

VILLAGE OF BREWSTER

BOARD OF TRUSTEES

July 17, 2013

Regular Meeting

Minutes

The Board of Trustees of the Village of Brewster is holding a Regular Meeting at 7:30PM or as soon thereafter as time permits, on July 17, 2013 at Village Hall, 50 Main Street, Brewster, New York 10509.

Attendees:

Mayor: James Schoenig
Deputy Mayor and Trustee: Christine Piccini
Trustees; Tom Boissonnault, Mary Bryde,
Village Engineer: John Folchetti
Village Counsel: Anthony Molé,
Clerk & Treasurer: Peter Hansen
Village Police: John Del Gardo

Absent:

Terri Stockburger

Pledge to flag.

Notation of Exits

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

Regular Meeting

1. Parade Permit – Fire Inspection Parade

Mayor Schoenig motions to approve the Fire Inspection Parade Permit scheduled for July 24, 2013 from 7PM to 8:30PM, staging on Marvin Avenue & East Main St., route along Main Street to North Main St. terminating at Wells St. waiving all fees, and authorizing trackside north parkers to park in Tri-State Lot for that day only using their MTA/LAZ parking permit, Trustee Bryde 2nd all in favor 4 to 0. Fire Dept. has noticed trackside north parkers and buses that serve the train station of the road closure. Oak Street will remain open for ingress and egress for those residents situated on “the hill.”

2. 2013 Film Festival – Bob Dumont updates the Board on the film festival. It will be 3 days, Labor Day weekend, Friday, Saturday, Sunday, closing Oak Street Saturday August 31, starts at 4PM, close street from 2PM to 8PM.

Mayor Schoenig motions to issue the parade permit to VOB Film Festival (as attached) waiving all fees, Trustee Boissonnault 2nd all in favor 4 to 0.

Trustee Bryde asks about ArtBeat and Mr. Dumont says they were well received but it has been brutally hot. They will postpone the August date and resume in September and also be at Founders Day.

Mr. Dumont requests a waiver of fees on behalf of Landmarks Preservation for the building permit to repair the roof. Mayor Schoenig motions to waive the building permit fees, Trustee Bryde 2nd all in favor 4 to 0.

3. Monthly Reports for June, 2013

3.1. Police Report – Chief John Del Gardo delivers the Police Report for June. Mayor Schoenig motions to accept the June Police report, Trustee Boissonnault 2nd all in favor 4 to 0. Copy of report attached to these minutes.

Trustee Bryde asks about the noise complaints voiced at the last meeting. Has there been anything since? Chief says nothing reported. The noise was a graduation party and ended at 11PM. Trustee Bryde asks if Taxicab drivers get stopped for cell phone violations. Chief says they do. Trustee Bryde asks about the “large” fight. Chief says the fight was outside the village and our officers provided backup. Trustee Bryde asks about the suspicious backpack. Chief says it was an abandoned package.

3.2. Engineer’s Report – John Folchetti delivers the Engineer’s report for June. Mayor Schoenig motions to accept the June Engineer’s report, Deputy Mayor Piccini 2nd all in favor 4 to 0. Copy of report attached to these minutes. Mayor Schoenig motions to hold a public hearing to take and hear comments on the Rte 6 Sidewalks project. Public hearing to be held at Village Hall on August 7, 2013, 50 Main Street, Brewster NY 10509 at 7:30PM or as soon thereafter as time permits Deputy Mayor Piccini 2nd all in favor 4 to 0.

3.3. Code Enforcement Report – CEO Joe Hernandez delivers the Code Enforcement Report for June. Mayor Schoenig motions to accept the June Code Enforcement report, Deputy Mayor Piccini 2nd all in favor 4 to 0.

Copy of report attached to these minutes. Mayor Schoenig received notice of garbage on Oak Street and asks Code Enforcement to be aware of a potential problem. Mayor Schoenig asks about the 2 Garden St. overgrowth, Mr. Hernandez and Mr. Szilagyi are both trying to resolve this issue. The house is unoccupied and supposedly in foreclosure but code enforcement has been unable to pinpoint a responsible party. Mayor Schoenig asks Counsel if we can work on the yard or hire someone to work on the yard and then bill or put a lien on the property for those costs. Counsel will review and advise on the chargeback ability.

