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

**MEMBERS ABSENT: DEPUTY MAYOR ROBERT PRITCHARD**

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

**PUBLIC: AUDEEN MOORE, EDWARD WILLIAMS**

Mayor opened the meeting with the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Motion by Trustee Barnett, seconded by Trustee Greany, approving the minutes of the June 27, 2022

meeting as presented. 4 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:

**CORRESPONDENCE**

1. THANK YOU LETTER, THE RYAN & GREANY FAMILY- Board advised Trustee Greany they are all very sorry for his loss.
2. THANK YOU LETTER- LORI GREANY- Board wishes Lori well on her retirement.
3. AUTHORIZATION, NUGENT & HAEUSSLER, P.C.- Motion by Trustee Barnett, seconded by Trustee Greany, approving Nugent & Haeussler P.C. to perform the annual audit and perform services in agreement not to exceed $23,900, the week of October 23, 2022. 4 ayes, 0 nays.
4. LETTER OF RESIGNATION, JUDGE WILLIAM J SCHIMPF- Motion by Trustee Greany, seconded by Trustee Capozzoli, to accept Judge Schimpf’s letter of resignation effective August 26, 2022, with regret and best wishes in his retirement. 4 ayes, 0 nays.
5. AUTHORIZATION, ITC LANDSCAPING BOND- Motion by Trustee Barnett, seconded by Trustee Capozzoli, approving the cash bond amount of $4,930 for the landscaping plan for 204 Homestead Avenue. 4 ayes, 0 nays.
6. AUTHORIZATION, TO SUBMIT EXTENSION REQUEST LETTER FOR EPG ENGINEERING REPORT TO EFC- Motion by Trustee Barnett, seconded by Trustee Capozzoli, authorizing Engineer to prepare and submit an extension request for the grant extension for EFC. 4 ayes, 0 nays.
7. AUTHORIZATION, GARY RICH LAND SURVEYOR PROPOSAL- Engineer advised on the access way near Patel’s property, this needs to be done to identify where this is to determine easement boundary with stakeout of easement area for storm drain repairs. Motion by Trustee Capozzoli, seconded by Trustee Barnett, approving the proposal for survey work to be performed in the easement area between Maybrook Gardens (SBL: 11-5-16 & 113-1-11 and Patel ( SBL: 113-12) in the amount of $2,800. 4 ayes, 0 nays.
8. AUTHORIZATION, PUBLIC PARTICIPATION PLAN FOR REVISED SPDES FOR EFFLUENT DISINFECTION- Engineer advised of the requirement for a PPP ( Public Participation Plan) for the SPDES Permit for the wastewater treatment plant, and part of the SPDES permit modification and requirement to commence the seasonal effluent disinfection by May 1, 2023. We need to modify the Schedule of Compliance. Attorney advised Sean and she have drafted a Plan and will consist of an advisory committee to include Dennis, Tina, Sean, Matt, a member from each of the Boards ( Planning & ZBA) which she will discuss and confirm with the Mayor. Attorney advised there is a page that will be posted separately on the website, as well as the minutes need to be posted. Motion by Trustee Barnett, seconded by Trustee Greany, to review and accept the Public Participation Plan. 4 ayes, 0 nays.
9. AUTHORIZATION, DECLARE INTENT TO SERVE AS LEAD AGENCY & TYPE I ACTION- TOBIAS ANNEXATION PETITION- Attorney advised this is required action by the Board for SEQRA for the Annexation Petition for the Tobias property. Attorney has given Tina the procedures to follow accordingly for a joint Public Hearing with the Town of Montgomery. Motion by Trustee Greany, seconded by Trustee Barnett, approving to declare intent to serve as Lead Agency & Type I Action for SEQRA. 4 ayes, 0 nays.
10. AUTHORIZATION, GMC PROPOSAL FOR TOWER AVENUE CURBS- Engineer advised on the DASNY money we have from the grant and GMC County Contract, we have $200,000 and GMC’s estimate is for $240,000. Engineered described the scope of the work. Board discussed and would like to proceed with the curbs on Tower Avenue. Matt advised they could do some work in house and would save money. Engineer will contact the contractor and advise we will take out some of the work and do in house to keep contract to $200,000. This is for curbs, no sidewalks. Motion by Trustee Capozzoli, seconded by Trustee Greany, authorizing Mayor to sign contract and approve a Type II Action. 4 ayes, 0 nays.
11. BUDGET AMENDMENT, CHIPS- Matt advised he has received CHIPS Apportionment with rollover balances:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 831300 | **Municipality code** | | |  |  |
| **Village of Maybrook** | | | | |  |
|  | Current SFY |  | Prior Year(s) Rollover Bal |  | Total Available |
| [CHIPS](https://www.dot.ny.gov/programs/chips/chips-repository/Eligible%20CHIPS%20and%20EWR%20Project%20Activities.pdf) | 50,953.73 |  | 59,111.75 |  | **110,065.48** |
| [EWR](https://www.dot.ny.gov/programs/chips/chips-repository/Eligible%20CHIPS%20and%20EWR%20Project%20Activities.pdf) | 10,334.89 |  | 11,678.43 |  | **22,013.32** |
| [PAVE-NY](https://www.dot.ny.gov/programs/chips/chips-repository/PAVE-NY%20Eligible%20Activities.pdf) | 13,907.48 |  | 15,773.27 |  | **29,680.75** |
| [**POP       \*\***](https://www.dot.ny.gov/programs/chips/chips-repository/PAVE-NY%20Eligible%20Activities.pdf) | 9,271.65 |  | 0.00 |  | **9,271.65** |

