**MEMBERS PRESENT: DEPUTY MAYOR JAMES R BARNETT, TRUSTEE KEVIN GREANY, TRUSTEE DARYL CAPOZZOLI, TRUSTEE CHARLES D WOZNICK**

**MEMBERS ABSENT: MAYOR DENNIS K LEAHY ( FAMILY EMERGENCY)**

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

**PUBLIC PRESENT: ANDREW GORDON(CARSON POWER), AUDEEN MOORE (WVT), DENNIS SHIELDS, DONNA BARLETTA, MASON HOFFMAN, JOSEPH BYRNE, VINCENT RUSSIO**

Deputy 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 October 13,

2022 meeting as presented. 4 ayes, 0 nays.

**APPROVAL OF BILLS & CLAIMS**

Motion by Trustee Capozzoli, seconded by Trustee Woznick, approving the following bills and claims as

audited by the Board of Trustees:

**CORRESPONDENCE**

1. INTRODUCTORY LOCAL LAW #6 OF 2022, A LOCAL LAW AMENDING CHAPTER 210 ENTITLED “ZONING” TO AMEND THE REGULATIONS CONCERNING THE USE OF SOLAR, GROND OR POLE MOUNTED SOLAR ARRAYS WITHIN THE VILLAGE OF MAYBROOK- Attorney advised the draft local law with the Board. Deputy Mayor thanked Attorney and Engineer for going through the red-lined copy and changes. Motion by Trustee Greany, seconded by Trustee Woznick, approving the draft local law and to move forward. 4 ayes, 0 nays.
2. REQUEST- BUSY BEE (RELOCATING EXISTING WATER LINE & EASEMENT)- Engineer advised on project that came before the Planning Board, but they had some outstanding issues that need to be addressed before they can proceed with the Planning Board application process. They needed to see about fire truck access and they have a water line and easement that they are asking the Village Board’s authorization to move. Matt Thorp advised the line goes right through their property. Engineer advised the Village has an easement, and it’s our right, it’s up to us if we want to move it. The Village does own one small piece between Busy Bee and the house on Schipps Lane, they also want to install trees on our property which would require our permission. Matt advised it’s his responsibility. No cost to the Village. Deputy Mayor asked where would the trees go? Matt advised once we have the line located, we will know. Motion by Trustee Capozzoli, seconded by Trustee Woznick, authorizing Attorney Naughton to draw up developer’s agreement. 4 ayes, 0 nays.
3. INTRODUCTORY LOCAL LAW #7 OF 2022, A LOCAL LAW AMENDING CHAPTER 27, ENTITLED “ETHICS, CODE OF” OF THE VILLAGE OF MAYBROOK- Motion by Trustee Capozzoli, seconded by Trustee Greany, to introduce Local Law #7 of 2022, and set a Public Hearing on 11/14/22 at 7PM. 4 ayes, 0 nays.
4. THANK YOU, RANDI PICARELLO- EXECUTIVE DIRECTOR- BCGM- Board thanked Randi for her nice note, great job on the Tr-Montgomery Triathlon. Rec. & filed.
5. THANK YOU, POLICE OFFICER JUSTIN P. MORGAN & FAMILY- Deputy Mayor advised Justin is an excellent Police Officer and it was very sad he lost his Dad suddenly. We are keeping them in our prayers. Rec. & filed.
6. AUTHORIZATION, ADDITION TO LIST OF ELECTRICAL INSPECTORS- Deputy Mayor advised we have seen all his certificates and he is fully insured. Motion by Trustee Capozzoli, seconded by Trustee Greany, authorizing to add SAS Electrical Inspection to Building Inspector’s List of Approved Electrical Underwriters. 4 ayes, 0 nays.

