**MEMBERS PRESENT: MAYOR DENNIS K LEAHY, DEPUTY MAYOR ROBERT PRITCHARD, TRUSTEE KEVIN GREANY, TRUSTEE JAMES R BARNETT, TRUSTEE DARYL CAPOZZOLI ( Attended late tonight due to work schedule)**

**ALSO PRESENT: ATTORNEY KELLY NAUGHTON, ENGINEER SEAN HOFFMAN, POLICE CHIEF ARNOLD AMTHOR, SERGEANT MICHAEL MARESCA, DPW SUPERINTENDENT MATTHEW THORP, CLERK-TREASURER VALENTINA JOHNSON**

**PUBLIC: JENNIFER & CHARLIE WOZNICK, EDWARD WILLIAMS, LINDA AMODIO**

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 9,

2019 meeting as presented. 4 ayes, 0 nays.

**APPROVAL OF BILLS & CLAIMS**

Motion by Trustee Barnett, seconded by Trustee Pritchard, authorizing the following bills and claims as

audited by the Board of Trustees:

GENERAL $57,152.64

WATER $ 3,640.17

SEWER $ 7,170.07

TOTAL $67,963.41

PUBLIC HEARING- 7PM

INTRODUCTORY LOCAL LAW #3 OF 2019 AMENDING CHAPTER 210 (“ZONING”) OF THE CODE OF THE VILLAGE OF MAYBROOK TO REMOVE “JUNKYARD” AND “AUTO WRECKING YARD” AS PERMITTED USES IN THE I-3 DISTRICT

Clerk read the Notice of Hearing and presented the Affidavit of Publication.

Attorney advised on the local law to remove what is currently a permitted use in the I-3 District, junkyards and auto wrecking yard, dump.

Mayor advised this is to protect the village since we have Galaxy coming in, not like the Town of Montgomery.

Deputy Mayor advised there have been no approaches for this, just want to be proactive.

Trustee Greany advised on what was going on Browns Road, and we don’t want that, they did pull their application when they saw the residents didn’t want it there.

Motion by Trustee Barnett, seconded by Trustee Greany, to open the Public Hearing at 7:05PM. 4 ayes, 0 nays.

Motion by Trustee Barnett, seconded by Trustee Pritchard, to close the Public Hearing at 7:06PM. 4 ayes, 0 nays.

Motion by Trustee Pritchard, seconded by Trustee Barnett, to issue a negative declaration on draft EAF Part II, with no significant impacts. 4 ayes, 0 nays.

Attorney advised this has been referred to Orange County Planning Department on September 3, 2019, 30 days has not passed, so it can’t be acted on tonight.

**CORRESPONDENCE**

LETTER, OCWA(ORANGE COUNTY WATER AUTHORITY)- Advised the village will receive 20 miles of water supply leak detection services at no cost, New York Leak Detection Inc of Jamesville, NY will perform the work in 2019 on the OCWA’s behalf. Rec. & filed. Matt advised some of the required information has already been sent to them.

**MAYOR’S REPORT**

**\*On September 14, 2019, we received sad news that lifelong Maybrook resident Jennie Gesso passed away. Mrs. Gesso was a wonderful lady and will be missed by all who knew her. The Village of Maybrook Board of Trustees sends our deepest condolences to her husband Tony Gesso and her extended family for their loss.**