Motion by Trustee Barnett, seconded by Trustee Greany, authorizing the budget amendment for the CHIPS funding to the budget for the paving work to be completed this year. 4 ayes, 0 nays.

1. AUTHORIZATION, PHASE I WATER RESTRICTION- Matt advised the Board the water tables are down significantly. Motion by Trustee Capozzoli, seconded by Trustee Greany, authorizing a Phase I Water Restriction effective immediately. 4 ayes, 0 nays. Matt advised this limits outside usage to watering of plants and gardens for 15 minutes with the use of a garden hose or a sprinkling can. It bans the watering of lawns or washing of vehicles.

Tina wished Audeen Moore a very healthy, happy retirement from the County of Orange after 30 plus years! Audeen deserves it! Board all congratulated Audeen and wishes her the very best in retirement!

**MAYOR’S REPORT**

* Village Street Paving- The following streets are scheduled to be paved in mid-August. Please be advised that the following streets are scheduled for surface paving Christian Lane from Abbey Ave to Tower Ave, Adams Drive (remainder from storm sewer project), Indian Trail, John Street, Heard Ave, Georges Road, Oak Street and Ted Miller Drive. We will keep residents informed when the dates and times are made available.
* Family Movie Night- Our Family Movie Night scheduled for Friday, July 22nd was postponed due to the heat advisory and possible thunderstorms that were forecast. The new date will be Friday, September 16th and will begin at dusk. Let’s hope the weather cooperates.
* Security at the Valley Central School District- The Valley Central School District has approached the Town and three villages about providing security in their buildings. There seems to be a lot of confusion by many including myself based on the newspaper articles that have been posted. This information is inaccurate! I, along with Maybrook Police Chief Butch Amthor have personally had discussions and a meeting with the Valley Central School District. These discussions are ongoing and will be discussed with the Maybrook Village Board. If and when an agreement is reached, the public will be notified. We all want our children to be safe and out of harm’s way. Just to be clear, the Valley Central School District will oversee the implementation of safety protocols for the entire school district. We, the Village of Maybrook have offered and are willing to assist them in reaching their goal.
* Maybrook Women’s Recreation Softball- Our Maybrook Women’s Recreation Softball continues to move along although we had some cancellations due to thunderstorms. Games will be rescheduled for a later date.
* Maybrook Co-ed Recreation Volleyball- the Maybrook Recreation Co-ed Beach Volleyball programs on Tuesday and Thursday nights have been going well. Nice to see people enjoying themselves in the park!
* Town of Montgomery Minor Girls Softball- Congratulations to the Town of Montgomery Minor Softball All Stars who won the section 3N Championship! They have earned the opportunity to play for a NY State Championship. We wish them all the best!
* The Maybrook Wind Ensemble Summer Concert- The Maybrook Wind Ensemble will be hosting a Summer Concert in the Maybrook Senior Center on Thursday, July 28th beginning at 7 pm. It is free to all residents, and all are invited. The Maybrook Wind Ensemble is a symphonic concert band that performs music of various genres. Their program will include music from Movies, Musicals, Music of Contemporary Composers, Music from John Lennon and even some Marches of John Phillip Sousa.
* County Waste Management- This past Thursday, our trash removal service, County Waste Management had a mechanical breakdown with a truck. They came back on Saturday to pick off what they missed but apparently missed Prospect Ave. It was an oversight, and we apologize for any inconvenience. Monday, our regular schedule resumed.
* Next Village Board Meeting- Our next Village Board Meeting is scheduled for Monday, August 22nd at 7 pm and will be held here, at the Village of Maybrook Government Center. Please be advised we have ONE Village Board Meeting scheduled in August. Enjoy your summer!

