

VILLAGE OF BREWSTER

BOARD OF TRUSTEES

20 May 2015

Regular Meeting

Minutes

The Board of Trustees of the Village of Brewster is holding a Regular Meeting at 7:30 PM or as soon thereafter as time permits, on 20 May 2015 at Village Hall, 50 Main Street, Brewster, New York 10509.

Attendees:

Mayor: James Schoenig

Deputy Mayor and Trustee: Christine Piccini

Trustees; Tom Boissonnault, Terri Stockburger, Mary Bryde

Village Engineer:

Village Counsel: Anthony Molé,

Clerk & Treasurer: Peter Hansen

Village Police: John Del Gardo

Absent:

John Folchetti

Pledge to flag.

Notation of Exits

Regular Meeting

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

1. Monthly Reports

1.1. Code Enforcement Report – Joe Hernandez delivers the Code Enforcement Report for April. Trustee Bryde said it seemed like a quiet month in April versus March. Mr. Hernandez says much of the excess activity in March has been resolved to a large part. Mr. Hernandez asks about the brush piles on the streets. Sometimes they are excessive. Mr. Hernandez asks if there could there be a limit put on the amount put curbside “in the street” to take up less space. Mr. Hernandez says the streets are narrow and it seems as though it might be better organized with further definition in the code. Mr. Hernandez also said sheds need to be further delineated in the Village code with size, lot line setbacks, location, and other considerations. The Board will take it under advisement and perhaps address it when the revised zoning code is brought forward.

1.1.1. Mayor Schoenig motions to accept the monthly code enforcement report for April, Trustee Bryde 2nd all in favor 5 to 0.

1.2. Police Report– Chief Del Gardo delivers the Police report for April. Mayor Schoenig asks how many 911 calls outside the village. Chief Del Gardo says there were 5. Trustee Bryde asked why there was an arrest at the train crossing gate. Chief Del Gardo says there was a pedestrian running under the gates, a very dangerous situation. Mayor Schoenig asks about the assault arrests. Chief Del Gardo says the assault occurred in April; two arrests were made in April and one in May. Trustee Bryde asks about the inoperable gate at the RR crossing. Chief Del Gardo says the gate came down but it would not go back up. MTA was called and they responded promptly. Trustee Bryde notes the excessive cell phone violations (52) and remarks that the continuing violations don’t make sense – why aren’t people obeying the law? Chief Del Gardo says this number is quite a jump from March. Trustee Bryde also notes that seatbelts violations are also excessive. Mayor Schoenig says Detective Baumgardt deserves a pat on the back for doing a great job on the assault arrests. Trustee Bryde asks about the helicopter that was hovering in the area on April 25th. Chief Del Gardo says our agency was not notified of any police activity at the time – what they were doing is unknown.

1.2.1. Mayor Schoenig motions to accept the monthly Police report for April, Trustee Bryde 2nd all in favor 5 to 0.

1.3. Planning Board Report

1.3.1. Rick Stockburger delivers a verbal April Planning board report. Mr. Stockburger says the Planning Board considered the 40 Prospect Street application during April. The Planning Board did not like their parking arrangements and gave them two alternate options. The Planning Board attempted to have a Public Hearing on the matter on May 12, 2015 but that date was postponed after they realized they needed 15 days’ notice instead of 10 days’ notice for the public hearing. The Public Hearing was rescheduled on May 26, 2015. The Planning Board did try to waive the Public Hearing but the motion did not pass. Mayor

Schoenig motions to accept the verbal report as provided by Mr. Stockburger, Trustee Stockburger 2nd all in favor 5 to 0. No copy is attached as this was a verbal report.