1. **Maybrook Co-ed Adult Beach Volleyball-**The Maybrook Co-ed Volleyball program has finished up their season. Thank you to Marty Brown for running the program this year!
2. **Maybrook Women’s Recreation Softball-**Maybrook Women’s Recreation Softball will wrap up their season Tomorrow evening with one make-up game next Tuesday, October 1st.
3. **Reclaimation and Paving of Rakov Road-** This past Thursday and Friday, a letter was distributed to residents on Rakov Road advising them that the reclamation of the road will begin on Tuesday, September 24th and there is no parking on village streets during the hours of work. Signs were put up; the information is also posted on the Maybrook Website and Facebook page as well. As always, we thank the residents for their patience, and we hope to move this project along so the road can be paved and completed.
4. **Celebrate Maybrook 2019-** “Celebrate Maybrook Day 2019” scheduled for Saturday, September 14th had to be postponed to Sunday, September 15th due to rain. I want to thank all of the vendors involved who accommodated us when we contacted them on the Friday morning before the event. The weather turned out much better on Sunday and I’m very pleased we were able to host the event for the residents. Thank you to Sargent Maresca and the Maybrook Police Department, John Nowinski, Orange Regional Medical Injury Prevention and Trustee Jim Barnett who teamed up to provide a Bike Rodeo for the kids. Ed Protsko and the Maybrook Fire Department for hosting a Fire and Safety Prevention demonstration and the Maybrook Auxiliary for providing games for kids. “Soul City Groove” provided great music for the evening. Thank you to “Up in Smoke BBQ” the food was great! It turned out to be a wonderful evening for FIREWORKS to end the night! I’d like to thank our Village Clerk/Treasurer Tina Johnson for her assistance and the Village Board of Trustees for their support of this event as well!
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 “Run for Homeless Heroes” Classic 5k Run and Walk which will be held on SATURDAY, OCTOBER 26th. All proceeds will benefit homeless veterans. This information along with the registration form and online registration will be available on the Village of Maybrook website.
6. **October is Breast Cancer Awareness-** For the past several years, the Village of Maybrook has participated in proclaiming the month of October Breast Cancer Awareness. Cindy Lord from Lord’s Florist generously donates the pink ribbons to the village to spread the word. We hope by displaying pink ribbons we can assist in spreading awareness to encourage women to get early screening.I’d like to entertain a motion from the Village Board to proclaim the month of October Breast Cancer Awareness in the Village of Maybrook. Motion by Trustee Greany, seconded by Trustee Barnett, approving to declare October Breast Cancer Awareness Month in the Village of Maybrook. 4 ayes, 0 nays.
7. **Orange County Youth Soccer**- Orange County Youth Soccer continues their fall season with practices during the week and games played on the weekends in the Frederick Myers Veterans Memorial Park. We ask residents to please use extra caution when driving in the park.
8. **Village of Maybrook “Community Shred Day”**- will be held on Friday, October 4th 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!
9. **Village of Maybrook “Fall” Community Yard Sale**- will be held on Saturday, October 5th from 8am to 3pm in the village.
10. **Government Center Closed for Columbus Day**- The Village of Maybrook Government Center will be Closed on Monday, October 14th in observance of Columbus Day.
11. **Next Scheduled Village Board Meeting**– Our next Village Board Meeting is scheduled for Tuesday, October 15th here at the Maybrook Government Center beginning at 7 pm. The meeting is moved to Tuesday because Columbus Day is observed on Monday, October 14th.

**TRUSTEES’ REPORTS**

**TRUSTEE KEVIN GREANY-** Advised the numbers are down at the sewage treatment plant, Donnie is back and happy he is, phosphates are low right now, DEC inspection was Friday, will wait to hear how that went.

Advised Maybrook Day did work out well, fireworks were great.

**TRUSTEE JAMES R BARNETT-** Thanked Sergeant Maresca, Bike Rodeo was good, thanked everyone for their donations, it was good to see the new officers there. Up In Smoke BBQ was very good.

Advised on a wonderful and successful concert Friday night with the new Maybrook Symphonic Ensemble, they were phenomenal, Bob and Kevin were there, the ensemble is great and very professional, no seats were available. The Holiday concert will be on 12/13 and it’s free.

**DEPUTY MAYOR ROBERT PRITCHARD-** Advised it was an incredible night with the concert, quite a few residents there, and the ensemble thanked the Village Board.

Advised he was impressed with all of the vendors that came the next day for Maybrook Day and were here for us on such short notice, that says a lot for the Village.

Advised on EDC, he has a meeting with a potential investor tomorrow night, waiting for confirmation, see what’s coming and keep moving forward.

**DEPARTMENT HEADS**

**SERGEANT MICHAEL MARESCA-** Thanked Kelly, Sean and their firms, Donna Barletta, TAM, Newburgh Winwater, Little Pop’s Pizza, and all for their donations, perhaps next year keep it to one hour.

Advised he has coverage all set for the 5K on October 26th, he might even run in it!

**DPW SUPERINTENDENT MATTHEW THORP-** Advised the equipment is here for milling, more signs were put out today, and signs are up, still waiting to hear from Tilcon for a date for paving, trucks are lined up for milling, advised maybe 25-35 more parking spots.

Advised the new metering is in, training date was last week, moving along.

Deputy Mayor asked if any updates on the Water Tower? Matt advised not yet, they’re increasing funding, grants are available but you must go through the process.

**ENGINEER SEAN HOFFMAN-**

* 1. 1. **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.
  2. b. *FY-2019* – We are in receipt of the Municipal Agreement and request you consider a resolution authorizing the Mayor to execute the agreement for the FY-2019 project subject to Attorney Naughton’s verification of the Municipal Agreement. **[\*\*]**

**Motion by Trustee Barnett, seconded by Trustee Greany, authorizing Mayor** *to execute an agreement with Orange County to perform sanitary sewer lining with a $60,000 CDBG and authorize the Mayor to sign all required documents.  4 ayes, 0 nays.*

