**MEMBERS PRESENT: MAYOR DENNIS LEAHY, DEPUTY MAYOR CHARLES WOZNICK, TRUSTEE DARYL CAPOZZOLI, TRUSTEE WILLIAM GIANNICO, TRUSTEE WILLIAM TRECO**

**ALSO PRESENT: ATTORNEY KELLY NAUGHTON, ENGINEER SEAN HOFFMAN, POLICE CHIEF ARNOLD AMTHOR, DPW SUPER MATTHEW THORP, DEPUTY VILLAGE CLERK LINDA LAROSA, TREASURER DAVID GRIFFITH, PLANNING BOARD CHAIR MIKE D’ANGELO, PLANNING BOARD MEMBERS: NOREEN REYNOLDS, EILEEN KEANE, BRAD CRAVELLO, PAUL BRAHM**

**TOWN OF MONTGOMERY BOARD: SUPERVISOR RON FELLER, DEPUTY SUPERVISOR CINDY VOSS, COUNCILPERSON KRISTEN BROWN, DEPUTY TOWN CLERK KAREN MILLER, ATTORNEY FOR THE TOWN BRIAN NEWMAN**

**PUBLIC: JENNIFER WOZNICK, ALYSSA SCHOLZ, EDWARD WILLIAMS, ANDREW GORDON, DONNA BARELTTA, LYNN & THOMAS ELSE, TARA WINCHELL, JIM KASBARIAN, BOB REYNOLDS, RJ SMITH, RAQUEL PARKS, MARK HOYT, JIM TAYLOR, CHRIS BERTRAM, DENNIS SHEILDS, JOAN BUCK SMITH, JOE MINGOIA, KATHY BAXTER, EILEEN PHILLIPS, SISSY LACINA, NADINE CAFARO, DANA WEAR, DAHYABHAI PATEL**

Mayor Leahy opened the meeting with the Pledge of Allegiance.

Mayor Leahy announced the following:

Before we begin tonight’s meeting, welcome, Town of Montgomery Supervisor Ron Feller and the Town Board. Village of Maybrook Planning Board Chairman Mike D’Angelo and the Planning Board Members. The Village of Maybrook Board of Trustees and of course the residents who are joining us this evening. Tonight, we have two Public Hearings. #1 The Annexation of 24.5-acres (Tax Map Id: 36-1-41.2) from the Town of Montgomery to the Village. #2 (a) Introductory Local Law No. 1 of 2023 amending the Village’s zoning map to: (1) change the zoning designation Tax Map Id: 113-1-1 from RA-3 to R-4; and (2) assign an R-4 zoning designation to the parcel annexed from the Town; (b) Introductory Location Law No. 6 of 2022 amending the Village’s zoning code to include regulations for solar energy systems, and special permit review for the proposed Maybrook solar application Before we open the Public Hearings, I will defer to our Village Attorney Kelly Naughton so she can explain the process in further detail.

Attorney Naughton explained that both Boards are going to hear is for the public hearing on the annexation this is a joint public hearing with the Town of Montgomery Town Board the applicant will give a summary of the annexation and what they are going to do. Both Boards can open the meetings and hearings to the public, hear the comments then close the hearing. Then the Maybrook Planning Board can come up to have the public hearings on the two local laws, special permit and site plan.

Andrew Gordon of Carson Solar made a presentation of the annexation parcel number 36-1-41.2 into the jurisdiction of the Village. He explained the purpose of the solar project and solar application they have made to the Village. They are under contract to purchase three parcels which will host the solar project, two of those three parcels are within the jurisdiction of the Village the third is not, the primary driver of the annexation as part of the application is so the Village will be the sole authority having jurisdiction of the solar project. Mr. Gordon then made a video presentation which included the parcel in discussion.

Motion by the Maybrook Village Board to public hearing, by Trustee Capozzoli, second by Trustee Treco. 5 ayes, 0 nays. Motion by the Town of Montgomery Town Board to open the public hearing by Councilperson Brown, second by Deputy Supervisor Voss. 3 Ayes, 0 nays. The meeting then was opened for public comment.

