

VILLAGE OF BREWSTER  
BOARD OF TRUSTEES  
17 September 2014  
**Public Hearing & Regular Meeting**  
Minutes

The Board of Trustees of the Village of Brewster held a Regular Meeting at 7:30 PM on 17 September 2014 at Village Hall, 50 Main Street, Brewster, New York 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  
Village Police: John Del Gardo

Absent:

Tom Boissonnault

Pledge to flag.

Notation of Exits

**Public Hearing Continued**

ZONING OF ANNEXED PROPERTY

For the purpose of obtaining public input regarding zoning of annexed property known as B.O.S. Land Development, 61 Allview Ave. Brewster, NY 10509 Tax Map # 67.12-1-28 to: "B1 for Office Use only."

Mayor Schoenig motions to continue the public hearing regarding zoning of annexed property, Trustee Bryde 2<sup>nd</sup> all in favor 4 to 0.

Deputy Mayor Piccini informs the public that the direction of the currently written law and the purpose of this public hearing may be moot as the Board is considering a different zoning designation. Mayor Schoenig concurs and still wants to hear what the public has to say tonight.

Jack Gress says he is opposed to zoning the annexed property B1. Instead, an Office Park would be a good district to create for this property and he would like to see accessory uses with regard to medical service offices. Mr. Gress notes that he doesn't want it to conflict with Town of Southeast OP designations. Mr. Gress goes on to say he would like VHB and Barbara Barosa to review any proposed zoning put forward. Mr. Gress provided the following written comments for the public hearing:

- *I am opposed to B-1 zoning because I believe it would be difficult to write and there could be issues with "spot zoning"*
- *At the last Envision Brewster meeting on 9-4-2014 I suggested creating a zone called "Office Park" for the newly annexed property on Allview Avenue.*
- *I believe it would be in the best interests of the Village and the developer to include medical research laboratory, Doctor Offices and Medical supply sales as a permitted use.*
- *The Town of Southeast has 3 OP zones and we should look at what they consider appropriate.*
- *Am sure this will be going to the Comprehensive Plan Committee for review and consideration with the overall revitalization however would it be appropriate to get input from Barbara Barossa and VHB first?*

*Sincerely,  
Jack Gress*

Rick Stockburger agrees with Mr. Gress and wants to see the Office Park with accessory medical services uses included in the OP designation.

Michael Bartolotti, attorney for annexed property, agrees that the intent of zoning an OP as described is advantageous to the applicant and fits with the plan put forward during annexation.

Counsel Molé notes the annexation application put forth and subsequently approved by the Town of Southeast and the Village of Brewster included the use of the property as a medical office building with the B1 district preferred because of the height and lot descriptions in current zoning. Counsel Molé asks Mr. Bartolotti to speak to the applicant's

expectations when the district was proposed to be designated B1. Mr. Bartolotti says the height of a B1 zone is advantageous to the project and that the annexation application was put forward with ancillary uses such as pharmacy, cafeteria, and other medical service type offices discussed.

Deputy Mayor Piccini asks if laboratory use is also being considered. Mr. Chris Sobieski, the property owner of the annexed property, says it is possible and would be welcomed as an ancillary use. Other professional medical services would be appropriate as well but it is too early in the process to determine exactly what uses might be needed. In general if medical service type use is deemed acceptable that should meet our requirements.

Mayor Schoenig motions to close the public hearing regarding zoning of annexed property, Trustee Stockburger 2<sup>nd</sup> all in favor 4 to 0.

## **Regular Meeting**

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

### **1. Monthly Reports**

- 1.1. Code Enforcement Report – Bill Scorca delivers the Code Enforcement Report for July. Trustee Bryde asks about the pool violation. Mr. Scorca says he caught sight of the unfenced pool and contacted the owner who fenced it in and installed an alarm. Bill Scorca delivers the Code Enforcement Report for August – Trustee Bryde asks about the status of sidewalk maintenance, specifically the unsightly weeds and grass growing through the concrete. Mr. Scorca says there are several citations issued and two are summoned to court. It will take a while to reach all the violators and bring it into compliance with the code. Several property owners who were notified have taken action and cleaned up the violation. Other properties are vacant and they will be more difficult to bring into compliance. Mayor Schoenig motions to accept the July & August Code Enforcement Reports, Trustee Bryde 2<sup>nd</sup> all in favor 4 to 0. Copies of the reports are appended to these minutes.
- 1.2. Engineer's Report – John Folchetti delivers the Engineer's Report for August. Deputy Mayor Piccini asks about the contract completion schedule. Mr. Folchetti says we are about 1 week behind schedule and hopes to have a path forward by October 1, 2014 and no later than October 15, 2014. Deputy Mayor Piccini motions to accept the August Engineer's Report, Trustee Stockburger 2<sup>nd</sup> all in favor 4 to 0. A Copy of the report is appended to these minutes. Engineer Folchetti asks when we can meet with the prospective Waste water plant operating contract bidders. Counsel Molé and Clerk Hansen said the week of 9/22/14 is available. Clerk Hansen asks what needs to be done to close the DEP Waste Water Capital project. Engineer Folchetti suggests calling Mike Meyer and asking him what he needs to close the project. Clerk Hansen will do so. Deputy Mayor Piccini asks about the revised zoning map. Engineer Folchetti says it is ready to go when the Board decides on the Annexation zoning designation.
  - 1.2.1. Contract termination notice – approval to issue notice - Mayor Schoenig motions to issue the contract non-renewal notice to Severn Trent Environmental Services, Trustee Stockburger 2<sup>nd</sup> all in favor 4 to 0.
- 1.3. Police Report– John Del Gardo delivers the Police Report for August. Trustee Bryde asks about the seat belt ticket volume and the stop sign violations. Chief Del Gardo says all three stop signs on Oak Street are regularly ignored. Our officers are writing summons and attending to the circumstances; at the same time we are observing seat belt and cell phone violations. Mayor Schoenig says Officer Mirko has a DWI arrest already and he is only a few months out of the academy. Mayor Schoenig asks about false alarms and resulting 911 calls. Discussion of the Fire Department false alarm fine enforcement. Trustee Bryde asks about failure to yield to pedestrian violation location; is that on Main Street?. Chief Del Gardo says it was at the Park Street crosswalk. Trustee Bryde asks if there are more intoxicated drivers or pedestrians. Chief Del Gardo says we have a zero tolerance for intoxicated persons and we are picking up several who have open containers in public. Trustee Bryde credits the Police Department for quickly addressing the sex offender issue. Chief Del Gardo is pleased we were able to address the situation so quickly and effectively and credits the Building Department with prompt enforcement. Mayor Schoenig asks about the VHB request for criminal data. Chief Del Gardo provided the crime data as requested. Deputy Mayor Piccini says the Fire Department needed a written request for the data and will answer the request at that time. Mayor Schoenig motions to accept the August Police Report, Trustee Bryde 2<sup>nd</sup> all in favor 4 to 0. A Copy of the report is appended to these minutes.
- 1.4. Planning Board Report– Rick Stockburger delivers the Planning Board Report for August. Trustee Bryde asks about the hours of operation for the St. Lawrence construction. Mr. Stockburger says the applicant made the requested changes. Mayor Schoenig notes the report has Renee Diaz attending the meeting and absent from

