

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

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 AHERN, ENGINEER SEAN HOFFMAN, SERGEANT MICHAEL MARESCA, DPW SUPERINTENDENT MATTHEW THORP, CLERK-TREASURER VALENTINA JOHNSON

PUBLIC PRESENT: CHRISTINE KOHLBERGER, BILLY DUNN, EDWARD WILLIAMS, LAURA (WVT), KOHLBERGER FAMILY

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 September 24, 2018 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	\$65,271.20
WATER	\$16150.65
SEWER	\$25,768.75
REFUSE	<u>\$19,973.09</u>
TOTAL	\$127,163.69

TRANSFER OF FUNDS

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

From: 8510.400A, Comm. Beautify Christmas Lighting

To: 7550.400A, Celebrations Contractual

Amt. \$25.00

APPOINTMENT/OATH OF OFFICE

FULL TIME POLICE OFFICER CHRISTINE A. KOHLBERGER

Mayor advised earlier this evening the Board met with Christine Kohlberger, who was interviewed and has been highly recommended by Chief Amthor and Sergeant Maresca, for a full time police officer

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position. Mayor thanked Chief, Sergeant and officer Toomey for their extensive interview process. Sergeant Maresca advised on all of Christine's qualifications and will fit in well with the department, very eager and anxious to learn, and will be an asset to the department. Christine is currently an officer with the Town of Wallkill.

Motion by Trustee Barnett, seconded by Trustee Greany, approving the conditional appointment, contingent upon Civil Service approval, for Christine Kohlberger, effective once approval is received, as a full time police officer at the starting salary in current contract. 5 ayes, 0 nays.

Clerk administered the Oath of Office. Board welcomed and congratulated Christine and her family members.

Mayor advised we also met with part time DPW employee Billy Dunn, and advised on appointment as a full time DPW Laborer. Matt advised on CDL and water certifications that Billy will be working on to attain. Mayor advised with Matt's help and Billy's Dad's help, they will guide him in the right direction.

Motion by Trustee Barnett, seconded by Trustee Pritchard, to appoint Billy Dunn as a full time DPW Laborer, at a rate of \$11.17 per hour, effective October 15, 2018. 5 ayes. 0 nays.

CORRESPONDENCE

1. JIM TAYLOR, TAYLOR-MONTGOMERY, LLC, RE: MUNICIPAL SOLID WASTE AGREEMENT WITH TBE-MONTGOMERY, LLC- Mr. Taylor advised on some great news, and request for extension of the current termination date, this is the second extension, and get 4/30/21 extended to this date with PSC to complete financing, which must be completed. No one has turned him down, he has a possible financing closing (almost all updated and renewed), explained the process by 11/5, and done by 12/15. Mayor advised he thanks and appreciates Jim still honoring the same price of \$66 a ton since 2012, Jim has always been a good neighbor, and does a lot of hard work. Attorney advised on the dates in paragraph 9.02 which will be 4/30/21, she will make the changes. Jim Taylor advised he has a 20 year agreement with County Waste. Motion by Trustee Pritchard, seconded by Trustee Capozzoli, approving the Municipal Solid Waste Agreement With TBE-Montgomery, LLC extension, with Attorney's corrections, through 4/30/21. 5 ayes, 0 nays.
2. VILLAGE OF MAYBROOK SEXUAL HARRASSMENT POLICY- Attorney advised on statewide new Sexual Harassment Policy, training is required by 10/9/19. Tina must distribute to each employee, Kelly will be working with Tina and posting, and encourage to have it with the paychecks. Mayor thanked Kelly for getting it done quickly. Mayor advised he has a meeting set up with Tina, Kelly, and him on the handbook. Motion by Trustee Capozzoli, seconded by Trustee Greany, approving the Village of Maybrook Sexual Harassment Policy as presented. 5 ayes, 0 nays.
3. JCO REPORT, AUGUST 2018- Trustee Greany advised on high flows and some issues, the flows were down this weekend. Matt advised he spoke to Donnie and advised on the plant and flows. Engineer advised on the two issues, flows are up, due to precipitation, there are well below the permit, and we are looking for potential leaks, and we had an overflow at Yellow Freight last week, this is the second time it's happened.
4. LETTER, VCSD, ASSISTANT SUPERINTENDENT MICHAEL BELLAROSA- Attorney recommends we check with the Fire Department, EMS, and Police Department, there are a few things that need to be discussed and bring up at the next meeting. Attorney advised she will look into this and we will follow up at the next meeting.

MAYOR'S REPORT

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 and Facebook Page.

