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

**ALSO PRESENT: ATTORNEY ASHLEY TORRE, ENGINEER SEAN HOFFMAN, SERGEANT MICHAEL MARESCA, DPW SUPERINTENDENT MATTHEW THORP, CLERK-TREASURER VALENTINA JOHNSON**

**PUBLIC PRESENT: AUDEEN MOORE( WVT), OLAIDE ADEKANBI**

Mayor opened the meeting with the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Motion by Trustee Greany, seconded by Trustee Capozzoli, approving the minutes of the January 27,

2020 as presented. 5 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 $21,564.31**

**WATER $ 6,909.84**

**SEWER $ 5,909.76**

**REFUSE $20,344.71**

**TOTAL $54,728.62**

**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: 8020.400A, Planning Contractual

To: 7510.400A, Historian Contractual

Amount: $55.00

From: 8020.400A, Planning Contractual

To: 9050.800A, Unemployment Insurance

Amount: $30.00

From: 1680.400A, Central Data Processing

To: 1620.400A, Buildings Contractual

Amount: $1,000.00

From: 8989.100A, Reading Room Personal Services

To: 8989110A, Reading Room Personal Services- Clerk

Amount: $8,522.00

**CORRESPONDENCE**

1. SET A PUBLIC HEARING TO INCREASE WATER SEWER RATES EFFECTIVE APRIL 1, 2020- Motion by Trustee Barnett, seconded by Trustee Capozzoli, to set a Public Hearing on February 24, 2020 at 7PM. 5 ayes, 0 nays.
2. SET A BUDGET WORK SESSION FOR BOARD & DEPARTMENT HEADS FOR 2/26/2020 AT 5:45PM- Motion by Trustee Pritchard, seconded by Trustee Greany, approving to set a Work Session on February 26, 2020 at 5:45PM. 5 ayes, 0 nays.
3. THANK YOU LETTER, PEOPLES REGULAR BAPTIST CHURCH- Mayor advised happy they could good homes from our “Mitten Drive” items. Rec. & filed.
4. INTRODUCTORY LOCAL LAW #1 OF 2020: A LOCAL LAW AMENDING CHAPTER 210 ( ZONING) OF THE CODE OF THE VILLAGE OF MAYBROOK TO CREATE A NEW SECTION RELATED TO REGULATION OF PORTABLE STORAGE UNITS/PORTABLE ON DEMAND (PODS)- Attorney Ashley Torre advised on the local law. Motion by Trustee Capozzoli, seconded by Trustee Pritchard, to set a Public Hearing on March 9, 2020 at 7PM. 5 ayes, 0 nays.
5. HEARINGS: RE VILLAGE CODE CHAPTER 185, FOR 309 HOMESTEAD AVENUE & 210 MAIN STREET- Attorney Torre advised both properties have been addressed, no hearings.
6. RESOLUTION- BAIL REFORM- Mayor advised after he heard about an incident mentioned at the last meeting from our Police Sergeant, he immediately spoke to Attorney Kelly Naughton to draft a resolution. Trustee Greany advised this is great, we’re in trouble with this law, it has to change. Deputy Mayor Pritchard advised and less restriction on our police department. Mayor advised he has spoken to Senator James Skoufis about this and advised him this is coming. Motion by Trustee Barnett, seconded by Trustee Greany, to accept and approve “ Resolution of the Board of Trustees of the Village of Maybrook Urging the New York State Legislature to Consider Immediate Changes to the Newly Enacted Criminal Justice Reform Laws”, as presented. 5 ayes, 0 nays.
7. POLICE DEPARTMENT REPORT, DECEMBER, 2019- rec. & filed.

**MAYOR’S REPORT**

1.     **Village of Montgomery St. Patrick’s Day Parade-** The Village of Montgomery St. Patrick’s Day Ramble Committee reached out and informed me that St. Pat’s Ramble Parade will be held on Saturday, March 21st. Line-up will be noon and kick off will be at 1 pm. The Village of Maybrook will have a section in the parade as in the past. Any organizations in the village who would like to march with the Maybrook section can contact me directly by email at [dennisk.leahy@village](mailto:dennisk.leahy@village)[ofmaybrook.com](http://ofmaybrook.com) or Trustee Jim Barnett at [jimbarnett@frontiernet.net](mailto:jimbarnett@frontiernet.net).