**TRUSTEES’ REPORTS**

**TRUSTEE KEVIN GREANY-** Advised the sewage treatment plant is going well, flows are low due to no rain.

Stay safe and enjoy the rest of the summer.

Enjoy retirement Audeen!

**TRUSTEE JAMES R BARNETT-** Congrats Audeen! Wishes Audeen a healthy, wealthy, and much happiness in her retirement.

Advised of the projects being done by for Eagle Scout projects. The tables under the pavilion were painted by Tristan Brahm, the caboose was painted bright red by Parian Tompkins, and Patty Touhey painted the American flag on the wall at the VFW. Jim thanked Matt Thorp, these projects would not have been possible without his help and without the help of the Board.

Advised 18 scouts will be attending TMR camp next week.

Advised he is looking forward to the Celebrate Maybrook event on 9/22-9/24.

**TRUSTEE DARYL CAPOZZOLI-** Advised the Community Center is going well, gave patron and activity numbers.

Wished Audeen all the best!

**DEPARTMENT HEADS**

**POLICE CHIEF ARNOLD AMTHOR-** Advised on two meetings he attended with the Town of Montgomery, first was regarding two individuals for interviews for police department and how the school district should proceed and met later that afternoon with the elected officials.

Thanked Chief Herlihy and the Village of Montgomery for trailer cam device for a high speed analysis and advised on findings. There is a serious speed problem on Clark Place and needs to be addressed. Mayor advised he wants speed humps, not bumps, right before Logans Way. Engineer and Attorney will look into this option and advise the Board.

**DPW SUPERINTENDENT MATTHEW THORP-** Advised he will get and re-do the pricing on the new dump truck.

Requested authorization for Billy, him and a Board member to attend NYCOM Public Works School in Lake George, 10/2-10/5. Motion by Trustee Greany, seconded by Trustee Barnett, authorizing Matt, Billy and Trustee Capozzoli to attend NYCOM Public Works School on 10/2-10/5. 4 ayes, 0 nays. Trustee Barnett advised he thinks it should be rotated between the guys attending yearly. Mat advised he will start rotating next year.

**ENGINEER SEAN HOFFMAN-**

**FY-2023 Community Development Block Grant (CDBG)** – As authorized, I submitted on your behalf the FY-2023 CDBG application to Orange County Community Development June 21, 2022. In accordance with your request, this application requested $366,913.74 for additional sanitary sewer lining.

* 1. 2. **Homestead Avenue Sidewalk Improvements** a. Main Line Diner to Aristotle Drive (SAM Grant ID No. 7732) & Sidewalk and Road Repairs (SAM Grant ID No. 19285) – As reported during your March 28, 2022 meeting, DASNY has indicated you may proceed with reprograming grant funds for use on Village street. We understand approximately $209,135.25 in grant funds remain ($59,135.25 + $150,000.00). We discussed with Superintendent Thorp curb replacement along Tower Avenue from Wiley Street to Veterans Memorial Park and along the northerly side of Christian Lane from Tower Avenue to NYS Route 208/Homestead Avenue. On June 30, 2022 Superintendent Thorp and I met with the Orange County contractor, GMC Construction Services, Inc. (GMC) to field review the work. GMC returned to the site to take measurements and provided a proposal July 21, 2022 in the amount of $240,150.00. Since this proposal exceeds the remaining grant funds, we should discuss whether you wish to reduce the scope of this project or perform some of the work through force account. **[\*\*]**

