

VILLAGE OF BREWSTER
BOARD OF TRUSTEES
5 FEBRUARY 2020
7:30 P.M.
REGULAR MEETING
MINUTES

The Board of Trustees of the Village of Brewster is holding a regular meeting at 7:30 PM, on February 5, 2020 at Village Hall, 50 Main Street, Brewster, NY 10509.

Attendees:

Mayor: James Schoenig
Deputy Mayor and Trustee: Christine Piccini
Trustees; Mary Bryde, George Gaspar, Tom Boissonault
Village Police Chief:
Village Engineer:
Village Counsel: Anthony Molé
Clerk & Treasurer: Michelle Chiudina
Deputy Clerk-Treasurer: Donna Milazzo

Absent:

John Del Gardo
Todd Atkinson

Pledge to flag.

Notation of Exits

Mayor Schoenig motions to open the regular meeting, Trustee Gaspar 2nd all in favor 5 to 0.

Deputy Mayor Piccini motions to amend the agenda to place the VFW Post 672 Parade Permit to the first item on the agenda, Mayor Schoenig 2nd, all in favor 5 to 0.

Regular Meeting

1. VFW Post 672 - Memorial Day Parade Permit. Robert Rottkamp, representing the VFW Post 672, has submitted a parade permit for the Annual Memorial Day Parade on Monday, May 25, 2020. Those in the parade will gather at the Brewster Fire House at 10:15 am and the parade route will be down North Main Street to Railroad Avenue and ending at Veteran's Park (aka Electrazone Field) with a ceremony to follow, ending the event at 12 pm. Trustee Bryde mentions that she attends this parade every year and each year she sees an increase in attendance and Mr. Rottkamp agrees and is hoping for a great turn out this year and mentions that there will be a horse drawn cart to bring those who cannot walk, supplied by the Blumbergs. Mayor Schoenig authorize the parade permit for VFW Post 672 for the Annual Memorial Day Parade on May 25, 2020 on the route outlined above, from 10:15 am to 12 pm, waiving all fees involved, Deputy Mayor Piccini 2nd, all in favor 5 to 0.
2. Irene Hagan, Casino Street. Ms. Hagan's daughter, Jean Marie, is speaking on behalf of her mother and other residents who live on Casino Street. Ms. Hagan has requested to speak with the Board about the fence that was erected on the paper road side of Casino Street causing people to trespass on her property to get around the fence. Jean Marie recited minutes from October 16, 2019, where residents voiced their concerns for their safety and were given the suggestion by Chief Del Gardo to have a fence go up on the paper road side of Casino Street that would lessen the amount of vandalism occurring on Center Street. She continues by reciting minutes from the November 6, 2019 meeting where bids for the fence were reviewed and awarded to Campanella Fence and in the minutes on November 20, 2019, Mr. Consentino, the DPW Superintendent indicated that the fence would be going up on November 21. Jean Marie notes that she believes the vandalism occurred after a party on Center Street was broken up and those incidents happened that night/the morning after. She would like to ask the Board why was there no representation from Casino Street about needing a fence to go up and why is the fence going up on the paper road portion of Casino because of vandalism on Center Street and how did the Board come to the decision that the vandalism was caused by those walking the paper road up Casino Street? Jean Marie acknowledges that her mother was a Village Trustee and the Mayor of the Village and has never used her position to give her an advantage and she is concerned that this fence was approved in 45 to 60 days by a resident who works for the Village but residents are still waiting for a catch basin to be fixed. Jean Marie mentions the many people of all ages who use the paper road to go to the stores, do laundry and go to the park on North Main Street or to use to get to their homes. Jean Marie gave Clerk Chiudina three FOIL requests, the first for