3.4. Planning Board Report – table until next month. No one from Planning Board in attendance.

3.5. Zoning Board of Appeals Report – No report.

4. Envision Brewster update – Counsel Molé circulated a draft Memorandum of Understanding (MOU) which lays the framework for intent to move forward by both parties and a drafted resolution authorizing the Mayor to sign. This agreement showing diligent progress will help when we submit Consolidated Funding Applications (CFA). Deputy Mayor Piccini notes this is an exclusive agreement but Covington has an assignability clause. Emily Naughton and Don Rossi attended from Hogan & Rossi on behalf of Covington Development. They agreed to modify the MOU language with regard to assignment that will be acceptable to both the Village and the Developer. Mayor Schoenig motioned to approve the Resolution No. 071713-1 as amended with agreeable language regarding the assignment clause, Trustee Boissonnault 2nd all in favor 4 to 0.

4.1. Mayor Schoenig asks for a Roll call vote.

Mayor Schoenig – Aye

Trustee Boissonnault – Aye

Trustee Bryde – Aye

Deputy Mayor Piccini – Aye

Trustee Stockburger - Absent

5. Caché Special Exception Use Permit–Mayor Schoenig reiterates his objection to more than two of the same cabaret type uses despite the fact that the two existing are grandfathered as opposed to having a formal Special Exception Use Permit (SEUP) for each of them. Deputy Mayor Piccini who also sat on the Zoning committee and approved the code as a Trustee agrees and states; when the new zoning code was conceived and approved we did not want more than two of this category to exist in the B1 district. The Pool Hall and the Adult Bookstore were in existence when Section 263-20(l)(3) (d) was adopted and they continue in business now. The fact is that “no more than two uses” applies to the entire category of potential uses in 263-20(l)(3)(d). Allowing two each of the specific uses listed therein would have a negative impact on the B-1 District and the Village as a whole. The majority of the existing Board of Trustees actually approved the existing zoning code and their intent is re-stated that the two existing uses are the only two allowed in the B1 district as two is the maximum allowed within the district. Mayor Schoenig says this is the intent of the code as written. Deputy Mayor Piccini agrees. Mayor Schoenig motions to approve Resolution No. 071713-2 based on the criteria based on Village Code Chapter 263 -20(l)(3)(d) limiting to a maximum of two uses per district. The majority of this board being the same board that devised, wrote and approved the existing code. Mayor Schoenig further states that this motion to deny the Caché Special Exception Use Permit for a cabaret is based on this intention limiting the B1 district to two uses maximum – those two uses currently being in existence. Deputy Mayor Piccini, having sat on the Board of Trustees and the committee that wrote this code knows that the intent was a maximum of two uses in the B1 district and those two uses currently exist and existed at the time the code was written and approved. Deputy Mayor Piccini 2nds the denial of the Special Exception Use Permit. All in favor 4 to 0.

Mayor Schoenig asks for a Roll call vote.

Mayor Schoenig – Aye

Trustee Boissonnault – Aye

Trustee Bryde – Aye

Deputy Mayor Piccini – Aye

Trustee Stockburger - Absent

6. Eagle Scout Stephen G. Mengler proclamation for recognition of achieving Eagle Scout and his project of providing an arbor at the St. Lawrence O’Toole Church property. The Board discusses attendance at the ceremony on August 24, 2013. None of the board members here tonight are able to attend. Trustee Stockburger will be asked upon her return if she can attend as we would like to have representation at the ceremony.
7. Taxi License Determination – appeal. Driver did not appear.

8. Correspondence sent - received for June, 2013 – Trustee Bryde motions to approve Correspondence Sent & Received for June, Deputy Mayor Piccini 2nd all in favor 4 to 0.
9. Minutes for approval – July 3, 2013 – Trustee Bryde motions to approve July 3, 2013 minutes, Deputy Mayor Piccini 2nd all in favor 3 to 0. Mayor Schoenig abstains as he was absent at the July 3, 2013 meeting.
10. Vouchers Payable I – Trustee Bryde reviewed the vouchers and found everything in order.

10.1. A	General	\$37,729.66
10.2. C	Refuse & Garbage	20,973.86
10.3. F	Water	10,130.33
10.4. G	Sewer Operations	34,780.29
10.5. TA	<u>Trust & Agency</u>	<u>4,308.08</u>
	Total Vouchers Payable	\$107,922.22

Mayor Schoenig motions to approve Vouchers Payable as written, Deputy Mayor Piccini 2nd all in favor 4 to 0.

