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

**ALSO PRESENT: ATTORNEY RICHARD GOLDEN, ENGINEER SEAN HOFFMAN, CLERK-TREASURER VALENTINA JOHNSON**

**PUBLIC PRESENT: FRANCINE & PATTY TOUHY, ED WILLIAMS, JENNIFER WOZNICK, ERICA & TUCKER PEARSON**

Mayor opened the meeting with the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Motion by Trustee Pritchard, seconded by Trustee Greany, approving the minutes of the September 23,

2019 meeting as presented. 5 ayes, 0 nays.

**APPROVAL OF BILLS & CLAIMS**

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

audited by the Board of Trustees:

**TRANSFER OF FUNDS**

Motion by Trustee Pritchard, seconded by Trustee Capozzoli, authorizing the following transfer of funds

as requested by Clerk-Treasurer to cover deficit lines in

the budget:

From: 8510.400A, Community Beautification

To: 7550.400A, Celebrations

Amount: $23.21

**CORRESPONDENCE**

1. APPOINTMENT, BILLY DUNN, F/T DPW LABORER- Motion by Trustee Barnett, seconded by Trustee Greany, to rehire Billy Dunn as a full time DPW Laborer, effective October 16, 2019, at an hourly rate of $14.00. 5 ayes, 0 nays.
2. HYDRANT FLUSHING- 10/28-11-22- Motion by Trustee Pritchard, seconded by Trustee Capozzoli, authorizing Clerk-Treasurer to publish the notice for Hydrant Flushing from 10/28/19-11/22/19 from 8AM to 4PM. 5 ayes, 0 nays.
3. RESOLUTION, 2019-20 VILLAGE JUSTICE COURT GRANT- Motion by Trustee Barnett, seconded by Trustee Greany, authorizing a resolution for Village Justice William J Schimpf to file an application for a variety of purposes, including office and security equipment, furniture, courtroom and court facility improvements and renovations from the New York State Office of Court Administration 2017-18 Justice Court Assistance Program, up to $30,000.5 ayes, 0 nays.
4. HALLOWEEN EMERGENCY ORDER- Motion by Trustee Pritchard, seconded by Trustee Capozzoli, authorizing an Emergency Order for Halloween, from Wednesday, October 30, 2019 at 10PM, to Friday, November 1, 2019 at 6AM. 5 ayes, 0 nays.
5. ADOPTION OF LOCAL LAW #3 OF 2019, I-3 DISTRICT/JUNKYARDS- Attorney advised on the local law which the Board has previously introduced and reviewed, Orange County Planning Department has reviewed and made a local determination, therefore the Board can now act on the local law. Motion by Trustee Pritchard, seconded by Trustee Capozzoli, approving Local Law #3 of 2019. 5 ayes, 0 nays.

**MAYOR’S REPORT**

1.    **Reclamation and Paving of Rakov Road-** The paving project on Rakov Rd. has been completed and the stripping of the road will be in the coming week pending the weather. Thank you to the Maybrook DPW for safely completing this project. Additional work is planned to add parking at the end of Rakov Rd. next to the park. We are also working on completing the sidewalks from Ted Miller Dr. to Homestead Ave on Country Club Dr. before winter sets in. I will keep everyone updated on our progress.

2.    **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. Contact Linda LaRosa at 845-427-2717 ext. 202 for additional information.

3.    **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.

4.    **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.

5.    **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.

6.    **Maybrook Fire Department “Community Open House**”- The Maybrook Fire Department will be hosting their Community Open House” on Saturday, October 19th 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](http://www.maybrookfd.com) for more information.

7.    **Kiwanis Club “Halloween Trunk or Treat”**- The Maybrook Kiwanis Club will be hosting their first annual “Halloween Trunk or Treat” on Sunday October 27th in the Frederick Myers Veterans Memorial Park from 6 pm to 8 pm. Vehicles are needed to participate and MUST be registered. The fee is $5 and participants are asked to decorate their car trunk and come in costume. Vehicles can be registered by email: [Maybrookkiwanis@gmail.com](mailto:Maybrookkiwanis@gmail.com) or here at the Maybrook Government Center.

8.    **Mrs. Rita Freeman’s 99th Birthday**- This past Saturday, I was invited to Mrs. Rita Freeman’s 99th Birthday Party at the Maybrook Senior Center. I presented Mrs. Freeman with a Certificate from the Village of Maybrook and wished her a wonderful day on behalf of the Village Board of Trustees. Mrs. Freeman was surrounded by her family and friends on this special occasion and I wished her good health and happiness in the coming year!

9.    **Walden Community Council “Meet the Candidates Night”**- on Monday, October 21st a “Meet the Candidates Night” sponsored by the Walden Community Council will be held at the Maybrook Senior Center beginning at 6:30 pm. All residents are welcome to attend.

10.  **Next Scheduled Village Board Meeting**– Our next Village Board Meeting is scheduled for Monday, October 28th here at the Maybrook Government Center beginning at 7 pm.

**TRUSTEES’ REPORTS**

**TRUSTEE KEVIN GREANY-** Advised on the sewage treatment plant.

Advised he might walk in the 5K race on 10/26/19.

Wished Village Clerk-Treasurer Tina a Happy Birthday.

**TRUSTEE JAMES R BARNETT-** Advised on two areas with a lot of garbage and County Waste is not picking it up, they will be receiving letters from the Building Department, they are on it.

Advised Aaron Goldstein is going for Eagle Scout tomorrow night, #78!

Advised Brandon O’Brien has received his assurances for the Naval Academy, he just needs to be appointed.

Advised Patti Touhy, Erica & Tucker Pearson, are here tonight for their Citizenship and Community badges.