**MAYOR’S REPORT**

**(READ BY DEPUTY MAYOR JAMES R BARNETT)**

* ***Maybrook’s Halloween Drive-thru****- The Village of Maybrook will be hosting our annual Halloween Drive-thru on Monday, October 31st from 5 pm to 6 pm in the Frederick Myers Veterans Memorial Park. Children 12 and under are welcome to attend the event. Residents can drive thru the park with their children to receive a treat. There will be no foot traffic permitted.*
* ***Early Voting 2022****- Early voting starts on Saturday, October 29h and continues up to Election Day. Residents in the Town of Montgomery can vote at the Village of Montgomery Senior Center every day including the weekends up to Sunday, November 6th. The times are listed on the Village of Maybrook website. Election Day is Tuesday, November 8th, voting in the Village of Maybrook will be held at the Maybrook Senior Center located in the Frederick Myers Veterans Memorial Park. Polls will open at 6 am and close at 9 pm.*
* **The Maybrook Wind Ensemble “Autumn Concert”-** *The Maybrook Wind Ensemble hosted an “Autumn Concert” on Thursday, October 6th at the Maybrook Senior Center. I was informed it was a very nice concert and well attended. Unfortunately, I was unable to attend due to a prior commitment however I look forward to their Holiday Concert coming up in December. As always, I thank them for hosting free concerts for the residents.*
* **Leaf Pick-up***-Leaf pick-up by County Waste will end this coming Thursday, October 27th. The village has a dumpster for leaf disposal here at the Government Center from now through to December 1st. Many trees still have leaves on them, and the dumpster will allow extra time for leaf cleanup before winter. Leaves must be placed in biodegradable bags. The Village of Maybrook DPW will make one sweep of the village per week to pick up bagged leaves going forward. Residents are more than welcome to discard bagged leaves on their own. Please be advised, contractors are not permitted to discard leaves in the dumpster.*
* ***Halloween Curfew****- At our last Village Board meeting, the Village Board approved a curfew in the Village of Maybrook for Halloween between the hours of 10 pm and 6 am beginning Sunday, October 30th through to Monday, October 31st. The curfew will end on Tuesday, November 1st at 6 am.*
* ***November is Pancreatic Cancer Awareness****- The Village of Maybrook recognizes the month of November as Pancreatic Awareness. Residents re welcome to display purple ribbons in support.*
* ***Orange County Farm Toy Show-*** *The Orange County Farmer’s Museum will be hosting their annual Orange County Farm Toy Show on Saturday, November 5th from 9 am to 3 pm at the Maybrook Senior Center. Residents are welcome to attend!*
* **Next Village Board Meeting-** *The next Village Board Meeting will be held on Monday, November 14th at the Maybrook Government Center beginning at 7 pm. Have a safe Halloween!*

**TRUSTEES’ REPORTS**

**TRUSTEE KEVIN GREANY-** Advised all is quiet, STP is good, Donnie’s doing good, flights are in, advised on flows.

**TRUSTEE DARYL CAPOZZOLI-** Advised the Community Center is going well.

Reminded all of Veterans’ Day at the Town of Montgomery, 11/11, ay 11AM.

Advised of a friend from Oklahoma here to visit him, it’s been 27 years, he drove him through Maybrook, and he loved it!

**TRUSTEE CHARLES D WOZNICK-** Advised the weather looks like rain for Halloween, watch the weather, Drive Thru is 5PM-6PM, and Trick or Treat is 6PM-8PM.

**DEPUTY MAYOR JAMES R BARNETT-** Advised just his personal view, to be very careful, deer are running from now to the end of November, early December, they can cause a lot of damage and pain, dawn and dusk is the worse time, be aware.

Advised the scouts went to Lake Compounce Fright Fest and had a great time.

Advised we are getting ready for the Tee Lighting, it’s the Sunday after Thanksgiving, it’s a great night.

Advised as Daryl said the ceremony at Town Hall for Veterans’ Day, you get to honor a lot of veterans.

**DEPARTMENT HEADS**

**POLICE CHIEF ARNOLD AMTHOR-** Deputy Mayor commended the Chief and officers on a great job for the Tri-Montgomery event.

Advised the department is doing better with cars, the issue is trying to gets lights and sirens, everything is on back-order.

**DPW SUPERINTENDENT MATTHEW THORP-** Advised they finished up the paving project.

Advised the weather sets them back, hoping all will be done by next week.