- 1.4. Zoning Board of Appeals Report – a written report was provided by Mr. Ruchala. Copy attached. Mayor Schoenig motions to accept the ZBA April report, Trustee Boissonnault 2nd all in favor 5 to 0.
2. MS4 Annual Report Adoption – Mayor Schoenig motions, Trustee Boissonnault 2nd all in favor 5 to 0.
3. Landscaping Bid Documents – Retrofits – Deputy Mayor Piccini asks if we can include Wells Park and Bailey Park in the bid documents for pricing. Mayor Schoenig says Wells Park may not open anytime soon. Counsel advises a separate quote for Wells & Bailey be called out in the bid document. Mayor Schoenig motions to amend the bid to include pricing for Wells Park and Bailey Park for grounds care and distribute the bids, Trustee Boissonnault 2nd all in favor 5 to 0.
4. 7 Garden Street request for water & sewer billing reduction
 - 4.1. Mayor Schoenig says the written request is based on what is affordable for the property owner. Mayor Schoenig says it is something that could be remedied with a payment plan but it is not appropriate to reduce the total due. Trustee Stockburger motions to approve offering a payment plan to the property owner, Trustee Bryde 2nd all in favor 5 to 0.
5. Grant Disbursement Agreement – authorize Mayor to sign – Deputy Mayor Piccini motions to authorize the Mayor to sign for the distribution of \$22,500 in Empire State Development funds as awarded in 2014, Trustee Stockburger 2nd all in favor 5 to 0.
6. Relevy of unpaids for 2016 Tax Roll
 - 6.1. Mayor Schoenig motions to approve the relevy of unpaid water, sewer and refuse and associated fees on the 2016 tax bill due out on June 1, 2015, with the flexibility to discuss the 7 Garden Street balance due with the property owner regarding a payment plan. A second listing for Landmarks Preservation may be removed with the payment of the arrears by May 31st, Trustee Boissonnault 2nd all in favor 5 to 0.
7. 2016 Tax warrant authorization
 - 7.1. Mayor motions to approve the 2016 Tax Warrant after adjustments, tax levy includes the \$3 reduction to stay under the tax cap as a minor error was made on the calculation worksheet, Trustee Stockburger 2nd all in favor 5 to 0.
8. Interfund transfer
 - 8.1. Trustee Stockburger motions to approve the interfund transfer from Water fund balance to General fund balance in the amount of \$125,000, Trustee Boissonnault 2nd – Deputy Mayor Piccini discusses the capital allocation in the budget for water. Treasurer Hansen says it is possible but unknown at this time where the fund will finish the year as there were budget overruns as previously delineated in the May 6, 2015 meeting, all in favor 5 to 0.
9. Minutes for approval – 15 April 2015 Minutes, 6 May 2015
 - 9.1. Deputy Mayor Piccini motions to approve the April 15, 2015 minutes, Trustee Bryde 2nd all in favor 3 to 0. Mayor Schoenig and Trustee Stockburger abstain due to absence.
 - 9.2. Trustee Bryde motions to approve the May 6, 2015 minutes, Deputy Mayor Piccini 2nd all in favor 4 to 0. Trustee Boissonnault abstains due to absence.
10. Correspondence sent - received for April, 2015
 - 10.1. Trustee Bryde comments positively on the Workers Compensation inspection conducted by the insurance carrier with Chief Del Gardo, DPW Superintendent Crawford, and Clerk Treasurer Hansen. Trustee Bryde asks about the PACE letter received inviting attendance at the May 21st Community Leaders Forum. Trustee Bryde asks about the DOT wall reconstruction inspection. Mayor Schoenig motions to accept the correspondence sent and received for April, Trustee Bryde 2nd all in favor 5 to 0.
11. Vouchers Payable – Deputy Mayor Piccini reviewed the vouchers and found everything in order.

11.1.	A	General	\$20,005.19
11.2.	C	Refuse/Garbage	17,426.66
11.3.	F	Water	323,037.49
11.4.	G	Sewer	26,413.36
11.5.	TA	Trust & Agency	800.98
Total Vouchers Payable			\$387,683.68

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

12. Other Business

12.1. Deputy Mayor Piccini

- 12.1.1. Deputy Mayor Piccini notes meeting scheduled for CFA workshops with Putnam County, PACE Land Use Law Center, and the Putnam Chamber of Commerce on May 27th at the Putnam County Emergency Operations Center.
- 12.1.2. Deputy Mayor Piccini says the Comprehensive Plan revision is still a work in progress. Professor Nolan's comments and other corrections will be red-lined in the revised copy and no substantive changes from the draft previously accepted by the Board of Trustees are anticipated. We are also validating the concepts for redevelopment with our existing Comprehensive Plan as written. The Board of Trustees will get the copy for review as soon as it is available and the document could be ready for adoption at the June 17th meeting of the Board.

12.2. Trustee Stockburger

- 12.2.1. Flowers are still awaiting the liners which are scheduled for receipt on May 21, 2015.