2.     **Budget Work Session**- Budget Work Session scheduled for Wednesday, February 26th at 5:45 pm.

3.     **President’s Day**- The Village of Maybrook Government Center and the George C. Bullis Community Center will be closed on Monday, February 17th in observance of Presidents Day.

4.     **Gas leak**- On Tuesday, February 4th a gas leak was detected on Broadway between Maiden Lane and Prospect Ave. Central Hudson Gas and Electric was notified and the road was closed while the gas leak was repaired. Central Hudson crews were done before midnight that evening. Thank you to the DPW Superintendent Matt Thorp and Sargent Michael Maresca for taking the proper precautions to close off the area so Central Hudson could make repairs. Residents were notified on social media, the village website and Code Red.

5.      **Scheduled Village Board Meeting**– Our next Village Board Meeting will be held on Monday, February 24th at 7 pm in the Maybrook Government Center.

**TRUSTEES’ REPORTS**

**TRUSTEE KEVIN GREANY-** Advised the sewage treatment plant is good, phosphates are good.

Advised he saw former Mayor Ron Herman, he’s doing fantastic.

**TRUSTEE JAMES R BARNETT-** Advised on items Building Inspector Tim Ippolito has taken care of.

**DEPUTY MAYOR ROBERT PRITCHARD-** Advised its getting close to time to rekindle the Downtown Revitalization Plan.

Advised he spoke to Tim and he’s doing much better after surgery.

Advised he’s going to be a Grandpa again!

**TRUSTEE DARYL CAPOZZOLI-** Advised the Community Center is doing good, as always, the girls are the best.

Advised he spoke to Matt today on the status of the salt.

**DEPARTMENT HEADS**

**SERGEANT MICHAEL MARESCA-**Advised the officers will be checking on the vacant houses in the village, especially with the bail reform, just being proactive.

**DPW SUPERINTENDENT MATTHEW THORP-** Advised not much going on from the weather.

**ENGINEER SEAN HOFFMAN-**

* 1. **Community Development Block Grants (CDBG)** a. *FY-2021* – On February 4, 2020 the Orange County Office of Community Development Office (OCD) has announced the start of the CDBG FY-2021 application process. OCD has scheduled a mandatory workshop for applicants on February 20, 2020 which we will attend on your behalf. Applications for 2021 funding are due to OCD by Friday, April 24, 2020. The Village must conduct a public hearing prior to the submission of the application for which we will provide additional information after the workshop. **[\*\*]**
  2. b. *FY-2020* – Application for sewer lining submitted April 26, 2019. On June 20, 2019 we met with CDBG Advisory Committee to review the application. On December 9, 2019 the Village received correspondence from OCD indicating a $85,000 grant has been included in the County’s 2020 Action Plan. OCD anticipates receiving final 2020 funding allocation from HUD in May 2020 with funds becoming available by December 2020 pending HUD approval. **[\*\*]**
  3. c. *FY-2019* – During your September 23, 2019 meeting you authorized the Mayor to execute the Municipal Agreement with Orange County. On November 4, 2019 we received the fully executed agreement from the County and work on this project may now proceed. The Village was awarded $60,000 and the work is required to be completed by December 31, 2020. On Friday, February 7, 2020 Superintendent Thorp and I met to finalize which sewers will be lined under this grant. In their February 3, 2020 correspondence OCD requested award of the construction contract by April 30, 2020 to avoid any impact to potential 2021 grant application. **[\*\*]**
  4. *d. FY- 2018* – Work under this contract was completed on November 7, 2019. Our office has forwarded you the Contractor’s, NWMCC, closeout documents and the application for final payment. After the Village has signed the documents we will submit these to OCD for processing and payment. **[\*\*]**
  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.