RJ Smith on behalf of current owners of the property, Dr. & Mrs. Tobias, the property is the residual property of the Goldman Farm that encompassed Cardinal Heath Care, Home Depot UNFI, OC Iron Works and Taylor property that is under development. There is only a small portion of the entire property that was residential. 54 acres lie within the Village, approximately 24 acres lie within the Town. The application for the annexation in which the Tobias’s are a party of is to unify the ownership under a single municipality. Mr. Smith then made comments regarding the solar project. The property was proposed to be a residential development, that proposal because of excessive economic development costs among other considerations made the plan not possible. The proposed plan is for a large portion of the parcel to be conveyed to the Village with the balance to accommodate a solar array. Mr. Smith then spoke regarding the power of the sun; produces enough energy in a single day to power the earth for a full year, the challenge as a society is to figure out how to capture that energy and use it. This is a small step in that journey. He then stated that it was intriguing to him is for a municipality to at some point and time to be self-sufficient in its energy consumption; at least in electric. He has done some research; that Maybrook is not a large municipality it would be interesting if this produces enough electricity as Maybrook consumes in a single day. The Town of Montgomery could be on its way as it has several solar projects, how much they would produce and how much the Town consumes. If we could be energy independent, it would solve a lot of what ails us. On behalf of the Tobias’s, they are in favor of this and appreciate your support for this annexation petition.

Joan Buck Smith, Town of Montgomery, asked what’s in it for the Town that we are giving away 26 acres of land in the Town that could be used for another warehouse or something. She is directing her question to Supervisor Feller. Supervisor Feller responded that he thought this was public comment not a question-and-answer period. That is why we are here to listen to what is coming into the Town. Mrs. Smith asked if there was one positive thing that would be in for the Town. Mr. Feller responded that there would be more tax revenue, that vacant land has a lot less than it is, that when someone uses it. There was discussion that there would be more taxes and increase the tax base. Attorney Naughton stated they are requesting a PILOT (payment in lieu of taxes) that goes through the Village since the property is proposed to annexed into the Village. Mayor Leahy asked if Joan was in favor of a warehouse, she stated that what could go there, it’s in an industrial zone, however its zoned residential, there could be six or seven houses there, would not be beneficial to the Town. She stated she is not in favor of warehouses; she thought it was an industrial zone. Her other question is with two public hearings in a row tonight, it seems it’s a done deal, you are going to pass it and go right into your next. Mayor Leahy stated this is not a done deal, that is why there is a public hearing. Attorney Naughton stated there will be no decision made tonight. Mrs. Smith asked how can you have the second one to change the zone if there has been no decision on if you are getting the land or not. Attorney Naughton stated that this is just a public hearing, no decisions made tonight, and Supervisor stated there will be no decisions made tonight as well.

Jim Kasabarian, Village of Maybrook the south side of Maybrook road is the zoning changing residential that’s coming into the Village and the North side of Maybrook Road is already in the Village or is it the other way around. Mayor Leahy stated that the North part of the parcel is in the Town of Montgomery. Mr. Kasabarian asked if that is where the houses were going years ago, he was directed to the video to see the property. Mr. Gordon explained what and where the parcel is located. Joe Mingoia, Highland Ave, asked if the shaded areas just the array so its not going to be close to the houses, it there going to be a buffer. Mayor Leahy and Mr. Gordon explained that there would be a wooded area in that area.

Mark Hoyt, Walden, asked how many megawatts would be produced for the town. Mr. Gordon stated about 15% for the total array would be a little less than 1 megawatt. There would be around 5.5 megawatts total.

Dana Wear, Walden, what are you doing with the generations is it community solar project? Mr. Gordon stated that is community solar.

Mayor Leahy asked if there as any other questions. Motion to close the public hearing by Trustee Giannico, second by Trustee Treco, 5 ayes, 0 nays. Supervisor Feller asked for a motion to close the public hearing by Deputy Supervisor Voss, second by Councilperson Brown. 3 ayes, 0 nays.

Attorney Naughton announced there would be a 5-minute recess so the Town could gather their things and the Maybrook Planning Board go to the front of the room.

Attorney Naughton announced the following: public hearing first introductory Local Law #6 of 2022, titled zoning and amends the zoning that relate to solar, public hearing introductory Local Law #2 of 2023, which amends the zoning map should this piece of property be annexed into the Village, this is the public hear that sets the zoning for that piece of property. The applicant proposed to build two 2.75-megawatt AC solar facilities and to re-subdivide the properties so that is before the planning board for a subdivision and site plan and the Board of Trustees for a special permit. A joint public hearing on these items, the applicant will give a summary of the applications. Mayor Leahy wants a point of clarification that Village Board is here to discuss the site plan and the planning board is here for the subdivision, Attorney Naughton stated that the planning board is here for the subdivision and site plan, the Board for the two Local Laws and special permit.