1. Maybrook "PINK" for October- On September 10th, the Maybrook Board of Trustees unanimously proclaimed **October Breast Cancer Awareness Month in the Village of Maybrook** which is an annual campaign to increase awareness of the disease. While most people are aware of breast cancer, many forget to take the steps to have a plan to detect the disease in its early stages and encourage others to do the same. The Village of Maybrook is a proud sponsor of this great cause and support awareness for early detection. Pink ribbons are displayed at the Maybrook Government Center. Residents are welcome to display them as well. A special thank you to Cindy Lord from Lord's Florist for supplying the village with pink ribbons!
2. Country Club Drive and Sidewalk Project- This week, the curbs will be completed on Country Club Drive and we have a tentative paving date of Thursday, October 18th and Friday, October 19th. Weather has been and continues to be a factor for this project. We are also finishing up on the final approvals from New York State Department of Transportation of the new sidewalks being installed from Clarke Place to Oak St and Oak St. to Williams St. Our goal is to have both projects completed as soon as possible. I want to thank DPW Supervisor Matt Thorp and Village Engineer Sean Hoffman for staying on top of both of these projects.
3. Leaf Pick up in Maybrook- It's that time of year and leaf pick up has started in the village. Leaves MUST be bagged in biodegradable bags which are FREE and available here at the Government Center or at the DPW Garage. Just a reminder, bagged leaves will be picked up by our garbage contractor County Waste on THURSDAY's.
4. Motivational Speaker Marc Mero- I was asked if I could get the word out about a planned event at the Valley Central High School that will take place on Thursday, October 25th at 7 pm. This event is FREE and highly recommended for families with young adults in Middle School and High

School. Marc Mero is a retired amateur boxer and professional wrestler, and now tours as a motivational speaker encouraging kids to make positive choices in their lives. He is best known for his appearances with the World Wrestling Federation. My message is to every parent in our village and surrounding communities. Please make every effort to attend this event with your children. It's informative and hits home about staying on the RIGHT path! The local Fire Departments (Montgomery, Maybrook, Walden and Coldenham) in the Town of Montgomery came together to make this event possible and are hoping for a large turnout. Please spread the word by encouraging your friends and neighbors to attend this FREE event with their families.

5. **Kiwanis Club of Maybrook**- On Friday, September 28, 2018, the Kiwanis Club of Maybrook hosted and welcomed residents and guests to their "Charter Night" at the Maybrook Senior Center. The Kiwanis Club of Maybrook had a raffle of 25 Gift Baskets, a 50/50 raffle and light refreshments for guests. The Kiwanis Club of Maybrook proudly raised over \$1,000.00 for the evening! I am deeply proud and honored to welcome the newly formed Kiwanis Club of Maybrook to our village. I wish to congratulate and thank the Maybrook Kiwanis Club Officers, Board of Directors and Charter Members for coming together and forming this wonderful organization in our village. I also wish to thank David Morse, Kiwanis Club Organizer and Charter Member of the Kiwanis Club of Minisink Valley and the Kiwanis Lt. Governor James Burtis of Hudson River West for recognizing the potential in our village and their support of the Kiwanis Club of Maybrook. I am also a proud Charter Member of the Maybrook Kiwanis Club and I look forward to many years of success in serving our community!
6. **Hydrant Flushing**- Hydrant Flushing begins in the village on Monday, October 22nd thru to Friday, November 9th during the week. Water may be discolored but it is safe to drink. The washing of clothing is recommended after 5:30 pm. As always, we thank everyone for their cooperation.
7. **Village of Maybrook Halloween Party**- The Village of Maybrook Halloween Party will be held on Wednesday, October 31st which is Halloween beginning at 5 pm and ending at 6 pm. There will be games, music, raffles and refreshments for elementary school aged children. Afterwards, the kids can go trick or treating in the village which is from 6 pm to 8 pm. Reminder to all residents, if you are giving out candy please leave your front porch light ON. Please turn your front porch light OFF if you do NOT wish to participate.

8. **Maybrook Fire Department “Community Open House”**- The Maybrook Fire Department will be hosting their Community Open House” on Saturday, October 20th from 1pm to 3 pm at the Maybrook Fire House. There will be fun and informative activities for children and adults. Visit the Maybrook Fire Department website at www.maybrookfd.com for more information.
9. **Next Scheduled Village Board Meeting**- Our next Village Board Meeting is scheduled for Monday, October 22, 2018 at 7 pm.

TRUSTEES’ REPORTS

TRUSTEE KEVIN GREANY-Advised on the sewage treatment plant.

Advised he hopes we get people to show up for the 5K race, will put on the website.

Wished Tina Happy Birthday Friday!

Advised on his nephew Joe Greany’s induction into the Valley Central Hall of Fame, he’s the 4th from Maybrook. Board advised congrats, very nice.

TRUSTEE JAMES R BARNETT- Advised the Tree Lighting will be held on 11/25 at 6PM.

Advised the Holiday Party will be held at the senior center on 11/30 at 6PM, \$20 pp/\$35 per couple, there will be a DJ, and Tina will send out flyers.

