

VILLAGE OF MAYBROOK BOARD OF TRUSTEES MEETING- NOVEMBER 14, 2018

MEMBERS PRESENT: MAYOR DENNIS K LEAHY, DEPUTY MAYOR ROBERT PRITCHARD, TRUSTEE KEVIN GREANY, TRUSTEE DARYL CAPOZZOLI

MEMBERS ABSENT: TRUSTEE JAMES R BARNETT

ALSO PRESENT: ATTORNEY KELLY NAUGHTON, ATTORNEY JOHN AHEARN, ENGINEER SEAN HOFFMAN, POLICE CHIEF ARNOLD AMTHOR, SERGEANT MICHAEL MARESCA, CLERK-TREASURER VALENTINA JOHNSON

PUBLIC PRESENT: ED WILLIAMS, DONNA BARLETTA, NOAH CABRERA, MR. CABRERA, LAURA FITZPATRICK(WVT)

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 October 22, 2018 meeting as presented. 4 ayes, 0 nays.

APPROVAL OF BILLS & CLAIMS

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

GENERAL	\$128,013.65
WATER	\$ 10,280.13
SEWER	\$ 20,869.48
REFUSE	\$ 19,973.09
PAYROLL	<u>\$ 1,064.56</u>
TOTAL	\$180,200.91

TRANSFER OF FUNDS

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

From: 3120.100A, Police Personal Services

To: 9015.800A, Police & Fire Retirement

Amount: \$2,000

From: 1990.400A, Contingency- \$5,000

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8989.110A, Reading Room Personal Service- \$3,000

7620.410A, Adult Recreation- Senior Bus-\$2,000

8020.400A, Planning Contractual- \$2,000

To: 9010.800A, State Retirement

Amount: \$12,000

Clerk congratulated Deputy Mayor Pritchard and his family, he's a new Granddad!!!

CORRESPONDENCE

1. NOAH CABRERA, EAGLE/HORNADAY PROJECT- Scout Noah Cabrera advised the Board of his request to do a Bat Box Eagle Project, he will install 1-4 bat boxes each of the Town of Montgomery parks. He is requesting to install two in the village, one in the David Weiss Park and one behind the senior center, he'd like to have them in by April. Deputy Mayor advised it's a great project. Motion by Trustee Pritchard, seconded by Trustee Capozzoli, approving Scout Noah Cabrera's Eagle Scout Project for installation of two bat boxes in the village parks. 4 ayes, 0 nays.
2. JCO REPORT, SEPTEMBER & OCTOBER 2018- Trustee Greany advised on the high flows, Engineer advised we are still within our permit, but we have had a tremendous amount of rain, so we will have peaks, we will keep an eye on it, if no decline by spring, we will do manhole inspections. There has been 70 inches of rain so far.
3. POLICE DEPARTMENT REPORT, SEPTEMBER & OCTOBER, 2018- Sergeant Maresca advised Halloween was quiet, no problems and thanked the Board for the curfew, it helps. Rec. & filed.
4. REQUEST, BLUESTONE COMMONS, RE: RECREATION & CONSTRUCTION BOND- Engineer advised Tim Ippolito and he performed a final inspection of the recreational improvements and they are, in their opinion the recreational improvements are in substantial conformance with the approved plans and that the bond may be returned at this time. Clerk advised on other money in escrow from Evergreens which will also be returned after an invoice or two is paid from it. Motion by Trustee Capozzoli, seconded by Trustee Pritchard, authorizing the return of the Recreation Improvement Bond in the amount of \$25,000, and the amount in escrow from the Evergreens and construction fees, after outstanding invoices are paid in full. 4 ayes, 0 nays.
5. AUTHORIZATION, UNPAID VILLAGE TAX RETURN- Motion by Trustee Pritchard, seconded by Trustee Capozzoli, approving the amounts to Orange County for the Unpaid Village Tax Return, Town of Montgomery for \$103,546.11 and the Town of Hamptonburgh for \$5,549.45. 4 ayes, 0 nays.
6. BUILDING DEPARTMENT REPORT, OCTOBER 2018- rec. & filed.
7. AUTHORIZATION, RESCHEDULE DECEMBER 3, 2018 BOARD MEETING TO DECEMBER 10, 2018- Motion by Trustee Greany, seconded by Trustee Capozzoli, approving to change December Board meeting date. 4 ayes, 0 nays.