Advised he is working with Sean on the grant for the water tank.

Advised he will be meeting with FEMA tomorrow morning.

**ENGINEER SEAN HOFFMAN-**

1. **Village Hall Mold** – On October 14, 2022 Mayor Leahy authorized our office to obtain a proposal for mold remediation services. On Monday, October 17, 2022 Servpro inspected the mold and provided a proposal the following day. We discussed several NYS requirements with Servpro (e.g., prevailing wage, tax exempt, etc.) and received a revised proposal Thursday, October 20, 2022 in the amount of $5,545. Mayor Leahy authorized this work Monday, October 24, 2022. In their message of yesterday, Servpro advised the mold remediation will occur Friday, October 28, 2022 and Monday, October 31, 2022. Once the remediation work is complete the air scrubbers will run for 48-hours to purge the air of potential mold spores. At that time, additional air testing will be performed (clearance testing). Repairs including subfloor replacement, drywall, etc. may commence at that time. [**\*\***]

2. **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. 3. **Homestead Avenue Sidewalk Improvements/Tower Avenue & Christian Curb Replacement** 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 indicated you may reprogram grant funds for use on Village streets and a portion of these funds were shifted to curb replacement along Tower Avenue and Christian Lane. The Contractor’s invoice for Tower Avenue was $95,933.58 so we estimate you have approximately $113,201.70 remaining grant funds of the transferred $209,135.25 ($59,135.25 + $150,000.00). Supervenient Thorp and I will be meeting soon to review areas to be repaired/replaced with the remaining grant funds.

4. **Galaxy Maybrook Rail Yard Annexation** – During their September 19, 2022 meeting, the Planning Board adopted a Resolution of Conditional Preliminary & Final Subdivision Approval. Yesterday, October 25, 2022, I participated in a video conference with the applicant’s consultants to review easements required to complete the Planning Board’s conditions so they subdivision plat may be filed. **[\*\*]**

5. **Introductory Local Law No. 6 of 2022 (Solar Zoning Law)** – In connection with the proposal to install two (2) 5MW solar arrays on a portion of the Maybrook Glen property and on land annexed into the Village from the Town of Montgomery, a local law will need to be adopted amending the Village’s Zoning Code to permit the proposed solar use. We understand the draft of this local law for introduction and initial discussion is listed on your agenda. In addition to the local law, this project will require completion of SEQRA, an annexation, adoption of a local law establishing the zoning district of the land to be annexed, site plan and special permit review and possibly discussions regarding developer’s agreement and variances from the ZBA. As requested, Attorney Naughton and I have participated in several discussions with the applicant to coordinate the timing of the above.

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* 1. 6. **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. During the Planning Board’s September 19, 2022 meeting the approval was extended an additional 90-days. As described above, the proposed solar arrays will reduce the number of residential dwellings. We believe the proposed solar arrays will reduce the number of proposed residential dwellings from fifty (50) to twenty-two (22).
  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 September 19, 2022 meeting the approval was extended an additional 90-days. The applicant has requested a meeting with the Maybrook Fire Department, DPW Superintendent and me regarding the proposed water main for the project
  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. Since there has been little activity regarding this project, we request the applicant participate during a video conference on October 4, 2022. At that time we advised the applicant to request placement on

During your September 12, 2022 meeting, you discussed a petition to amend the zoning ordinance to change the zoning from the R-5 District to the B-2 District. At that time, it was realized the proposed plan for the property under the requested B-2 District was not submitted. The proposed plan was submitted under the applicant’s September 20, 2022 electronic cover and discussed during your September 26, 2022 meeting. At that time, the Board rejected the petition. At this time, the applicant may proceed with the conditionally approved residential subdivision or file another petition to amend the zoning. Village of Maybrook October 26, 2022 Page 3 of 3