Andrew Gordon presented an overview of solar activity in NY state, along with the energy generation mix in NY as of October of last year most of the electricity generated in NY comes from natural gas fired power plants which make quite a bit of carbon. The goal of this project is helping to bring this non-hydro renewable electricity generation number out and take down the natural gas fired number that produces the majority of electricity in NY. NY roles in energy transitions NY has big goals 70% carbon free electricity by 2030 100% by 2040. That state has programs to incentivize the types of renewable electricity generation. The program we are participating in is called NY Sun this is a community solar project. Community solar provides access to local good energy resources to those who can not have roof top solar. The capacity of the array will be allocated to those who what to subscribe to the array so you can buy your electricity from the solar project directly through a third party and get a discount a on your electricity. We committed to Maybrook residents’ priority access to subscribe, you can expect a 10% discount on your utility bill on an annual basis, however it could change based on the sun. Quite a lot of these things have popped up all over the state. These are operating community solar projects in NY. There are a lot more under construction and development operating projects in the Hudson Valley. The biggest constraint on the community solar in NY is the grid, he presented a map of Maybrook and a bit of Montgomery. The map revealed all the colorful lines those are the only lines where solar projects like this could ever be interconnected. So, the vast majority of parcels are disqualified just because they don’t have access to 3 phase distribution lines. This project is sited in a great location across the street from the Maybrook substation, so we will be kind of throw a cord over the fence and plug into the substation, this is a good site for this type of project. The project is a two 2.75-megawatt AC system this will be able to power approximately 800 homes on an annual basis, quite a bit of production. The three parcels totaling about 80 acres, the solar about 29 acres, the expected project life of a solar facility is 25-40 years. The way these projects are installed it considered a temporary installation at the end of the project life the steel can be pulled out of the ground and be decommissioned; the site could be used for a different purpose. The fixed still rack system of some solar systems track east/west throughout the day, however, does not it stay still no moving parts, no hazardous materials associated with panels and the project. Decommissioning security will be held by the Village, a security will be put in place at construction in case the operator of the system goes out of business, the Village will hold funds they can access in case of emergency fund to decommission and restore the site, as a safety net. Construction will begin in November of 2023, it’s a wooded site. There are some issues due to bat species, that prevent construction until that time frame. Construction will be about 6-8 months, very infrequent traffic at the site, its operated and monitored remotely. Part of the application is a subdivision of the property, taking the three parcels as they are today, they will be subdivided into three different shapes, to accommodate the shape of the solar project. There is also a third parcel that will not be considered part of the solar project, they are looking to convey that to the Village. He then presented renderings of what the project looks like with native pollinator species, an agriculture fence will be put in place so wildlife can get in and out of the system. Then he presented renderings of many viewpoints from various roads, and seasonal changes.

Village Board: Motion to open the public hearing by Trustee Treco, second by Deputy Mayor Woznick, 5 ayes, 0 nays. Planning Board: Motion open the public hearing by Member Keane, second by Member Reynolds, 5 ayes, 0 nays. There was no public comment. Village Board: Motion to close the public hearing by Trustee Giannico, second by Trustee Treco. 5 ayes, 0 nays. Planning Board: Motion to close the public hearing by Member Brahm, second by Member Cravello, 5 ayes, 0 nays.

**CORRESPONDENCE**

No correspondence.

**TRUSTEES’ REPORTS**

**Deputy Mayor Woznick:** Several meetings with the Mayor, reviewed the Memorial Day plans, invitations went out last week.

**Trustee Capozzoli:** Went to sewer plant, met with Don, he explained the process. He will be following up with more research. 100th is going well.

**Trustee Giannico:** There are four Eagle projects starting in the Village.

**Trustee Treco:** Astonished by the number of kids participating in Little League, as he went to opening day.

**MAYOR’S REPORT**

**Town of Montgomery Opening Day-** On Saturday, April 22nd, The Town of Montgomery Little League hosted their Opening Day with a parade and ceremony. A lot of work is done to prepare for this day. Ordering uniforms, schedules, field maintenance, etc. Congratulations to Marc Hamilton, the Town of Montgomery Little League Board and all the coaches. Your volunteer work for your town is appreciated more than you know. Thank you for all you do to keep baseball alive and kicking in the Town of Montgomery! Have a great season!

**Maybrook “Community Spring Shred Day”-** The Village of Maybrook will be hosting a “Spring Community Shred Day” on Friday, May 12th from 8 am to noon at the Maybrook Government Center. Residents can safely discard important personal documents. This event is free to all residents.

**Valley Central Varsity Lady Vikings Softball-** The Valley Central Lady Vikings Varsity Softball has returned to the Village of Maybrook. They had their first game on Wednesday, April 19th against Newburgh Free Academy. They have scheduled games on April 27th, May 4th, 11th, and 18th. The kids really look forward to playing under the lights on our ball field and we are happy to have them. Stop down at the field on these dates and support the Valley Central Lady Vikings Varsity Softball!