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

11.1. A	General	\$4.74
11.2. C	Refuse & Garbage	1.99
11.3. F	Water	5.66
11.4. G	<u>Sewer Operations</u>	<u>2.91</u>
	Total Vouchers Payable	\$15.30

Mayor Schoenig motions to approve Vouchers Payable as written, Trustee Boissonnault 2nd all in favor 4 to 0.

12. Other Business

- 12.1. Deputy Mayor Piccini

- 12.1.1. Letter from Lydia Tedesco regarding disturbances to her tenants at 52 Main Street. Counsel notes that none of the listed transgressions require further legislation. This should be treated as an enforcement issue and the Police have the powers to enforce violations such as most of those described. Chief Del Gardo will follow up on this complaint.
- 12.1.2. Notes our DPW was sweeping up broken glass after the recycling truck went through. The contractor is supposed to clean up any spillage. Will check with Dan Crawford to see if this is a repetitive occurrence.
- 12.1.3. Opportunity Area designation? No news yet on determination.

- 12.2. Trustee Bryde

- 12.2.1. Asks about the status of the Farmers Market as regards KC Anderson’s business entity that manages the market. Mayor Schoenig says the Rotary and the Fire Department are looking at possibly sponsoring the market. Trustee Bryde reiterates that we need a decision for change of operation from a for-profit to a not-for-profit quickly. This situation can’t go on. Mayor Schoenig says he will inform Ms. Anderson that the situation must be resolved by Tuesday July 23rd or the permit will be withdrawn.
- 12.2.2. Trustee Bryde asks if a memo be sent to the Planning Board and the Zoning Board of Appeals because there was no representation at the meeting. The Village Board has requested that a representative be at each monthly meeting where reports are delivered or a memo be submitted that there was no “business this month.”
- 12.2.3. Notes Athena Arvan will be taking the minutes for Planning Board and Zoning Board of Appeals going forward after the July 22, 2013 ZBA Public Hearing and meeting at which both the existing secretary Calvin Jacobs and Ms. Arvan will be in attendance.

- 12.3. Trustee Boissonnault

- 12.3.1. Asks if there has been any activity with sewage treatment plant operator’s contract. Mayor Schoenig says he needs to make contact with one of the interested parties to clarify their interest.
- 12.3.2. The water packing material at the well field in the air stripper is in the process of being replaced.
- 12.3.3. Barrels on bridge? Did DPW remove? Unknown.

- 12.4. Mayor Schoenig

- 12.4.1. Why was FBS removed from the agenda? Judge O’Rourke asked for the opportunity to speak before the Board along with Janice Bergquist before a decision is made on ending the contract. Neither the Judge nor Ms. Bergquist were available for the meeting this evening and asked that it be postponed. It will be on the August 7th agenda.

13. New Business

13.1. Trustee Bryde

13.1.1. Asks the Clerk if he is signed up for the shared services webinar on July 30, 2013. Not signed up as our operation is already extremely lean and the webinar is geared toward cumbersome organizations.

13.1.2. Steve Mattson is our nominee for Veteran's award. Steve has excellent qualifications helping the veterans in our community and beyond.

13.2. Mayor Schoenig

13.2.1. Comprehensive Plan Committee – Envisions there will be representation from Planning Board and ZBA, business community, a Board designee or two, a planner, counsel, may be set up as work session so more than two trustees can attend at a time. There will be an agenda and synopsis for each meeting conducted on a regular schedule, with up to 10 village residents. Mayor Schoenig will reach out to potential nominees and have the names for the meeting on August 7th so the Comprehensive Plan Update can begin.