12.3. Trustee Bryde

- 12.3.1. Trustee Bryde asks about the Police car auction – Clerk Hansen says the current bid was \$2,700 as of earlier today with 8 days left.
- 12.3.2. Trustee Bryde reminds the Board about Judy Callahan's Woman of Distinction award in Chappaqua on Thursday May 21, 2015.
- 12.3.3. Trustee Bryde reminds the Board and the public of the Memorial Day ceremony on Monday May 25, 2015.
- 12.3.4. Trustee Bryde reminds the Board of Flag Day June 14th at the Elks and officials should call them in advance to let them know we are coming.

12.4. Trustee Boissonnault

- 12.4.1. Trustee Boissonnault is happy to announce the revitalization has begun at Wells Park thanks to a private donor. Re-grading the "field" is underway with seeding planned; removing brush and trees from the neglected areas of the park, and additional updates will be provided as available. Deputy Mayor Piccini asks about the schedule for movie nights. Trustee Boissonnault says the dates are not nailed down as we don't know exactly when the park will be ready to open.

12.5. Mayor Schoenig

- 12.5.1. Mayor Schoenig asks about the outside village water user agreements – Counsel advises the agreement letter should go out this coming week with a 30 day turnaround time. Deputy Mayor Piccini motions to authorize the Mayor to sign the letter when it is finalized by Counsel Molé, Trustee Stockburger 2nd all in favor 5 to 0.

13. New Business

13.1. Trustee Bryde

- 13.1.1. Trustee Bryde asks if the film crew is finished. Clerk Hansen says as far as he knows the filming is complete.

13.2. Trustee Boissonnault

- 13.2.1. Trustee Boissonnault asks the board to consider putting the welcome sign on the stone pier at Bailey Park.

13.3. Mayor Schoenig

- 13.3.1. Mayor Schoenig and other Board of Trustee members met with Senator Murphy at the Carmel Avenue Bridge last Thursday. Mayor Schoenig said we are now joining with Putnam County and Senator Murphy to coordinate a concerted effort to make this bridge project a reality as quickly as possible. NYS DOT has begun work on a design, and pending funding, the replacement is scheduled for 2017-18.
- 13.3.2. Mayor Schoenig said we received a letter from the Putnam County Legislature asking our Police Department to provide fireworks security assistance for the Mt. Ebo event. We do have fees for this type of service in our fee schedule and are currently discussing whether we can provide resources for the event.

14. Public Comment

- 14.1. Rick Stockburger asks what time the parade kicks off on Monday. We believe assembly is at 10:30 A.M., kickoff at 11 A.M., ceremony at approximately 11:30 A.M. in Electrozone Field.
- 14.2. Rick Stockburger asks if the mowing as described in the bid document approved at this meeting is reimbursable. Clerk Hansen says it is. Mr. Stockburger asks if there might be objections from EOHWC if we

include Wells Park and Bailey Park in the bid documents. Clerk Hansen says there should be no problem as line item pricing is called out in the bid. Mr. Stockburger asks when the water rate public hearing will be scheduled. Mayor Schoenig says we should set it up in June. Mr. Stockburger asks if the 2nd bulk pickup is approved to be an “on call” service. Mayor Schoenig says yes, that aspect of the service went into effect on January 1, 2015.

14.3. Peggy Bruen said she is a new resident of Mayor Mitchell Court. Ms. Bruen’s research has indicated that quiet times in the Village are 10PM to 7AM but the trash is picked up very noisily at 1AM or later. Ms. Bruen requests to please change the time of the Suburban Carting pickup. Trustee Stockburger says she will make a phone call to Suburban Carting and discuss the problem.

15. Mayor Schoenig motions to enter Executive Session to discuss personnel, Trustee Stockburger 2nd all in favor 5 to 0. Deputy Mayor Piccini motions to come out of Executive Session resume the regular meeting and adjourn, Trustee Bryde 2nd all in favor 5 to 0.