**Soylicious Breast Cancer Candle Making Fundraiser**- Soylicious is sponsoring a Candle Making Fundraiser to support Breast Cancer Awareness on Saturday, May 13th at 1 pm and will be held in the Maybrook Senior Center. The cost is $40 per person. For more information and to register visit their website at www.soylicious.com.

**Village of Maybrook “Memorial Day Parade and Service”-** the Village of Maybrook will be hosting our annual Memorial Day Parade and Service on Monday, May 29th. The Deputy Mayor Charlie Woznick is organizing this year’s event and has started preparations. All residents are invited to attend this event.

**Maybrook Railroad Museum- Maybrook Railroad Museum**- The Village of Maybrook Railroad Museum re-opened their doors on Saturday, April 22nd and will be open to the public on Saturday’s going forward from 1 pm to 4 pm. The Maybrook Railroad Museum is always looking for volunteers. If interested, contact Robert and Diane Samboothe at 845-778-7016.

**Next Village Board Meeting-** The next Village Board Meeting will be held on Monday, May 8th, 2023 at the Maybrook Government Center.

**DPW Superintendent Thorp:** Eagle scout projects paint supplies are good to go at Scotts Corners Paint. Motion to start summer hours for the DPW starting on Monday May 1, 2023, by Trustee Giannico, second by Trustee Capozzoli. 5 ayes, 0 nays. Help at the Town of New Windsor for the last couple of days with paving, there is a reciprocal relationship various municipalities. Sweeper will be out next week. Working on the Community Center parking lot.

**Police Chief Amthor:** Needs to speak with Kelly, found out that VCSD is going to be utilizing Maybrook Elementary School for 7 weeks. Need to see if it’s part of the contract, otherwise it’s an unfunded situation since it needs to be staffed. There was some extended criminal activity by the same individual, he stole two vehicles from an auto dealership. There was a 100 MPH car pursuit on I84, the individual is not local, sounds like an auto theft ring, he was taken into custody. There are several warrants out, he is in jail. Chief Amthor commended the officers on a job well done. Multiple Police agencies were involved.

**Engineer Hoffman:** CDBG reminder of the mandatory video conference on May 4, 2023. Bluestone received health approval, submitted plans to review make sure they comply with Planning Board conditions, will write a letter to the Planning Board Chairman when the plans are ready to sign. Request from the Wastewater Treatment Plant operator for a failing part for the dis filters. Sole source provider, the cost is $7,976.61. Engineer Hoffman recommended to the Board material are just under $8,000.00, $4,000.00 as a max, not to exceed number. Motion on the recommendation not to exceed $12,000.00 by Trustee Capozzoli, second by Deputy Mayor Woznick. 5 ayes, 0 nays.

**Attorney Naughton** Thanked everyone on the confusing meeting, however it went so much smoother than expected. Asked if Treasurer Griffith had approvals before closing the meeting. He also stated that the Village received a check from VCSD for SRO and will be billing the rest in June.

**APPROVAL OF MINUTES**

Motion by Trustee Treco, seconded by Deputy Mayor Woznick to approve the minutes of the April 10, 2023, meeting as presented. 5 ayes, 0 nays.

**APPROVAL OF BILLS & CLAIMS**

Motion by Deputy Mayor Woznick, seconded by Trustee Giannico, approving the following bills and claims as audited by the Board of Trustees, 5 ayes, 0 nays:

A: $35,075.02, F: $4,029.78, G: $13,324.71

**APPROVAL OF BUDGET TRANSFERS**

Motion by, Deputy Mayor Woznick, seconded by Trustee Capozzoli, approving the following budget transfers as presented, 5 ayes, 0 nays:

From: 1110.120A – Justice PS Other

To: 1410.140A – Deputy Clerk PS

Amount: $1,500.00

From: 8020.410A – Muni Planner

To: 1620.400A – Buildings

Amount: $4,000.00

From: 1910.400A – Unallocated Insurance

To: 3120.400A – PD Contractual

Amount: $2,500.00

From: 7140.400A – Playgrounds

To: 7510.400A – Historian

Amount: $200.00

From: 7140.400A – Playgrounds

To: 8025.000A – PB Services

Amount: $100.00

From: 8130.460G – Sewage Treatment/JCO

To: 8130.400G - Sewage Treatment

Amount: $70,107.54 (took funds from incorrect line)

Motion by Trustee Capozzoli, seconded by Trustee Treco, meeting was adjourned at 7:56 PM.

5 ayes, 0 nays.

Respectfully submitted, David Griffith, Treasurer