

VILLAGE OF BREWSTER
BOARD OF TRUSTEES
6 MAY 2015
7:30 P.M.
REGULAR MEETING
MINUTES

The Board of Trustees of the Village of Brewster held a Regular Meeting May 6, 2015 at 7:30 PM at Village Hall, 50 Main Street, Brewster, NY 10509.

Attendees:

Mayor: James Schoenig
Deputy Mayor and Trustee: Christine Piccini
Trustees; Mary Bryde, Terri Stockburger
Village Engineer: John Folchetti
Village Counsel: Anthony Molé
Clerk & Treasurer: Peter Hansen

Absent:

Tom Boissonnault

Pledge to flag.

Notation of Exits

Regular Meeting

Mayor Schoenig motions to open the regular meeting, Trustee Stockburger 2nd all in favor 4 to 0.

1. Engineer's Report: March & April

1.1. John Folchetti delivers the March & April Engineer's report. Mr. Folchetti asks we put the MS4 Annual Report adoption on the agenda for acceptance on May 20th. The Retrofit landscaping maintenance contract scope of work will be prepared in the next few days and bidders will be solicited who are licensed, insured, with properly documented workers. Deputy Mayor Piccini asks if there are other issues outstanding with DEP. Clerk Hansen says the land transfers and easements need to be completed. At the moment we are waiting for DEP to review our submittals and get back to us. Mayor Schoenig motions to accept the engineer's report for March, Deputy Mayor Piccini 2nd all in favor 4 to 0. Mayor Schoenig motions to accept the engineer's report for April, Trustee Bryde 2nd all in favor 4 to 0.

2. Budget report Year to Date FY 2015

2.1. The budget is stressed in all three funds. As previously discussed the Urban Renewal grant reimbursements have not materialized as budgeted. Additionally, the police personnel budget is impacted due to the 2nd officer added to the third shift and the severe snow and cold emergencies that presented over the winter. The General Fund balance is likely to be reduced below the \$400,000 target and I would ask the Board to consider a one-time interfund transfer from Water to General. Such amount to be further refined as we progress to our next meeting on May 20th. The Water fund is strained due to the outside water expenses of about \$40,000 this year and the several pipe freeze-ups and excavations that took place inside and outside the Village limits. Despite the overruns the Water Fund balance remains healthy and we can meet the goal of a capital allocation as budgeted if the Board so desires. The Sewer Fund is stressed because of the apparent non-performance of Severn Trent. When the new sewer contractor took over operations a deficiency list was created and has amounted to over \$100,000 in unexpected expenses to bring operations up to par. Additionally, DEP audited previous year's payments and withheld a portion of the most recent payment for unreconciled expenditures. Despite the correction the fund balance in the Sewer fund will remain healthy and we will meet our budget goal of a capital allocation. Deputy Mayor Piccini asks if we can recoup funds for Sewer in this budget year. Clerk Hansen says no, not this budget year. Deputy Mayor Piccini asks about the possibility that grant funds will come in this year. Clerk Hansen says it is highly unlikely. Deputy Mayor Piccini asks if a Capital allocation in Water still possible. Clerk Hansen strongly recommends maintaining or improving the Bond rating by keeping the General Fund balance over \$400,000. That should be the priority as capital improvements can alternatively be funded by bonds and if our rating is lower the cost of financing will be higher.