**DEPUTY MAYOR ROBERT PRITCHARD-** Advised on Main Street meeting with a potential interested party.

Advised he will not be here for the November 25th meeting, will be away for Thanksgiving week.

Happy Birthday Tina!

Good to Rick Golden tonight!

**TRUSTEE DARYL CAPOZZOLI-** Happy Birthday Tina, did on Facebook too!

Apologizes for the way he is dressed tonight, he’s working ridiculous hours.

Advised the Community Center is going good, he took his son Jace to get his first Community Center card and he enjoyed taking his books out. Everyone down there is such a pleasure, Jace had a blast.

**DEPARTMENT HEADS**

**DPW SUPERINTENDENT MATTHEW THORP-**

Subject: DPW update

Mayor and Board,

I just wanted to update you on project status and work currently being done, as I am not able to make the meeting tonight due to medical issues.

Rakov Road paving has been completed!!!!! We hauled 695 tons of NYS DOT 6F material. I want to thank the residents for their cooperation during this project. A very special thank you to the following towns; Blooming Grove, Chester, Crawford, Montgomery, Mount Hope, Newburgh, New Windsor, Wallkill and the Village of Woodbury for providing 10 wheel tandem dump trucks hauling for us. I am now awaiting the professional striping contractor to get here and do the intersections and the municipal lots on both ends of the street. We have installed new signage on both ends and will finish them by weeks end.

storm basin on the east end of Rakov which was ready to collapse, was repaired formed and ready mix concrete poured/vibrated and leveled. A riser was installed and brought it to finished paving grade.

Well # 8 has had the Aquafreed process completed and they are doing a draw down test as of this update. After I get the pump pricing the new pump will be installed for the proper flow and bacterial tests come back clean we will put it back in service.

Well # 2 same as previous update (10/3/2019)

We still have some patch work to do on Heard Avenue and Georges Road and to raise the sewer manhole at that intersection.

Hydrant Flushing is Scheduled for 10/28/19 - 11/22/19 the week prior to Thanksgiving. We also have to excavate some main valves to replace the operating nuts for directional flushing and system controls in the event of an emergency. I'm working on getting a Vacon from one of our local municipalities to do this.

I will update all of you further in the near future.

Regards

Matthew A Thorp

Supt of Public Works

Any questions give me a call.

**ENGINEER SEAN HOFFMAN-**

* 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* – During your September 23, 2019 meeting you authorized the Mayor to execute the Municipal Agreement with Orange County to receive this funding. The executed Municipal Agreement was hand delivered to the Orange County Office of Community Development (OCD) September 27, 2019. Once the fully executed agreement is returned to the Village and you receive a notice of availability of grant funds this work can be designed, bid and constructed.**[\*\*]**
  3. *c. FY- 2018* – On Wednesday (October 9, 2019) OCD requested submission of a partial payment request prior to October 18, 2019 in anticipation of OCD’s November 2, 2019 HUD Funding Timeliness check. We contacted the Contractor, NWMCC, who submitted a partial payment application which we have reviewed and submitted for your authorization. Once the Village Board authorizes this partial payment, we understand Clerk Johnson will submit a request for disbursement to OCD. **[\*\*]**
  4. **Motion by Trustee Barnett, seconded by Trustee Pritchard, authorizing to submit Payment #1 to NWMCC to Community Development for $17,429.98. 5 ayes, 0 nays.**
  5. 2. **Homestead Avenue Sidewalk Improvements** a. Clark Place to William Street (SAM Grant 6442) – All work was completed in June. On August 26, 2019, our office received correspondence from NYSDOT indicating the Department performed an inspection on August 22, 2019 and identified a dozen ADA non-compliant conditions (cross and longitudinal slopes). On October 1, 2019 we met with Superintendent Thorp to remeasure the areas identified by NYSDOT. In many areas, it appears the NYSDOT’s measurements indicated a noncompliance due to their equipment (two-foot level). During our October 1, 2019 measurements we utilized both a two-foot and four-foot level. **[\*\*]**
  6. 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. 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 September 18, 2019 we reviewed the preliminary plan in the field with Superintendent Thorp for Country Club Drive. The plan has been finalized and we are awaiting the fully executed GDA so construction funding will be 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** – his 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). 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 the remaining two (2) dwellings. On July 23, 2019 the Village received correspondence from Developer O’Donnell indicating the homeowners along Logan’s Way do not wish for street trees to be planted on their properties. After discussing the matter several times, Developer O’Donnell made application to the Planning Board to request relief from the requirement to install street trees. This was discussed during the October 10, 2019 Planning Board meeting and Developer O’Donnell is to submit a revised landscape plan for consideration during the Planning Board’s November 14, 2019 meeting. **[\*\*]**
  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.

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. A copy of the resolution was submitted to NYSDEC on April 17, 2019. On 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.

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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. 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 October 5, 2019 we received additional sample results from Operator Van Lueven indicating acceptance phosphorus limits. We are currently preparing correspondence to NYSDEC to transmit the recent samples and recommend discontinuation of collection system samples. **[\*\*]**

**ATTORNEY RICHARD GOLDEN-** Advised he is happy to be here and glad to see everyone.

Motion by Trustee Capozzoli, seconded by Trustee Greany, to enter into executive session to discuss employment history of a certain person at 7:25PM. 5 ayes, 0 nays.

Motion by Trustee Greany, seconded by Trustee Pritchard, to exit from executive session at 8:10PM. 5 ayes, 0 nays.

Motion by Trustee Pritchard, seconded by Trustee Barnett, meeting was adjourned at 8:11PM. 5 ayes, 0 nays.

Respectfully submitted,

Valentina Johnson

Village Clerk-Treasurer