notices placed in the Putnam County Press for fencing bids and if no notice was placed, to provide written correspondence of who was responsible for soliciting the fence bids and when specifically did the request for fence bids begin. The second is reports of complaints filed by residents of Casino Street or written correspondence indicating complaints. The third is copies of notices informing the residents of Casino Street that a fence was being put up at the top of the hill. Jean Marie expresses her concern that a Village resident who also is an employee of the Village was able to make a complaint and have a fence put up in a 45 to 60-day time frame. She also expresses how emotional and frustrating the situation is and that there have been "No Trespassing" signs posted. Irene Hagan wants to know why the fence was put up when she told Mayor Schoenig and former Clerk Hansen that she had no problem with people going up and down the hill. Mayor Schoenig recalls the conversation between himself, former Clerk Hansen and Ms. Hagan about where the fence would go and how far the Village would be willing to extend the fence after reviewing where the Village property lines fell. Mayor Schoenig also recalls the meetings that were cited earlier and how those residents were very concerned for their safety after their property was damaged and believed that a fence would decrease the number of incidents. He states that the Village Board did not believe that people would start coming onto private property to get around the fence and the Village does not have any property between Ms. Hagan's property and the property in front of hers that is located on North Main Street, therefore the Village could not extend the fence in that direction. Counsel Molé will look into if the Village can extend the fence onto her property and the adjacent property, using Village tax payers money to extend the fence on private property. Deputy Mayor Piccini states that the only person who can speak for the Village is the Mayor. Jean Marie reiterates that the fence was put up within 60 days of the complaints that were made at the October meeting but a catch basin has not been fixed for six months. Mr. Consentino states that he did not know about the catch basin until December when Mr. Rick Lowell mentioned it at a meeting and Ms. Hagan states that she told someone else in the Highway Department and not Mr. Consentino directly, and the message was not relayed to him but it will get taken care of. Trustee Gaspar asks if Irene would like the fence to come down and she says yes. Trustee Boissonnault explains that the Village is a small place and when a group of residents come in to complain about a problem, the Village Board will act on that any way they can as soon as possible and would like to do the same in this situation. Counsel Molé reiterates that he will look into if the Village can extend the fence onto her property and the adjacent property, using Village tax payers money to extend the fence on private property, as a public safety measure. Deputy Mayor Piccini explains that the Village was able to act so quickly to the issue because the paper road that the Village owns was believed to be part of the issue and it had nothing to do with who the complaints came from whether they worked or volunteer for the Village or not, in any capacity. Trustee Gaspar does not plan to make any decisions tonight and will be visiting the site to make a more informed decision and Trustee Bryde agrees. Mayor Schoenig states that the Village Board will find a solution to this problem as soon as possible and Ms. Hagan repeats that she would like to see the fence come down and thanks the Board for listening to their complaints.

3. Monthly Reports

3.1. Planning Board Reports for December, 2019 & January, 2020. Tabled.

3.2. Engineer's Reports for December, 2019 & January, 2020. – Tabled. Village Engineer Todd Atkinson was unable to attend the meeting tonight due to his military obligations but has sent the Board four proposals to consider for the Tonetta/Marvin Avenue Headwall project.

3.2.1. Tonetta/Marvin Avenue Headwall Proposals. Clerk Chiudina reminds the Board of an email that Mr. Atkinson sent to the Board with four proposals prepared by Gianfia, who was awarded the bid for the Headwall project, in reference to additional work at Marvin/Tonetta Brook Headwall that Mr. Atkinson feels would be appropriate. The first (#1) is the installation of two catch basins and piping on each side of the headwall to control the stormwater in the area. The proposed cost is \$9,003.19. This work was eliminated from the original project to reduce the construction costs. The second (#2) is sealing the existing concrete culverts that are leaking and causing a sink hole in the Marvin Avenue Crossing. The proposed cost is \$7,263.05. The third (#3) is to repair the existing CMP to the north of the Marvin Avenue Crossing. At the present time the culvert pipe to the parking lot is failing and creating a sink hole, proposing to install a new pipe section inside of the existing one stabilizing it. The proposed cost is \$7,611.87. The fourth (#4) is installation of 125 linear feet of new guide rail on Marvin Avenue. The proposed cost is \$10,850.80. At this time the current contract for Gianfia's work is \$194,915. The proposed budget in the grant for construction was \$215,000. Mr. Atkinson recommends that the Village move forward with proposals #1 and #2 for the total cost of \$16,266.24. In doing so, the construction cost will be \$211,181.24 which will be \$3,818.76 under the construction budget. The

work described in items #3 and #4 can be completed at a later date if needed. Deputy Mayor Piccini clarifies that these projects would be covered by the grants being used to fund the projects and Clerk Chiudina states that they will. Trustee Gaspar presents a picture to the Board to explain the first and second proposals further. Mayor Schoenig asks Mr. Consentino if Gianfia was asked to give a quote for the future project on North Main Street to repair the pipes and Mr. Consentino stated they did provide a quote that was higher than the first quote but is waiting to receive the quote in writing. Trustee Gaspar motions to approve the first two proposed change orders listed above for the Tonetta Brooke/Marvin Avenue Headwall project, as described in the quote at the proposed total cost of \$16,266.24 and states that we are still under budget for this project, Deputy Mayor Piccini 2nd all in favor 5 to 0.

