice to have organizations from the Village of Maybrook participating as well. The Maybrook Troop 236 Boy Scout Band, Maybrook VFW Post 2064 and Auxiliary, Maybrook Police Department and the Maybrook Fire Department. The weather turned out to be comfortable. Congratulations to Mayor Steve Brescia and his Board for a very nice event.
3. **Village of Maybrook “Community Shred Day”**- will be held on Friday, September 28th from 8 am to noon. Residents are welcome to safely discard old documents and bills by bringing them here to the Maybrook Government Center FREE of charge!
4. **Village of Maybrook “Fall” Community Yard Sale**- will be held on Saturday, October 6th from 8am to 3pm in the village.
5. **Village of Maybrook and VFW Post 2064 & Auxiliary “Run for Homeless Heroes” 5k Race/Walk** -VILLAGE OF MAYBROOK AND VFW POST 2064 & AUXILIARY will host our 3rd Annual “Run for Homeless Heroes” Classic 5k Run and Walk which will be held on SATURDAY, OCTOBER 27th. All of the proceeds will benefit homeless veterans. This information along with the registration form and online registration is also available on the Village of Maybrook website.
6. **Primary Election Day**- Primary Election Day will be held in the Village of Maybrook on Thursday, September 13th at the Maybrook Senior Center.
7. **Maybrook Women’s Recreation Softball**- Maybrook Women’s Recreation Softball continues their season on Tuesday nights. We have had significant rain fall this this summer and now into the fall. A new schedule will be put together to try and finish out the season. Once again, hoping the weather cooperates.
8. **Next Scheduled Village Board Meeting**- Our next Village Board Meeting is scheduled for Monday, September 24th here at the Maybrook Government Center beginning at 7 pm. We are now back on schedule for two meetings a month.

TRUSTEES’ REPORTS

TRUSTEE KEVIN GREANY- Advised the sewage treatment plant is running good.

Advised on General Montgomery Day, gets harder every year the band plays "Danny Boy" for Jill Meyer, it's 22 years now, and the Village will never forget. Jill appreciates it.

TRUSTEE JAMES R. BARNETT- Advised General Montgomery Day was fun, true what Kevin just said.

Advised the Board to let him know if they will be attending on 9/23, Eagle Court of Honor for Sebastian Manning and Jacob Fisher.

Asked about the garbage contract and leaf pick up, not picked up for the past two weeks, Trustee Capozzoli also stated Oak Street were not picked up, Tina advised no one told her or called her. Engineer will call them and notify Tina.

DEPUTY MAYOR ROBERT PRITCHARD- Advised the DRI grant is not out for the Hudson Valley yet.

TRUSTEE DARYL CAPOZZOLI- Advised on Community Center and activity, 699 patrons, busy in August.

Advised General Montgomery Day, everybody looked great, police department, fire department, had a lot of fun.

DEPARTMENT HEADS

DPW SUPERINTENDENT MATTHEW THORP- Advised Thursday is tentatively scheduled for reclamation on Country Club Drive.

Advised he will get the sign offs for the sidewalks out this week.

Advised he will send out the letters for Lead & Copper samples for testing.

ENGINEER SEAN HOFFMAN-

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. The calendar provided by OCCD in February 2018 estimates award notices to be distributed in November 2018.

b. FY- 2018 – This work includes lining of sewer segments including Prospect Avenue, Volunteer Place and several easements. During your February 12, 2018 meeting, you authorized the Mayor to sign the CDBG Municipal Agreement (received February 1, 2018) which will provide the Village with \$50,000 in grants. We received a copy of the executed agreement from Clerk Johnson on July 11, 2018. We will finalize the sewers to be completed with Superintendent Thorp and coordinate bidding after award of the FY-2017 project.

c. FY-2017 – This work includes the lining of sewer segments including Prospect Avenue and Broadway. During your June 5, 2018 special meeting Attorney Naughton advised this work is required to be completed by September 2018 and you authorized bidding this project. Bids were received September 4, 2018 (see attached correspondence regarding bids); we spoke with OCCD Director Fogelman this morning and confirmed the Village may proceed with an award at this time. A pre-construction meeting/contract signing will be schedule based on OCCD availability.

d. FY-2016 – This work included lining of sewer segments on Tower Avenue, Maiden Lane and Spring Street and was completed in February/March 2017. We have provided the Contractor with comments

regarding the application for Final Payment. Once we receive the Contractor's Final Payment application we will forward to you for processing and transmission to OCCD for payment.

2. Country Club Drive Sidewalk Improvements – This work is intended to reduce the width of the pavement between NYS Route 208 and Ted Miller Drive to facilitate the installation of a sidewalk. The final plan was distributed prior to your March 12, 2018 meeting. Superintendent Thorp and I met with the surveyor on Friday (September 7, 2018) to field identify the location of the new curb. We understand the first phase of this work is tentatively scheduled for this week, weather permitting.
Village of Maybrook

3. Homestead Avenue Sidewalk Improvements a. Clark Place to William Street (SAM Grant 6442) – On August 31, 2018 NYSDOT conditionally approved the plans for permitting. Once you complete SEQRA, Superintendent Thorp will sign the permit application and we understand a draft permit will be issued by NYSDOT. After the Village submits executed driveway release forms and the contractor submits the NYSDOT required bonds and insurance, NYSDOT will issue a final permit and construction may commence.