**CORRESPONDENCE
APRIL, 2015**

CORRESPONDENCE RECEIVED:

1. NYSEG Kathleen Abels Manager – Community Outreach & Development RE: Meeting for County Officials and Town Supervisors with Iberdrola USA and NYSEG leaders on Thursday, April 30. We will be hosting this event at NYSEG's Brewster Division headquarters at 35 Milan Road, Brewster, NY. Please let me know no later than April 15 if you plan to attend. I can be reached at (585) 484-2213 or at kdabels@nyseg.com. I will also send you a Microsoft Outlook meeting request for calendar. (Dated April 7, 2015)
2. Brewster Little League RE: Invitation to Mayor Schoenig to the Brewster Little League Day Ceremony which will be held on Saturday, April 18 at Markel Park. We ask that you be there by 10:00 am. Please join us. (Dated April 8, 2015)
3. Putnam County Executive ((MaryEllen Odell) RE: The second annual Row of Honor Kickoff Pancake Breakfast, held on Armed Forces Day, Saturday, May 16th, with the Putnam County Joint Veterans Council. The breakfast will be held at the VFW Carmel Post 1374, located at 32 Gleneida Avenue (Route 52) in Carmel from 9 to 11 am. The kick-off pancake breakfast is a touching way to bring out veterans, along with their family members and friends, together as we honor the memories of lost soldiers and remember the sacrifice of all those who served in the U.S. Armed Forces and emergency services. For further information, call Patricia Simone at (845) 808-1001. (Dated April 14, 2015)
4. COMCAST RE: A change to the process regarding the mailing of the franchise fee checks which the Village of Brewster receives from Comcast under the terms of your cable franchise agreement. These checks will now be mailed to you directly from our corporate office, with back-up documentation containing payment details sent to you under separate cover. Beginning with your next scheduled payment the following check(s) and back up documentation will be mailed to you separately under this new process. (Dated April 14, 2015)
5. NYSIF (Christine Olli) RE: Policy # 2155415. It was a pleasure to meet with Peter Hansen, Dan Crawford and Chief Del Gardo. The purpose of my visit was to introduce myself as your new representative with the State Insurance Fund, review information related to your company's workers' compensation policy to its upcoming renewal, discuss workplace safety issues, and do a walkthrough of the workplace in order to make recommendation on any safety issues I might observe. (Dated April 14, 2015)
6. Town of Southeast RE: Village Contribution to Town of Southeast Highway Budget. In response to your inquiry of January 22, 2015 concerning the Village of Brewster's contribution. The Town does not agree with the Village's comment stating they do not receive a benefit from the work performed by the Town Highway Department resulting in an unfair allocation of taxes. As you are well aware, the Village of Brewster is a municipality that operates as its own entity, however, it is still a part of the Town of

- Southeast as a whole and benefits from any improvements made within the town as a whole. (Dated April 21, 2015)
7. Richard Ruchala RE: Village Board of Trustees in the month of March no meeting was held and there was no activity. (Dated April 21, 2015)
 8. New York Metropolitan Transportation Council RE: Proposed Transportation Improvement Program Amendments April 20, 2015 through April 29, 2015. The comment period provides the opportunity for public feedback on the proposed changes to the TIP. (Dated April 21, 2015)
 9. Westchester Community Foundation RE: Community leaders creating a bold vision for the future. Join us for the next community leaders' forum Thursday, May 21, 2015 at Pace University Graduate Center Auditorium Room 206, 1 Maritime Avenue, White Plains, NY (location subject to change). Time 8am – 11 am. (Dated April 28, 2015)
 10. New York Department of Transportation (Jason E. Hilton) Engineer in Charge RE: NYSDOT Project D262561; PIN 8812.01.321 replace retaining wall and culvert on Route 6, Village of Brewster. Please be advised, all contract work on the referenced project is complete. The Contractor is currently addressing various "punch list" items at the Department's direction. At this time, we would like to encourage you to conduct a final inspection to ensure the Village is satisfied with the work performed by the State's Contractor. Please respond to the project field office within fifteen (15) days to the date of the letter if there are any concerns regarding work performed. Otherwise, it will be assumed that the Village finds the project to be acceptable. Please don't hesitate to contact me at (845) 302-2144 if there are any questions. (Dated April 29, 2015)
 11. State Environmental Quality Review Negative Declaration RE: The Town of Southeast Planning Board as Lead Agency has determined that the proposed action described below will not have a significant environmental impact and a Draft Impact Statement will not be prepared. Name of Action Peaceable Hill Water District. (Dated April 30, 2015)

CORRESPONDENCE SENT:

1. Town of Southeast (Supervisor Tony Hay) RE: Southeast Court Security. Jan. 2015 95 hrs. @ 27.00 = \$2565.00, Feb. 2015 90 hrs. @ 27.00 = \$2430.00, Mar. 2015 93 hrs. @ 27.00 = \$2511.00. Total of \$7506.00. (Dated April 7, 2015)