3. Budget transfers

			Original Budget	Addition
Budget adjustment #1	A.3120.100	POLICE.PERSONAL EXP	\$ 136,224	\$ 37,219
Mechanics of adjustment		Amendment		
From Revenue	A.1289.800	LAW ENFORCEMENT GRANTS	\$ 4,312	
From Revenue	A.1589	PUBLIC SAFETY - DWI	\$ 250	
To	A.3120.100	POLICE.PERSONAL EXP		\$ 4,562
		Transfer		
From contingency	A.1990.400	CONTINGENT ACCT..	\$ 19,113	
From unspent expenditures	A.1910.400	UNALLOC INSURANCE.PREMIUMS.PROPERTY&LIABILITY	\$ 13,544	
To	A.3120.100	POLICE.PERSONAL EXP		\$ 32,657
			\$ 37,219	\$ 37,219
Budget adjustment #2		Transfer		
To	A.1110.140	COURT CLERK EVENING..	\$ 350	
To	A.1110.150	COURT SECURITY	\$ 2,000	
From unspent expenditures	A.1110.400	COURT.CONTRACT EXP		\$ 2,350
			\$ 2,350	\$ 2,350
Budget adjustment #3		Transfer		
From unspent expenditures	A.3620.100	BUILDING & CODES ENFORCEMENT.PERSONAL EXP	\$ 3,400	
From	A.5142.100	SNOW REMOVAL.PERSONAL EXP	\$ 5,296	
From contingency	A.1990.400	CONTINGENT ACCT..	\$ 2,980	
To	A.3620.410	CODE ENFORCE/FIRE MARSHALL. CONTRACT..		\$ 11,676
			\$ 11,676	\$ 11,676
Budget adjustment #4		Transfer		
From unspent expenditures	A.5110.100	STREET ADMIN.PERSONAL EXP	\$ 5,000	
From unspent expenditures	A.5142.100	SNOW REMOVAL.PERSONAL EXP	\$ 2,704	
To	A.5142.400	SNOW REMOVAL.CONTRACT EXP		\$ 5,204
To	A.5182.400	STREET LIGHTING.CONTRACT EXP		\$ 2,500
			\$ 7,704	\$ 7,704
Budget adjustment #5		Transfer		
From unspent expenditures	A.8010.410	ZONING. BOARD MEMBER CONTRACT..	\$ 92	
From contingency	A.1990.400	CONTINGENT ACCT..	\$ 17,907	
From unspent expenditures	A.1325.410	CLERK & TREASURER. GRANT APPLICATION FEES..	\$ 5,000	
From unspent expenditures	A.1440.400	ENGINEERING FEES MUNI.CONTRACT EXP	\$ 4,272	\$ 27,271
From Fund Balance	A.5999	APPROPRIATED FUND BALANCE	\$ 40,729	
To	A.8684.400	URBAN RENEWAL/COMP PLAN/ZONING/PLANNING.CONTRACT EXP		\$ 40,729
			\$ 68,000	\$ 68,000
Budget adjustment #6		Transfer		
From unspent expenditures	A.1910.400	UNALLOC INSURANCE.PREMIUMS.PROPERTY&LIABILITY	\$ 808	
To	A.9040.800	WORKERS COMP..		\$ 808
			\$ 808	\$ 808
Budget adjustment #7		Transfer		
From Revenue	C.2130	REFUSE AND GARBAGE REVENUES	\$ 1,079	
To	C.8160.410	REFUSE AND GARBAGE ADMINISTRATION		\$ 1,000
To	C.9040.800	WORKERS COMP		\$ 79
			\$ 1,079	\$ 1,079
Budget adjustment #8		Transfer		
From contingency	F.1990.400	CONTINGENT ACCT.CONTRACT EXP	\$ 20,000	
From Fund Balance	F.5999	APPROPRIATED FUND BALANCE	\$ 30,554	
To	F.8340.410	TRANS/DIST. OUTSIDE VILLAGE CONT EXP..		\$ 30,554
To	F.8310.480	ADMIN. COMP SW CONTRACT		\$ 51
To	F.8310.150	ADMIN. POLICE PERS. SERV.		\$ 10,000
To	F.8340.410	TRANS/DIST. OUTSIDE VILLAGE CONT EXP..		\$ 9,446
To	F.9040.800	WORKERS COMP..		\$ 503
			\$ 50,554	\$ 50,554
Budget adjustment #9		Transfer from Fund Balance		
From Fund Balance	G.5999	APPROPRIATED FUND BALANCE	\$ 114,543	
To	G.8110.180	ADMIN POLICE PERS SERV		\$ 8,600
To	G.8110.400	SEWER ADMINISTRATION.CONTRACT EXP		\$ 1,300
To	G.8110.430	ADMIN ENG CONTRACTUAL		\$ 320
To	G.8110.470	ADMIN FINANCE FEES CONTRACT ..		\$ 223
To	G.8120.420	COLLECTION SYSTEM OPERATIONS		\$ 28,100
To	G.8130.410	SEWER PLANT OPS CONTRACT		\$ 76,000
			\$ 114,543	\$ 114,543