MAYOR'S REPORT

1. **Maybrook "Christmas Tree Lighting"**- The Village of Maybrook's Annual "Christmas Tree Lighting" was held on Sunday, November 25th. The weather cooperated, and we had a great night to welcome the Christmas season into the village. I want to thank the Maybrook 4-H Group (and the rein-goats), the Maybrook Wind Ensemble, Kevin Cronin and of course our Maybrook Troop 236 Boy Scout Band under the direction of Band Leader Jim Barnett and Scoutmaster Bill Gianico for providing holiday favorites for the ceremony. Thank you to the Board of Trustees for their support of these events for the residents. Special "Thank You" to Shoprite (refreshments), Maybrook Clerk/Treasurer Tina Johnson, Wallkill Federal Savings Bank (gift bags), Fox Radio 96.7 103.1 (Annika for the live broadcast), Vaune Sherrin (face painting), Christmas Characters (Santa- Town of Montgomery Highway Superintendent Charlie Woznick, Rudolph- MBK PO Matt Hughes, Snowman- Carla Williams, Toy Soldier- Julianna Williams , The Maybrook Fire Department for escorting Santa Claus and for fire safety, the Maybrook Police Department, E-Rock Entertainment. The Maybrook Department of Public Works for making the village festive for the event in particular Frankie Amodio who put a lot of extra effort in making sure everything was ready to go. Last but not least the Village Board for their support of this event. This was a fun filled night and I hope everyone who attended had a great time! Enjoy the Christmas season and good health and happiness to all!
2. **Maybrook Wind Ensemble "Holiday Concert"**- Our very own Maybrook Wind Ensemble will be performing a "Holiday Concert" on Friday, December 14th beginning at 7:30 pm at the Maybrook Senior Center. This is a great family event and guaranteed to put you in the holiday spirit! This event is free however donations are accepted to help with operating costs. The members of the Maybrook Wind Ensemble are gifted musicians and we are delighted to have them perform in our village!
3. **George C. Bullis Memorial Community Center "Mitten Drive"**- The George C. Bullis Memorial Community Center will be hosting their Annual "Mitten Drive" which will be held at the Village of Maybrook Christmas Tree Lighting on Sunday, November 25th. Mittens, Gloves, Hats and Cash donations will be accepted. Donations can be dropped off in advance to the George C. Bullis Memorial Community Center. Thank you to Bobbie Sue Conklin for overseeing the "Mitten Drive".

4. **Maybrook 4-H Food Drive**- The Maybrook 4-H will be hosting their Annual Food Drive for the Montgomery Food Pantry. Collections will start November 19th thru to November 30th. They will be collecting non-perishable food items which can also be dropped off here at the Maybrook Government Center during business hours. The Maybrook 4-H will also be collecting at the Village of Maybrook Christmas Tree Lighting as well. Contact Kim Myoshi 845-797-0520 for any additional information. I just want to mention, our Village of Maybrook Christmas Tree Lighting is a free event for residents and their families. Any donations to the “Mitten Drive” or the “Food Drive” would really be appreciated and both help others in need which is the holiday spirit. Thank you to all who have donated in the past and continue to each year.
5. **Toys for Tots**- The Village of Maybrook Government Center will be a gift drop off for Toys for Tots this season. Residents who wish to donate to Toys for Tots make drop off unwrapped toys during regular business hours.
6. **Next Village Board Meeting**- Our next Village of Maybrook Board of Trustees Meeting is scheduled for Monday, December 10, 2018. We only have one meeting in the month of December.

TRUSTEES' REPORTS

TRUSTEE KEVIN GREANY- Advised Veterans' Day was well attended.

Advised he will not be able to make the Tree Lighting event, will be attending a surprise party for his sister's 60th Wedding Anniversary in NJ.