- 3.3. Zoning Board Report. Chairman Todd Gianguzzi has sent a report to the Board via email that there has been no activity for the Zoning Board of Appeals since May, 2019. Mayor Schoenig motions to approve the Zoning Board Report of no activity since May, 2019, Deputy Mayor Piccini 2nd, all in favor 5 to 0. Copy will be attached to the minutes.
- 3.4. DPW January, 2020 Report. DPW Superintendent Domenic Consentino delivers the DPW Report. Mr. Consentino is working on clearing out the loft of the garage and auctioning off old equipment and miscellaneous items and will give an update at the next meeting. Trustee Bryde asks about the bikes in the garage that were being donated and he informs the Board that the bikes were dropped off at the person's house who will be taking the bikes to be fixed and donated. Trustee Boissonnault asks Mr. Consentino to look at the catch basin on Center Street that was mentioned earlier. Mayor Schoenig motions to approve the DPW Report, Trustee Bryde 2nd, all in favor 5 to 0.
4. Financial Report. Clerk Chiudina delivers the Financial Report. She explains that there are a few lines that need special attention in the Water, Sewer and General fund that are projected to run over budget and some are already over budget, mostly due to unplanned expenses, such as the generator at the North Main Street Pump Station. There are a few expense lines that are currently below budget that she believes could cover the over spent account lines.
 - 4.1. 45-day Sewer Arrears. Clerk Chiudina has given the Board a report of those who have not paid the November, 2019 sewer bill, which is \$21,657.31 and suggests that the Board motions to allow her to send out Notice of Nonpayment to the accounts that have not paid two or more water/sewer bills since April, 2019, which totals to over \$45,000 in arrears payments. Mayor Schoenig motions to allow Clerk Chiudina to send notices to those who have outstanding balances, Trustee Boissonnault 2nd, all in favor 5 to 0.
 - 4.2. Clerk Chiudina would also like to ask the Board to not relevel the upcoming refuse bill onto the 2020 taxes as the Board has decided to bill refuse once a year. This will allow the Village to continue collecting the refuse payments throughout the year instead of waiting until the County makes us whole again the following year. Deputy Mayor Piccini questions if the Village will be able to relevel amounts that are not received in 2020 in 2021 and Counsel Molé says we will be able to relevel those amounts. Clerk Chiudina plans to send out a reminder notice in September to those who have not paid their refuse bills.
5. A & S Contracting for 862 Route 22 – American Latino Deli. Adam Congello, and Mohammad Islam, and Adam Villeda of VNR Rt 22 LLC would like to start a discussion on having a zone change to allow a special exception use permit to have this building be a mixed use and to see if the Board is open to this plan. Deputy Mayor Piccini informs the applicant that first the zone must be changed to allow a special use permit to allow the mixed use of residential and commercial as it currently does not. She also states that she would need time to think about the decision to go forward with a plan to change the zoning and the rest of the Board agrees. Counsel Molé suggests that they consult with a land use attorney to decide if they would like to continue with this process. The Board discusses the plans given to them and the process of changing the zone with Mr. Islam, Mr. Congello and Mr. Villeda. Mr. Islam would like to thank the Board for their time and hearing their ideas.
6. Contract with Prosper Communications. Clerk Chiudina has relayed the questions and comments between the Board and Prosper Communication and explains that Lisa Kaslyn and Ellen Rothwax understand the Village does not have the budget to cover all expenses but the Board will be paying the amount that is due to Prosper Communications. Trustee Bryde is worried about taking this large step and losing the community feeling in the paper. The Board discusses the pros and cons of the newspaper and decides to hold off on the newspaper at this time. The Board will continue working through their ideas and come up with a more concrete idea. The Board agrees that a new website is necessary but would like to see a scope of work to be done, Counsel Molé recommends that the Village includes a clause that puts a cap on the amount of work that will be done each week.

7. January 15, 2020 Minutes for approval. Trustee Bryde can approve the January 15, 2020 meeting minutes, Trustee Boissonnault 2nd, all in favor 5 to 0.