3. **Galaxy Maybrook Rail Yard Annexation** – In November 2021 Attorney Naughton circulated contracts requiring the Village to remove and reinstall existing chain-link fencing and gates in accordance with the new property boundary within sixty (60) days. Superintendent Thorp completed the fencing on or about June 14, 2022. Galaxy has submitted an application to the Planning Board to subdivide the parcel and participated during the Planning Board’s June 29, 2022 special meeting and July 18, 2022 meeting. We are currently working with the applicant regarding the subdivision road, utilities and bonding. **[\*\*]**

* 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 Planning Board’s June 29, 2022 special meeting the approval was extended until September 18, 2022. **[\*\*]**
  2. b. *Knollwood Development* – This is an application for a 12-lot residential subdivision on 18.812 acres with frontage on NYS Route 208/Homestead Avenue. This project includes extension of the Village water distribution system and sewer collection system. The Department of Health issued an approval March 30, 2022. To date, we are unaware of any approval issued by the New York State Department of Environmental Conservation. On February 28, 2022 the applicant responded to the NYSDOT’s January 10, 2022 comments.
  3. c. *Bluestone – Phase 3 (Formerly The Evergreens – Phase 4)* – This is an application for site plan and special permit approval for a senior housing development consisting of 38 residential units on 2.6-acres located within the Senior Citizens Housing (R-SC) District along Broadway adjacent to The Evergreens (Phase 1) and Bluestone Commons. During the March 21, 2022 meeting the Planning Board issued conditional site plan approval. On April 1, 2022 the Maybrook Board of Fire Commissioners circulated comments which were provided to the applicant. During the Planning Board’s June 29, 2022 special meeting the approval was extended. **[\*\*]**
  4. d. *CZR Autobody, Inc. (dba C&E Autobody)* – This is an application for site plan and special exception use permit approval to convert an existing retail with incidental repair (i.e., Cherry Tire) to a repair garage on a 0.5914-acre parcel along Homestead Avenue/NYS Route 208 in the Highway Commercial (B-4) zoning district. During the December 20, 2021 Planning Board the Board adopted a resolution of conditional approval. We understand the conditional approval has expired and the Village is pursuing enforcement action. **[\*\*]**
  5. e. *Westchester Waste Oil* – This is an application for site plan and special exception use permit for a contractor storage and/or equipment yard. On September 9, 2021 Building Inspector Ippolito observed unpermitted construction and issued a Notice of Violation requiring the applicant to obtain Planning Board approval. The applicant made an initial appearance during the December 21, 2021 Planning Board meeting and was requested to submit a site plan in accordance with the Code and complete SEQRA and Village application forms.
  6. f. *Busy Bee* – This is an application for a 9,600 square foot storage building on a 2.6-acre parcel along Houston Road. In December 2020 the applicant received variances from the ZBA. The applicant returned to the Planning Board during their March 21, 2022 meeting the Bord scheduled the public hearing for May. The project requires the relocation of the water service line for Village Hall which is within an easement; we anticipate the application to discuss relocation of the water line with you before the public hearing. We understand Superintendent Thorp met with the applicant April 8, 2022 to review relocation preferences. The applicant submitted information April 13, 2022 for Building Inspector review**.**

5. **Grant Writer** – On June 16, 2022 Mayor Leahy and I participated in a video conference with the Village’s grant writer, Millennium Strategies to discuss: (1) replacement of Prospect Avenue Water Tank; (2) effluent disinfection at the WWTP; (3) sidewalk improvements along Broadway; and (4) Main Street redevelopment. We understand the grant writer is preparing and application for effluent disinfection at the WWTP. **[\*\*]**

Motion by Trustee Barnett, seconded by Trustee Greany, meeting was adjourned at 8:40PM. 4 ayes, 0 nays.

Respectfully submitted,

Valentina Johnson

Village Clerk-Treasurer