14. Public Comment

14.1. None.

15. Deputy Mayor Piccini motions to adjourn, Trustee Bryde 2nd all in favor 4 to 0.

**VILLAGE OF
BREWSTER POLICE
DEPARTMENT
MONTHLY REPORT**

JUNE 2013

**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 June 2013

TICKETS

Uniform Traffic Tickets:	192
Parking Tickets:	93
Local Ordinance:	3

TOTAL TICKETS	288
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TAXI INSPECTION	37
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ARRESTS

Warrant	1
Suspended License	1
Suspended registration	1
Trespass	1

TOTAL ARRESTS	4
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SECURITY VISITS PATROL

Sewer:	145
Water Tank:	142
Well Field:	67

SECURITY VISITS	354
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FOOT PATROL HOURS

Main Street:	76
M.T.A Station:	75
Residential:	38

TOTAL HOURS	189
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911 CALLS

Walk in-Pickup Compls	28
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Court Hours	Village	18
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Court Hours	S.E.	86
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VEHICLE

Repairs:	\$115
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MILEAGE

7K-245	1398
7K-246	1340
7K-243	422
DWI	0

Mileage Total:	3160
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Fuel:	424
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PEO Stockburger	Tickets:	33
	Hours:	30
PEO Giangguzi	Tickets:	6
	Hours:	8

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

911 DISPATCHED CALLS – 62

AIDED CASE – 19

E.D.P. – 2

ASSAULT – 1

RAPE – 1

BURGLARY – 1

TRESPASS – 2

LARCENY – 3

LARGE FIGHT – 1

SUSPICIOUS VEHICLE – 3

SUSPICIOUS PERSON – 1

SUSPICIOUS ACTIVITY – 1

SUSPICIOUS BACK PACK – 1

VEHICLE ACCIDENT – 2

911 HANG UP – 4

DISPUTE – 5

DOMESTIC DISPUTE – 1

FIRE ALARM – 1

BOLO – 2

LOST DOG – 1

OPEN DOOR – 1

LOCK OUT – 1

INTOX MALE – 2

NOISE COMPLAINT – 4

VILLAGE OF BREWSTER POLICE

SELECTIVE TRAFFIC ENFORCEMENT

June 2013

STOP SIGN – 12

SPEED – 8

CELL PHONE - 29

SEAT BELT – 13

D.O.T. TRUCK ENFORCEMENT – 74

VTL ARRESTS – 2

RED LIGHT – 2

ONE WAY STREET – 1

TOTAL – 141

1. <u>GENERAL INFORMATION</u>		
Report No: 7 of 2013	Date: 7/17/2013	Contract No:
Facility Name: VOB / Wastewater Treatment Plant		
2. <u>ENGINEERS STATUS OF PROJECT</u> (Narrative description of the Upgrade Project tasks (and subtasks) undertaken by the Engineer as set forth in the Engineers Contract and Scope of Work including©)		
a. Activities completed this month (attach additional pages as needed)		
<ul style="list-style-type: none"> • The average daily flows at the plant were 122,000 gpd in May. 		
<ul style="list-style-type: none"> • Scales Industrial completed physical (in plant) monitoring and performance testing of the CMF pneumatic system during the week of 6/23/13. Results of the performance testing forthcoming. 		
<ul style="list-style-type: none"> • A new check valve was received by STES for the North Main Street Pump Station. 		
b. Status of activities in progress this month (attach additional pages as needed):		
<ul style="list-style-type: none"> • Scales Industrial is preparing a summary report with findings, recommendations and conclusions using data collected from CMF performance tests. Information will be used to optimize existing CMF compressor operations and to size replacement compressors when the need arises. 		
<ul style="list-style-type: none"> • Continue adjusting and evaluating sludge thickening process. 		
<ul style="list-style-type: none"> • STES will evaluate CMF Units 1 and 3 and make recommendations for additional membrane module purchase/replacement. 		
<ul style="list-style-type: none"> • STES to install new submersible pump and check valve in the North Main Street Pump Station. 		
c. Activities scheduled (attach additional pages as needed):		
<ul style="list-style-type: none"> • Conduct an evaluation of alternative air compressor equipment/manufacturer for the CMF Pneumatic System. The existing CMF Air Compressors, manufactured by Atlas-Copco, are beginning to require more frequent costly maintenance and unscheduled repairs. Replacing the existing CMF Air compressor with new units may be more cost effective at this time. 		
<ul style="list-style-type: none"> • Continue ordering equipment and materials for scheduled preventive and corrective maintenance work. 		
<ul style="list-style-type: none"> • Investigate the installation of a gravity pipe system to direct additional balance water (secondary effluent) to the thickener to improve sludge thickening operation. 		