Village of Maybrook February 10, 2020 Page 2 of 3

* 1. 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.
  2. c. Sidewalk and Road Repairs (No SAM Grant ID No. 19285) – In August 2019 the Village received correspondence from Senator Skoufis indicating the availability of $150,000 for sidewalk and road repairs which we understand is intended for work along NYS Route 208/Homestead Avenue between Oak Street and Jewell Street. A Preliminary Application was completed and returned to Senator Skoufis’ office in September. On October 18, 2019 the Village received the next set of documents to be completed and returned to DASNY. These documents have been completed and returned to DASNY. On Tuesday, February 4, 2020 DASNY requested additional information in connection with the Village’s share of the project. We will coordinate a response with Clerk Johnson. **[\*\*]**

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). During the September 12, 2019 Planning Board meeting, the Board granted an extension until March 10, 2020. On January 28, 2020 we received a request from the Developer for an additional extension which we understand will be considered during the next Planning Board meeting. **[\*\*]**
  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 November 14, 2019 Planning Board meeting. At that time the Board confirmed a public hearing is not necessary and authorized Attorney Naughton to prepare a draft resolution of approval. The developer obtained a variance from the ZBA January 8, 2020 and we understand this matter will return to the Planning Board February 13, 2020. The project punchlist was updated January 6, 2020. On Friday, February 7, 2020 we received electronic correspondence from the developer advising all work has been completed. We will schedule an inspection with DPW Superintendent Thorp and the developer to confirm completion of all items. **[\*\*]**

Village of Maybrook February 10, 2020 Page 3 of 3

* 1. 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. Last week we spoke with a representative from NYSDEC regarding the status of this project. On November 4, 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. 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 31, 2019 we submitted additional documentation to NYSDEC summarizing recent samples and recommending discontinuation of collection system samples. During your January 13, 2020 meeting we discussed additional waste hauling to facilitate reduction of phosphorus levels within the STP. On January 24, 2020 Operator VanLueven advised six (6) loads of waste totaling 27,000 gallons was removed from Digestor No. 1 at a cost less than $5,000.

7. **Leak Detection Grant** – You may recall during your April 8, 2019 meeting we discussed a leak detection grant through the Orange County Water Authority (OCWA). The leak detection survey was conducted January 16 and 17, 2020 by New York Leak Detection, Inc. (NYLD). NYLD issued a written Field Report identifying four (4) leaks totaling approximately 21,100 gallons per day. We discussed the NYLD report today with Superintendent Thorp and understand the largest leak (approximately 20,000 gallons per day) is located on a private water service and the owner has been notified to repair the leak. The remaining three (3) leaks are relatively minor (ranging from 250 to 500 gallons per day) and appear to be located on Village hydrants. We understand from the NYLD report one (1) leak has already been resolved and the Village will investigate and repair the remaining two (2) leaks as soon as possible.

8. **Prospect Avenue Easement** – In connection with the identification of sanitary sewers to line, the Village DPW identified a negatively sloped portion of sewer (also known as a sag or belly). Depending on the degree and length of the negative slope, the sag may cause depositions, which may over time lead to sanitary overflows. In these instances the sagging portion of the sewer is excavated and a new straight run of pipe is installed. The identified sewer is located within an easement through private property along Prospect Avenue and is difficult to access. The sewer was surveyed last week and the survey revealed encroachments into your easement which will likely need to be removed to repair the sewer. We have preliminary discuss this matter with DPW Superintendent Thorp and Attorney Naughton and anticipate scheduling a meeting to determine how best to proceed. **[\*\*]**

If you have any questions, or wish to proceed differently on any of the above matters, please do not hesitate to call.

**ATTORNEY ASHLEY TORRE-** Advised no hearings tonight, but we need to schedule two more hearings for unregistered vehicles, 114 Main Street and 802 Homestead Avenue.

Motion by Trustee Pritchard, seconded by Trustee Greany, to schedule two hearings on February 24, 2020 at 7PM. 5 ayes, 0 nays.

Motion by Trustee Barnett, seconded by Trustee Greany, meeting was adjourned at 7:25PM. 5 ayes, 0 nays.

Respectfully submitted,

Valentina Johnson

Village Clerk-Treasurer