3.2. Deputy Mayor Piccini motions to approve the budget transfers as delineated, Trustee Bryde 2nd all in favor 4 to 0.

4. Outside Village water

4.1. Counsel Molé suggests using the agreement developed for this purpose that includes a negative stipulation for outside village water customers if left unsigned. Trustee Stockburger asks if we can then shut customers off for valid reasons. Counsel Molé advises with proper notice, yes. Deputy Mayor Piccini asks if shut-offs can be installed. Counsel Molé wants any shut-offs identified prior to any excavation. Deputy Mayor Piccini asks if the town plans to establish a special district. Mayor Schoenig says the Town has no interest in remedying the situation and has had more than enough time and opportunities to create the special district but has deliberately chosen inaction. Despite their claim to work with the Village to resolve the situation their complete disregard for the health and safety of town and Village residents is abundantly clear. By abandoning these Town residents who are Village water customers they leave the Village no choice but to effect legal recourse including the courts and potential water shut-off. The Village cannot afford to allow this situation to continue. Water system leaks outside the Village cost about \$40,000 per year because the supply lines are severely deteriorated. Some outside Village water customers are in serious arrears causing a further financial burden on inside Village water users. Mayor Schoenig says the Village will now take unilateral action as necessary to maintain the water fund financial health and water system integrity. Mayor Schoenig says we will take action to recoup \$40,000 per year from outside Village users above the water rates. This \$40,000 will be each year and will be billed to all outside Village water customers. Failure to pay will have consequences up to and including disconnection of service. There is over \$200,000 outstanding and unpaid by some outside village water users and this is unacceptable. Deputy Mayor Piccini asks if water rates will be addressed. Mayor Schoenig says yes. Counsel Molé advises that there is no obligation to provide water to outside users. Mayor Schoenig would like to send a letter to outside users identifying the costs and consequences of the Town not forming the water district which would have allowed them to bond repairs to the system over decades instead of paying repairs as you go not knowing what the burden might be. Counsel Molé advises the provision of outside water is intended to provide the Village a profit and instead the supply of water is costing Village residents due to repairs and non-payment. Mayor Schoenig says Town of Southeast Peaceable Hill Water District is also in arrears and could face water disconnection for non-payment. Mayor Schoenig points out the town wants some things from the Village for the Peaceable Hill planned water district. The Village Board will consider their requests with no promise of formative action. Repeated failure of the Town Board to act is not conducive to mutually beneficial outcomes.

5. Vehicle additions & assignments

5.1. The Chief was successful in acquiring a vehicle for Code Enforcement from MTA Police at no cost. The 2009 Crown Victoria came in last week and the Chief took possession replacing his previous 2007 Crown Victoria. The 2007 was assigned to Code Enforcement. Two magnetic door signs were procured to identify the 2007 as Code Enforcement. The Chief is also expecting to secure a newer, lower mileage Tahoe K-9 from MTA, again at no cost. The 2010 Crown Victoria is having the license plate reader removed this Friday weather permitting. Once it is cleaned up pictures will be taken and the vehicle posted for sale on Auctions International.

Trustee Stockburger motions to authorize Chief Del Gardo to use the 2009 vehicle, authorize code enforcement to use the car within the Village limits providing for gas and maintenance, list the 2010 for sale on Auctions International, and accept a newer Tahoe at no charge for the K-9 unit, Trustee Bryde 2nd all in favor 4 to 0.

6. CFA Grant applications

6.1. We need to identify grant opportunities and decide what to pursue.

7. Deputy Mayor Piccini motions to approve Summer Hours in accordance with the Town of Southeast calendar dates, starting the Tuesday after Memorial Day; Village Office, Court & DPW will report to work ½ hour early each day and leave 2 ½ hours early on Fridays. Normal hours to resume the day after Labor Day. Trustee Bryde 2nd all in favor 4 to 0.

8. Minutes for approval;

8.1. April 8, 2015 Public Hearings Trustee Bryde motions to approve the April 8th Public hearing minutes, Deputy Mayor Piccini 2nd, all in favor 4 to 0.