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 August 8, 2018 the Village received the Grant Disbursement Agreement for execution. On August 24, 2018 we discussed sidewalk replacement with Superintendent Thorp who recommends replacing the portion from West Spring Street to Wiley Street. We have requested a proposal for this survey work and will advise you of the cost and schedule once we receive from the surveyor.

4. 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 June 25, 2018 Mayor Leahy, Superintendent Thorp and I met with Don Liloia and Engineer Winglovitz to discuss water and wastewater connections.

5. 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.

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.

6. 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 SPDES permit will include provisions for the Village to study whether effluent disinfection will provide a public health benefit. This will require preparation of a water quality model based on weekly sampling to be conducted next year (2019). We understand the proposal has been submitted and suggest discussing the work with you shortly. Additionally, Grant Writer Lima submitted the application for the Engineering Planning Grant to study effluent disinfection at the end of July. See attached correspondence for additional information.

7. Order on Consent – The 2014 Consent Order required the submission of Annual Reports through early 2018. The final report was submitted on March 14, 2018 and amended, in response to the NYSDEC's comments, on June 13, 2018. On July 16, 2018 the Village received correspondence from NYSDEC that the Annual Report was approved. We understand this satisfies the Village's obligation under the Consent Order and have submitted correspondence to the DEC in this regard on July 16, 2018 and followed up August 27, 2018. On September 7, 2018 NYSDEC responded that this is a legal, rather than technical matter and recommended the Village contact NYSDEC's Office of General Counsel.

8. NYS Environmental Facilities Corp. Loan – When we discussed this with you during your August 27, 2018 meeting, it was thought this work may have been completed. On August 30, 2018 we obtained the 2009 Engineering Report submitted in support of the loan application. This report summarizes the project as cleaning the existing 30-inch culvert and channel and installing a new 60-inch culvert. We believe this work is no longer necessary and suggest you authorize us to withdraw the loan application. If you have any questions, or wish to proceed differently on any of the above matters, please do not hesitate to call.

Motion by Trustee Barnett, seconded by Trustee Capozzoli, approving to withdraw old loan application with NYS EFC. 5 ayes, 0 nays.

ATTORNEY KELLY NAUGHTON-Advised on the SEQRA Notice of Assumption Of Lead Agency Status. Motion by Trustee Pritchard, seconded by Trustee Greany, approving to assume Lead Agency Status for the construction of approximately 1,200+/- linear feet of curbs and sidewalks along the western side of Homestead Avenue between Clark Place and Oak Street and along the eastern side of Homestead Avenue between Oak Street and William Street. 5 ayes, 0 nays.

Motion by Trustee Barnett, seconded by Trustee Pritchard, approving a Negative Declaration for SEQRA. 5 ayes, 0 nays.

Motion by Trustee Pritchard, seconded by Trustee Capozzoli, approving as an Unlisted Action for SEQRA. 5 ayes, 0 nays.

Trustee Barnett advised we extend our congratulations to Officer Anthony Galeno, happy to hear he's been hired full time with the Town of Shawangunk, congrats! 5 ayes, 0 nays.

PUBLIC COMMENT

Tom Serra congratulated the Board and village staff for the fine job they do, but he has a situation with the Town of Montgomery and Walden Humane Society, he gets no response from them. Mayor advised and will get a meeting with Mr Serra and the Town Supervisor on this.

Jim Capach advised on his complaint filed today and his property. Sgt Maresca advised he just received the complaint this afternoon, he needs to sign the complaint, and it is being investigated and takes time.

VILLAGE OF MAYBROOK BOARD OF TRUSTEES MEETING- SEPTEMBER 10, 2018

Chrissy Cushman asked if the VFW is private property, was advised yes, and advised on a situation with cats in a vacant house next to where she resides.

Kit Cushman asked if we still have the Cable Channel News. Mayor advised yes, quite outdated, so we use the Facebook Page, Code Red, and the Website.

Motion by Trustee Barnett, seconded by Trustee Greany, to enter into executive session to discuss a personnel matter with no intention to conduct business afterwards. 8:10PM. 5 ayes, 0 nays.

Motion by Trustee Pritchard, seconded by Trustee Greany, authorizing Attorney to draft disciplinary charges against a village employee involved in a motor vehicle accident. 5 ayes, 0 nays.

Motion by Trustee Capozzoli, seconded by Trustee Barnett, to exit from executive session at 8:53PM. 5 ayes, 0 nays.

Motion by Trustee Capozzoli, seconded by Trustee Barnett, meeting was adjourned at 8:55PM. 5 ayes, 0 nays.

Respectfully submitted,

Valentina Johnson
Village Clerk-Treasurer