8. Vouchers Payable – Trustee Bryde reviewed the vouchers and found everything in order.

8.1. A -	GENERAL FUND	\$31,930.42
8.2. C –	REFUSE & GARBAGE	815.58
8.3. F -	WATER FUND	4,384.75
8.4. G -	SEWER FUND	2,052.52
8.5. TA -	TRUST & AGENCY	1,561.15

Total Vouchers Payable \$40,744.42

Mayor Schoenig motions to approve the vouchers payable as written, Deputy Mayor Piccini 2nd, all in favor 5 to 0.

9. Other Business

9.1. Deputy Mayor Piccini asks about the peddler’s permits that were discussed at the previous meeting. Counsel Molé states that after reviewing the law, he believes that the Village has done a sufficient job in regulating the permits that are given.

9.2. Trustee Gaspar would like to thank Clerk Chiudina for adding the phone number to the bill and Trustee Bryde agrees and mentions she loves the new bills and says they look very professional.

9.3. Trustee Bryde asks the Board if anyone will be attending the Fireman’s Ball on February 22, 2020 as they will need to reserve a table. Mayor Schoenig asks Clerk Chiudina to send out an email to the Board to gauge interest in the Ball and who is able to attend.

10. New Business

10.1. Deputy Mayor Piccini mentions that the Fee Schedule may need to be revisited as some have complained about the amounts for the inspections done but will discuss this further with Code Enforcement Officer Bill Scorca.

10.2. Trustee Boissonnault asks about when the work on the utility poles on Prospect Street will be finished and Clerk Chiudina will contact Andre from the Department of Transportation for an update as she believes it is related to the reconstruction of the Carmel Avenue bridge.

10.3. Mayor Schoenig asks about the complaint about the water line outside the Village on Carmel Avenue and Mr. Consentino states that it is a private line and the Village uses that line to supply the water. He explained that the house was vacant for a while and if the pipes are galvanized, any sediments that has been built up inside them is now being disturbed causing the water to be discolored.

11. Public Comment

11.1. Mr. Scott Seaman, Brewster School Board, invites the Mayor to the key communicator panel that is happening tomorrow night. He also mentions that there will be a public forum the same night at 7 pm at Brewster High School, which will include topics such as the future of the district, schedules for students and will be taking public questions or comments. The School Board is expecting Garden Street School to close within the next week.

12. Mayor Schoenig motions to go into executive session for contractual matters with DEP and announces no action will be taken after executive session, Trustee Bryde 2nd, all in favor 5 to 0.

13. Mayor Schoenig motions to come out of executive session and adjourn, Deputy Mayor Piccini 2nd, all in favor 5 to 0.

RECEIVED
JAN 03 2020
 VILLAGE OF BREWSTER

PARADE PERMIT APPLICATION

Applications shall be filed with the Village Clerk at least 60 Days in advance of the event and applicant is required to appear before the Board of Trustees at least 30 days in advance of the event:

Name of Parade Chairman: Robert G. Rottkamp		Telephone Number: 914-282-0050
Email: vfwpost@vfwpost672.org		Cell Phone: 914-282-0050
Organization Name: VFW Post 672		Org. Tel. Number: 845-279-6969
Org. Address: 262 Peaceable Hill Road, Brewster, NY		
Head of Organization: Commander Robert G. Rottkamp		Email: vfwpost@vfwpost672.org
Parade Date: May 25, 2020	Rain Date: None	Number of Participants: 200 +/-
Starting Time: 11:00 AM	Ending time: NOON	Number of Vehicles: 8 +/-
Assembly Street and assembly time: 10:30 AM North Main Street		
Details: Annual Memorial Day Parade Ceremony		
Starting Point: Brewster Fire Department Fire Station / House		
Termination Point: Veteran's Park (Electra zone Field)		
Parade Route: North Main Street > Main Street > Railroad Avenue		
All information furnished on this form is true and completed to my best knowledge and belief.		
Signature of Applicant: <i>RS Rottkamp</i>		Date: <i>12/30/2019</i>
Approved by Village Board of Trustees.		Permit Number:
Date: <i>2/5/20</i>		
Village Clerk, Peter B. Hansen: <i>Michelle Davidson</i>		Date: <i>2/5/20</i>
Recommendation of Brewster Police Department:		

Subject: ZBA Activity

Feb 1st 2020

Please be advised that we've had no activity with ZBA since May of 2019.

Thank you,
Todd Gianguzzi -ZBA