Asked Engineer if it’s true that Bluestone Commons is completed? Engineer advised they need to work on the recreation area, some changing to it, tennis court to horseshoes, benches and bocce, Tim will look at the plan. Attorney advised there’s an issue, they are looking to get the bond back and owes the village fees. Engineer advised he will issue a letter and bond can be released pending these items. Trustee Barnett advised he is very happy.

DEPUTY MAYOR ROBERT PRITCHARD- Advised a lot is coming up, 10/25 is his daughter’s due date, his first grandchild, he will be here for the EDC meeting on 10/22, there is interest coming in from various parties. Board extended congratulations to Bob and his family!

TRUSTEE DARYL CAPOZZOLI- Advised Country Club Drive looks good, staffing looks fine.

Advised Matt on broken window.

Asked about DARE money to Montgomery Elementary School, since Maybrook children go there, he was asked by someone about possible funding from the village. Mayor advised tell them to send him a letter.

DEPARTMENT HEADS

SERGEANT MICHAEL MARESCA- Advised on first staff meeting and discussion regarding abandoned vehicles in the village and a complaint received from a resident. Section 189.17.3 needs something in the code to tow these from the municipal lots(unregistered & no plates), Sergeant is recommending the Board to amend the village code to reflect this. Attorney advised of the sign presently there that covers from 11/1 to 4/1, and suggests a local law to correct, remove window and free up a parking spot. Sergeant Maresca advised to keep restriction but add something specific to unregistered vehicles. Motion by Trustee Capozzoli, seconded by Trustee Pritchard, authorizing Attorney to draft some kind of law, with options, for abandoned vehicles in municipal parking lots. 5 ayes, 0 nays.

DPW SUPERINTENDENT MATTHEW THORP- Advised he agrees with Sergeant Maresca 100%.
Advised on additional curbing will be completed tomorrow.
Advised on water leak again on Maybrook Road on 9/27 & 9/28.
Advised release sheets for DOT, he has two more to get signed, getting one signed tonight after the meeting.
Advised they are finishing sewer manhole tomorrow on Country Club Drive.
Advised he and Billy Sharpe will be at NYCOM Public Works School in Lake Placid next week.

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 and you awarded the contract to the low bidder during your September 10, 2018 meeting. The Contractor's bonds and insurance information were transmitted to OCCD September 18, 2018. We are working with the Contractor and OCCD to schedule the pre-construction meeting/contract signing.

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 received the Contractor's Application for Final Payment last week and delivered to Clerk Johnson on September 19, 2018 for processing and forwarding to OCCD for payment. On September 27, 2018 OCCD request modifications to the application which we understand were addressed by the Contractor and Village and returned to OCCD.

2. Country Club Drive Sidewalk Improvements – Since your September 24, 2018 meeting the contractor has completed the installation of the curbs from NYS Route 208/Homestead Avenue to Ted Miller Drive and at the Adams Drive intersection. After the pavement was removed portions of the existing Belgium block became dislodged. Superintendent Thorp and I reviewed the dislodge block on Friday, October 5, 2018 and determined some of the original block did not appear to be set in sufficiently deep concrete and was likely held in place by the pavement. We spoke with the Mayor and Contractor and determined the block between approximately 175 linear feet of block should be replaced with concrete curb. The Contractor commenced this work today and should be completed in several days. We understand the Village has received a tentative paving date of October 18, 2018. Once this date is confirmed, we recommend the residents and school district be notified.

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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. 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. 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. On September 11, 2018 we received a proposal for the survey work. This proposal was authorized by Mayor Leahy on September 13, 2018 and the surveyor estimates commencing this work within the next two (2) weeks (we spoke today by telephone and the surveyor indicated he is waiting for DOT to provide him with copies of their maps).

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. On September 26, 2018 we followed up with the Developer who indicated he was in the process of scheduling the work. This morning we spoke with the Developer who indicated he has ordered materials and anticipates starting work on Monday, October 15, 2018 with the intent of completing all items prior to winter.

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. During your September 10, 2018 meeting we discussed this work with you; we are still compiling an approximate cost to provide an engineering report and construct effluent disinfection.

7. **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 today that 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. Unless Attorney Naughton advises otherwise, we recommend the Board authorize the Mayor to sign the agreement with DEC subject to the Village Attorney’s review. Motion by Trustee Pritchard, seconded by Trustee Greany, authorizing Mayor to sign the agreement with DEC with Mayor and Matt Thorp as users for the online system, instead of calling for any overflow. 5 ayes, 0 nays.

ATTORNEY KELLY NAUGHTON- Advised on emails from her , she will keep the police department and Board and Tina in the loop to protect the village, when and who can go on the property.

Motion by Trustee Pritchard, seconded by Trustee Greany, meeting was adjourned at 8:30PM. 5 ayes, 0 nays.

Respectfully submitted,

Valentina Johnson
Village Clerk-Treasurer