8.2. April 15, 2015 Regular Meeting – tabled due to Trustee Boissonnault absence.

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

9.1. A - GENERAL FUND

\$22,874.10

9.2. C - REFUSE & GARBAGE	307.59
9.3. F - WATER FUND	32,139.87
9.4. G - SEWER FUND	96,046.62
9.5. T - TRUST & AGENCY	2,146.61

Total Vouchers Payable \$153,514.79

Mayor Schoenig motions to approve vouchers payable as written, Trustee Stockburger 2nd all in favor 4 to 0.

10. Other Business

10.1. Deputy Mayor Piccini

10.1.1. Deputy Mayor Piccini will be unable to attend Team Brewster tomorrow.

10.1.2. Deputy Mayor Piccini notes the previously discussed welcome sign for Village was proposed for the Carmel Avenue Bridge area and now the reconstruction of the bridge may be in the pipeline so it would be best to hold off on signage at that location. Mayor Schoenig says the DOT is talking about the project but there is no firm schedule at the moment. Senator Murphy will be at the bridge on May 14th with Mayor Schoenig.

10.1.3. Deputy Mayor Piccini says any sign at Wells Park should be titular only and include donor recognition and branding on a common sign in a separate location inside the park.

10.2. Trustee Stockburger

10.2.1. Trustee Stockburger says the flowers for the baskets came in today and we are waiting for basket liners before transplanting and deploying to hangars. Invoices will be forthcoming.

10.3. Trustee Bryde

10.3.1. Trustee Bryde said she and Clerk Hansen attended the April 26th CAP luncheon and it was a great event with a tremendous turnout.

10.3.2. Trustee Bryde said she attended the Little League opening day ceremony on April 18th and it was also a great event

10.3.3. Trustee Bryde inquired as to the Purple Heart Village status. Counsel Mole will find out what the process is for designation and provide the Village with particulars.

10.3.4. Trustee Bryde said she is pleased the Westchester Community College Entrepreneurship training program is well received and well attended.

10.3.5. Trustee Bryde said she will attend the Woman of distinction ceremony in Chappaqua for Judy Callahan on May 21st. Trustee Boissonnault and Deputy Mayor Piccini also have expressed interest in attending.

10.3.6. Trustee Bryde asks if the Memorial Day parade wreath has been ordered and we will ask Tom Smith to present the wreath again this year.

10.4. Mayor Schoenig

10.4.1. Mayor Schoenig reminds every one Team Brewster is tomorrow at 10AM in Village Hall.

11. New Business

11.1. Deputy Mayor Piccini

11.1.1. Deputy Mayor Piccini will attend the Infrastructure conference in New Windsor on May 18, 2015. Attendees at the meeting include Congressional Representative Sean Maloney, Department of Transportation will hold a panel discussion on clean water, State Comptroller Dinapoli will provide a keynote address. Deputy Mayor Piccini said when we were at the Putnam Chamber of Commerce/EDC breakfast on Tuesday May 4th, the Village of Brewster was mentioned repeatedly by several speakers. Attending this conference will maintain the visibility.

11.2. Trustee Bryde

11.2.1. Trustee Bryde asked if the "no bicycling on sidewalks" signs are up. Mayor Schoenig said they are.

11.2.2. Trustee Bryde complimented Danielle Cylich in her various activities as Village historian.

11.3. Mayor Schoenig

11.3.1. Mayor Schoenig said there is a trip tentatively planned to Tecton in Hartford to review urban renewal plans and he will keep the Board of Trustees informed of any progress being made.

12. Public Comment

12.1. Rick Stockburger says the outside Village water users need to get off the Village system or annex into the Village period.

12.2. Deputy Mayor Piccini asks about the joint Planning Board/Zoning Board meeting that was scheduled for the 12th of May. Rick Stockburger says he does not think the joint meeting of boards would happen. Counsel Mole advises that the boards may meet and advise the Board of Trustees of recommendations to improve the approvals process through modification to the Village Code.

13. Mayor Schoenig motions to adjourn, Trustee Stockburger 2nd all in favor 4 to 0.