**VILLAGE OF BREWSTER
MONTHLY PROGRESS REPORT**

1. <u>GENERAL INFORMATION</u>		
Report No: 7 of 2013	Date: 7/17/2013	Contract No:
Facility Name: VOB / Tonetta Brook Tributary Stormwater Retrofit Project		

2. <u>ENGINEERS STATUS OF PROJECT</u> (Narrative description of the Upgrade Project tasks (and subtasks) undertaken by the Engineer as set forth in the Engineer's Contract and Scope of Work including :)	
a. Activities completed this month (attach additional pages as needed):	
•	Received amended language to be included in the NYC Land Use/Occupancy Permit (LUP) that was issued in connection with the project. amended language received by NYCDEP on 7/9/13 is consistent with the changes requested by EOH Watershed Corporation and JRFA.
•	Conducted Pre-Bid Meeting on 6/24/13 for prospective contractors interested in bidding on retrofit construction work.
•	JRFA issued several addenda in response to questions from prospective contractors and to amend/clarify information contained in the Contract Documents.
•	EOH Watershed Corporation received and opened bids for construction of the Tonetta Brook Tributary and Wells Brook Stormwater Retrofit Projects on 7/15/13. A total of four (4) bid proposals were received. Construction bid pricing ranged from 4.58M to 6.20M.
b. Status of activities in progress this month (attach additional pages as needed):	
•	Execute amended permit language and incorporate into the LUP issued in connection with the project.
•	JRFA conducting an evaluation of the bid proposals received from Contractors for proposed construction work and will be making a recommendation to EOH Watershed Corporation for an award of the construction contact.
•	EOH Watershed Corporation will make a contract award by the end of July.
c. Activities scheduled (attach additional pages as needed):	
•	JRFA to conduct a pre-construction meeting with selected contractor, involved regulatory agency representatives, MNRR representatives and utility company representatives..
•	Begin construction.

**VILLAGE OF BREWSTER
MONTHLY PROGRESS REPORT**

1. GENERAL INFORMATION		
Report No: 7 of 2013	Date: 7/17/2013	Contract No:
Facility Name: VOB / Wells Brook Stormwater Retrofit Project		

2. ENGINEERS STATUS OF PROJECT (Narrative description of the Upgrade Project tasks (and subtasks) undertaken by the Engineer as set forth in the Engineer's Contract and Scope of Work including :)	
a. Activities completed this month (attach additional pages as needed):	
•	Received amended language to be included in the NYC Land Use/Occupancy Permit (LUP) that was issued in connection with the project. amended language received by NYCDEP on 7/9/13 is consistent with the changes requested by EOH Watershed Corporation and JRFA.
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•	EOH Watershed Corporation will make a contract award by the end of July.
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•	Begin construction.

**VILLAGE OF BREWSTER
MONTHLY PROGRESS REPORT**

1. GENERAL INFORMATION		
Report No: 7 of 2013	Date: 7/17/2013	Contract No:
Facility Name: VOB / Saftea Lu Sidewalk		

2. ENGINEERS STATUS OF PROJECT (Narrative description of the Upgrade Project tasks (and subtasks) undertaken by the Engineer as set forth in the Engineer's Contract and Scope of Work including:)	
a.	Activities completed this month (attach additional pages as needed):
b.	Status of activities in progress this month (attach additional pages as needed):
	<ul style="list-style-type: none"> • Working Route 6 travelway boundary from old NYSDOT boundary maps. Maps are very antiquated. • Schedule a date with Village Board to hold a Public Hearing
c.	Activities scheduled (attach additional pages as needed):
	<ul style="list-style-type: none"> • Schedule a public hearing, required by DOT to get comments from Village residents and to start SEQRA. • Resubmit Engineering Report to NYSDOT once SEQRA and Public Comment is complete • Begin design of SAFTEA-LU Project upon NYSDOT Engineer Report approval

June 2013 Code Enforcement Report



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

JUNE 2013 SUMMARY REPORT

BUILDING FEES =	\$947.50
PROPERTY REGISTRATION =	900.00
SAFETY INSPECTION =	200.00
TOTAL FOR JUNE =	\$2,047.50

PERMITS: 8

FIRE INSPECTIONS: 0

OPERATING PERMIT: 1

TOTAL COs, CCs: 1

APPEARANCE TICKETS ISSUED: 0

ORDERS TO REMEDY: 13

PROPERTY REGISTRATION: 459

PROPERTY REGISTRATION PENDING: 293