April, 2015 Code Enforcement Report



VILLAGE OF BREWSTER
50 MAIN STREET
BREWSTER, NY 10509
(845) 279-3760

APRIL 2015 SUMMARY REPORT

BUILDING FEES =	\$1,645
PROPERTY REGISTRATION	20
<u>SAFETY INSPECTION =</u>	<u>875</u>
TOTAL FOR APRIL =	\$2,540

PERMITS: 12

INSPECTIONS: 2
(Property Reg, Property Maintenance)

TOTAL COs, CCs: 9

APPEARANCE TICKETS: 1

ORDERS TO REMEDY: 2

STOP WORK ORDER: 0

**VILLAGE OF
BREWSTER POLICE
DEPARTMENT
MONTHLY REPORT**

APRIL 2015

**POLICE CHIEF
John Del Gardo**

VILLAGE OF BREWSTER POLICE DEPARTMENT

MONTHLY REPORT

TO: Mayor James Schoenig - Board of Trustees
 FROM: Police Chief John Del Gardo
 RE: Monthly Report April - 2015



TICKETS	
Uniform Traffic Tickets:	163
Parking Tickets:	107
Code Tickets	4
TOTAL TICKETS	274

VEHICLE REPAIRS	
	\$154
MILEAGE TOTAL	
	5560
Total Fuel	768

TAXI INSPECTION	17
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ARRESTS	
R/R Xing	Det Baumgardt
DWI	P.O. Moore
Assault	P.O. Moore
VTL 511	P.O. Mirko
DWI	P.O. Mirko
Asault	Det. Baumgardt
Asault	Det. Baumgardt
TOTAL ARRESTS	7

PEO Stockburger	Tickets:	19
	Hours:	21
PEO Giangguzi	Tickets:	13
	Hours:	8

SECURITY VISITS PATROL	
Sewer Plant	245
Water Tank:	222
Well Field:	31
TOTAL VISITS	498

FOOT PATROL	HOURS
Main Street:	79
M.T.A. Station:	68
Residential:	27
TOTAL HOURS	178

911 CALLS	68
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Walk in / Pickup Compls	28
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Court Hours	S.E.	90
Court Hours	Village	32

(Security Detail) 2 Officers
 (Security Detail) 2 Officers

911 DISPATCHED CALLS – 68

ASSAULT - 1

AIDED CASE – 10

VEHICLE ACCIDENT – 6

911 HANG UP – 7

DISPUTE – 9

PAST LARCENY - 3

ALARM - 9

FIRE - 1

DWI - 1

STUCK ELEVATOR - 1

LOCK OUT - 3

PROPERTY DAMAGE - 1

DISORDERLY INTOX PERSON - 2

RUNAWAY - 1

BOLO- 3

RABID RACCOON- 1

HARASSMENT - 1

ASSIST SHERIFF - 4

LOST ITEM - 1

NOISE COMPLAINT - 1

TRAFFIC LIGHT OUT - 1

MTA TRACK GATE STUCK - 1

VILLAGE OF BREWSTER POLICE

SELECTIVE TRAFFIC ENFORCEMENT

APRIL 2015

CELL PHONE - 52

SEAT BELTS - 26

SPEEDS - 1

STOP SIGN - 16

DRIVING WHILE INTOXICATED ARRESTS - 2

SUSPENDED LICENSE ARRESTS - 1

RED LIGHT - 3

FAIL TO YIELD PEDESTRIAN - 1

SCHOOL BUS - 0

TOTAL - 102

Richard Ruchala
12 Main Street Pmb # 267
Brewster, NY 10509

May 20, 2015

Village of Brewster
208 Main Street
Brewster, NY 10509

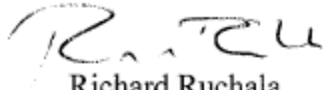
To The Village Board of Trustees:

In the month of April, 2015 a meeting was held for an interpretation of the application by St. Lawrence O'Toole Church regarding 40 Prospect St.

The question before the Board was does pavement count in the calculation of the FAR. The Board voted 3-0 that in the calculation of the FAR pavement should not be considered.

No other applications or activity has come before the Board.

Sincerely

A handwritten signature in black ink, appearing to read 'R. Ruchala', written in a cursive style.

Richard Ruchala
Chairman ZBA