* 1. *c. FY- 2018* – The Contractor, NWMCC, commenced work July 18, 2019 including cleaning and television inspection of the sanitary sewers. To date, all sewers have been located, cleaned and inspected. NWMCC has requested a change order for additional mechanical cleaning of tuberculated sections of existing cast iron pipe in the amount of $3,775.00. During your last meeting you authorized the Mayor to sign the change order which was delivered to the OCD last week. Once the executed change order is received NWMCC will schedule the remaining work. **[\*\*]**
  2. 2. **Homestead Avenue Sidewalk Improvements** a. Clark Place to William Street (SAM Grant 6442) – All work was completed in June. We have scheduled with Superintendent Thorp to review the NYSDOT non-compliant conditions (cross and longitudinal slopes) on Friday, September 27, 2019. **[\*\*]**
  3. 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 June 24, 2019, signed by the Mayor and returned to DASNY. On August 14, 2019 DASNY advised an additional original copy of the GDA was necessary with conforming dates. We submitted additional executed copies to DASNY and received confirmation of their receipt on August 29, 2019. Once the fully executed GDA is returned reimbursement requests may be submitted. On Wednesday, September 18, 2019 we reviewed the preliminary plan in the field with Superintendent Thorp. We are currently revising the plan so that it will be ready for construction once grant funds are available. **[\*\*]**

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* 1. c. Sidewalk and Road Repairs (No SAM Grant ID No.) – On August 21, 2019 the Village received correspondence from Senator Skoufis indicating the availability of $150,000 for sidewalk and road repairs. We discussed this with Mayor Leahy and understand this grant is to be for work along NYS Route 208/Homestead Avenue between Oak Street and Jewell Street. The Senator’s correspondence included a Preliminary Application with a request to return the application to his office by September 16, 2019. During your August 26, 2019 meeting you authorized the Mayor to execute any and all documents necessary to proceed with procuring DASNY grant money for the construction of the sidewalks. We have completed the initial documents and submitted under our September 12, 2019 cover. **[\*\*]**

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. On August 26, 2019 Don Liloia and Ross Winglovitz provided an update to the Board and public.

* 1. 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 September 12, 2019 Planning Board meeting, the Board granted an extension until March 10, 2020. **[\*\*]**
  2. 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. Developer O’Donnell is currently working to construct a dwelling on Lot No. 14. On July 23, 2019 the Village received correspondence from Developer O’Donnell indicating the homeowners along Logans Way do not wish for street trees to be planted on their properties. On July 25, 2019 our office responded to Developer O’Donnell indicating this matter was discussed with him during the October 12, 2017 Planning Board meeting and, at that time, the Planning Board authorized the use of a third tree species (the approved subdivision plan shows American Sweetgum or Red Maple). Mr. O’Donnell was to then contact residents to determine which of the three (3) approved species they preferred. It was further discussed that if any residents refused trees outright, Mr. O’Donnell was to provide the Planning Board with an alternate planting plan for review since the Planning Board does not have the ability to waive a Village Code requirement.
  3. 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.

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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. One September 9, 2019 we received confirmation from NYSDEC of the Engineering Report deadline of May 1, 2020. On September 18, 2019 we discussed with Superintendent Thorp scheduling a meeting with the engineer who designed the STP to discuss provisions for disinfection which were incorporated into the original design. **[\*\*]**

6. **STP Phosphorous** – On July 16, 2019 the Village received correspondence from the EPA indicating the recent exceedances in total phosphorous have caused the STP to be considered in a state of Significant Non-Compliance (SNC). On August 9, 2019 the Village received similar correspondence from NYSDEC. On August 13, 2019 our office responded to the EPA and provided the NYSDEC a copy of that response. Subsequently, we requested a meeting with NYSDEC to discuss the Village’s actions to address these exceedances. On August 28, 2019 we met with the NYSDEC Regional Water Engineer to discuss the exceedances and the corrective actions to date. On September 9, 2019 we submitted an Engineer Report on your behalf to the NYSDEC summarizing sampling completed to date and identifying additional actions both within the collection system and at the WWTP to potentially address the phosphorus exceedances. On September 18, 2019 we met with Superintendent Thorp and Operator Van Lueven to discuss recent sample results and materials to be submitted to the NYSDEC by October 1, 2019. **[\*\*]**

**PUBLIC COMMENT**

Linda Amodio asked if the Village looked into the local law from Walden on abandoned properties that she brought in a copy of?

Attorney advised we did and we don’t believe it has any teeth in it, Attorney advised it is not recommended for the Village of Maybrook, it is not in our best interest.

Jennifer Woznick asked about Logan’s Way? Engineer advised on the punch list that Mr. O’Donnell needs to complete, and he is completing the building on the two last lots. Mr. O’Donnell has presented signatures of the homeowners that do not want trees planted on their property, we are in discussion on this.

Motion by Trustee Greany, seconded by Trustee Barnett, to enter into executive session for matters of personnel with no action other than to exit from executive session. 7:40 PM. 5 ayes, 0 nays

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

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

Respectfully submitted,

Valentina Johnson

Village Clerk-Treasurer