* 1. an upcoming Board of Trustees agenda to discuss the relocation of the water service line. Further the applicant indicated they were requesting information from the Village regarding: (1) the need for fire department access around the building; (2) permitting for an existing retaining wall; and (3) confirmation of the proposed building’s occupancy classification. We recommended the applicant submit correspondence to the Building Department regarding these three (3) matters.
  2. *g. Halmar International, LLC* – This is an application for a 7,200 square foot storage building on 16.5-acres (total holdings) along NYS Route 208/Homestead Avenue and Houston Street. This matter was discussed during the October 17, 2022 Planning Board meeting and the applicant will submit a SEQRA Expanded Part 3. The Planning Board assumed SEQRA lead agency status and classified this as a Type I Action. [**\*\***]
  3. 7. **Grant Writer** a. **Prospect Avenue Water Tank** – The Village grant writer submitted the EFC WIIA grant for the Prospect Avenue water storage tank ahead of the September 9, 2022 deadline. As part of the grant application, my office completed an Engineering Report with the assistance of Superintendent Thorp. Subsequent to submission of the grant and in anticipation of moving forward with replacing the water storage tank, the site has been surveyed (completed September 27, 2022) and we have had initial discussions with the tank manufacturer regarding geotechnical requirements needed to design the tank foundation. Superintendent Thorp and I will meet to identify the preferred new water tank location and coordinate soil borings necessary to perform the necessary geotechnical evaluation.
  4. b. **Pickleball Court** – The Village grant writer has identified the T-Mobile Hometown Grant Program as a possible funding source. We understand this grant is intended to fund the building, rebuilding or refreshing community spaces. The Mayor indicated he has received requests for a Village pickleball court(s). We will discuss this matter during the next staff meeting and request the grant writer confirm your eligibly and likelihood of a grant award prior to proceeding with a grant application (due December 31, 2022).

8. **Speed Hump** – Based on the accident data provided by Chief Amthor, Traffic Engineer Canning completed his report regarding speed humps along Clark Place. We discussed this report during your last meeting and you requested Traffic Engineer Canning be present for further discussion and to review with you a process or procedure to evaluate locations for additional speed humps in response to potential resident request. Engineer Canning obtained several policies from nearby municipalities I understand Clerk Johnson has circulated these for your consideration. Engineer Canning will be present so you may continue your discussions on this matter. [**\*\***]

9. **Main Street Parking** – On September 27, 2022 we received the survey for Main Street and forwarded to Superintendent Thorp. It appears the DPW will be able to utilize the survey to install No Parking signs within the Village’s right-of-way. If necessary, we obtained pricing from the surveyor to install staking to assist the DWP. During the October 17, 2022 staff meeting Superintendent Thorp requested we meet to review the installation locations for no parking signs. [**\*\***]

10. **Effluent Disinfection** – On September 29, 2022 we submitted an addendum to the Engineering Report regarding alternatives for seasonal effluent disinfection at the Village Wastewater Treatment Plant. This addendum was in response to two (2) technical comments submitted by the NYS Environmental Facilities Corporation (NYSEFC). Prior to our submission of the addendum, but after execution of an Engineering Services Agreement, NYSEFC requested the incorporation of additional terms and conditions these new terms and conditions were forwarded to Attorney Naughton so she may advise you how to proceed. Additionally, NYSEFC has requested a revised budget (we are working with Clerk Johnson to verify all prior payments under the grant) and a Public Participation Plan, which Attorney Naughton can provide additional information.

**ATTORNEY KELLY NAUGHTON-** Advised there is a meeting on Tuesday on the easements, waiting on some metes and bounds, moving along slowly.

Deputy Mayor thanked Kelly & Sean for all the information given to the Board for tonight’s meeting.

Deputy Mayor introduced Mason Hoffman, here tonight for his Citizenship and Community Badge, Mason is with Troop #31.

Mason Hoffman entertained a motion from the Board to close the meeting.

Motion by Trustee Capozzoli, seconded by Trustee Greany, meeting was adjourned at 7:35PM. 4 ayes, 0 nays.

\*\*\*Attorney-Client Meeting.

Respectfully submitted,

Valentina Johnson

Village Clerk-Treasurer