Wishes all a very Happy Thanksgiving, thankful for a great village, and safe travels to all.

DEPUTY MAYOR ROBERT PRITCHARD- Advised he is a new Grandpa and loving it, it will be a very special Thanksgiving, and his son is coming in from California.

Advised not a lot going on with EDC, we will have more to talk about after the CFA announcements come out in three weeks.

Wished everyone a Happy Thanksgiving, be safe with this weather coming.

TRUSTEE DARYL CAPOZZOLI- Advised he has received an application for the part time position in the Community Center and will set up an interview.

Advised the new window must be installed at the Community Center.

Advised the ladies will have a Mitten Drive at the Tree Lighting Event. Mayor advised the Tree Lighting Event is on Sunday, November 25th at 6PM.

Wished everyone a healthy, Happy Thanksgiving.

Advised the police department they did a great job on Halloween, it's nice seeing a lot of police out that night, Halloween Event went great.

Advised the leaves have not been picked up for two weeks, advised Tina and we arrived at the fact that the contract ended on 10/31. Tina got in touch with County Waste, they will send a courtesy truck out tomorrow to do a sweep of the village and pick up leaves. Tina advised she and Sean are working on what to do about getting a dumpster and the price and will let everyone know. Engineer advised on a Change Order for the existing contract if necessary.

DEPARTMENT HEADS

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. With the completion of the FY-2017 project (see below) we will finalize the sewers to be completed next year with Superintendent Thorp. [**]

c. *FY-2017* – This work includes the lining of sewer segments including Prospect Avenue and Broadway. Work was completed November 7, 2018. We spoke with the Contractor this afternoon; they are preparing the final submittal including the payment application. Once received, we will review with Superintendent Thorp and forward to OCCD for processing and payment. [**]

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. We spoke with the surveyor today and understand he has started the survey along Homestead Avenue/NYS Route 208. We have asked DASNY if the Village could install new sidewalk along Village Streets rather than replace sidewalk along Homestead Avenue/NYS Route 208. This request is pending. [**]

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

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.

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. Since your last meeting, Superintendent Thorp has met with a second contractor to review the work and we have received some, but not all, of the documents requested in August. This afternoon we contacted the Developer to remind him of his obligation to continue to maintain Logan's Way including snow removal. The Developer advised this afternoon that his is having difficulty completing the punchlist items due to the weather. [**]

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 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.

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. On or about October 23, 2018, the Contractor submitted the final documents to OCCD for payment. OCCD advised this afternoon that the final documents have been received and the payment application is being reviewed by the Assistant Director. [**]

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 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. Since your last meeting, DPW Superintendent Thorp has obtained all releases. 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. We have confirmed with Attorney Naughton this may be added to the contract through a change order. We will prepare the contract and change order for execution with CMC. Once CMC submits the bonds and insurance information this will be forwarded to NYSDOT for the final permit and the work may be scheduled. [**]

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6. 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 on October 22, 2018 indicating 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. During your October 10, 2018 meeting you authorized the Mayor to sign the agreement with DEC subject to the Village Attorney's review. Attorney Naughton has reviewed the agreement and we have provided the Mayor and Superintendent Thorp with copies for execution.

Mayor thanked Sean for staying on top of all of these items.

ATTORNEY KELLY NAUGHTON- Advised the pressure is on the DOT for the Homestead Avenue sidewalks.

Advised CDBG is all caught up.

Advised she will not be at the next meeting on 11/26, Happy Thanksgiving to all.

Motion by Trustee Pritchard, seconded by Trustee Capozzoli, to enter into executive session, with the intention to take no action. 4 ayes, 0 nays. 7:30PM.

Motion by Trustee Capozzoli, seconded by Trustee Pritchard, to exit from executive session at 9:30PM. 5 ayes, 0 nays. (Trustee Barnett arrived for executive session)

Motion by Trustee Capozzoli, seconded by Trustee Pritchard, meeting was adjourned at 9:35PM. 5 ayes, 0 nays.

Respectfully submitted,

Valentina Johnson
Village Clerk-Treasurer