the meeting. Mr. Stockburger corrected the report to indicate Ms. Diaz was in attendance at the meeting, not absent. Mayor Schoenig motions to accept the August Planning Board Report, Trustee Stockburger 2<sup>nd</sup> all in favor 4 to 0. A Copy of the report is appended to these minutes.

- 1.5. Zoning Board of Appeals Report – Richard Ruchala submitted a report of no activity for August and no meetings scheduled for September. Trustee Bryde notes that the last monthly report was put in for June and July as well. It becomes the Board’s responsibility to remember a report was pre-submitted. Mayor Schoenig says no, there will be a report each month. Mayor Schoenig motions to accept the Zoning Board of Appeals Report, Trustee Stockburger 2<sup>nd</sup> all in favor 4 to 0.
2. Public Works Training School – October 20-22, 2014 – cost estimate: \$1,400 –Deputy Mayor Piccini motions to approve the Public Works Training School for the Assistant to the Superintendent, Trustee Stockburger 2<sup>nd</sup> ; Trustee Bryde asks if he will share his knowledge when he returns for training. Clerk Hansen says this is ongoing training to maintain water license certification, all in favor 4 to 0.
3. Well #1 Redevelopment - \$15,000 – Clerk Hansen says the DPW Superintendent wanted to bring the expense to the Board’s attention even though it is a budgeted item. Mayor Schoenig says we are on target to maintain regular routine maintenance and should continue to move forward as previously planned and budgeted.
4. Minutes for approval – 03 September 2014 Regular Meeting Minutes – Trustee Bryde motions to approve the September 3, 2014 minutes, Deputy Mayor Piccini 2<sup>nd</sup> all in favor 4 to 0.
5. Correspondence sent - received for August, 2014 – Deputy Mayor Piccini motions to approve the August, 2014 correspondence, Mayor Schoenig 2<sup>nd</sup> – discussion: Deputy Mayor Piccini asks if our Comcast Franchise license fee level has increased per the contract. The contract has a 5 year term at 4% followed by a 5 year term at 5% at which point the agreement will be renegotiated. Clerk Hansen says it needs to be researched to be sure. Trustee Bryde says the 911 community service mobile visit was not notified properly as she did not receive any advance notice otherwise she would have been there for the opening ceremony, all in favor 4 to 0.
6. Vouchers Payable – Trustee Bryde reviewed the vouchers and found everything in order.

6.1.	A	General	\$25,768.81
6.2.	C	Refuse/Garbage	35,084.10
6.3.	F	Water	17,087.50
6.4.	G	Sewer	45,949.16
6.5.	TA	Trust & Agency	4,080.07

Total Vouchers Payable \$127,969.64

Mayor Schoenig motions to approve the vouchers payable as listed, Deputy Mayor Piccini 2<sup>nd</sup> all in favor 4 to 0.

7. Other Business

- 7.1. Deputy Mayor Piccini – Confirm the October 1<sup>st</sup> Mayor’s Roundtable; Clerk Hansen, Counsel Molé will attend and response has already been sent.
- 7.2. Deputy Mayor Piccini asks Trustee Bryde to switch voucher reviews in October. Trustee Bryde agrees.
- 7.3. Deputy Mayor Piccini asks Counsel how we will move forward with the Annexation zoning. Counsel will put a draft ordinance together.
- 7.4. Deputy Mayor Piccini notes there were tools available to deal with the recent sex offender issue. Deputy Mayor Piccini asks what further action might be needed regarding new or revises ordinances. Public spaces, Green spaces located and other protected areas throughout the Village should be clearly identified and delineated. Counsel will obtain a list of prohibited areas and share with the Board of Trustees.
- 7.5. Trustee Stockburger thanks Jack Gress for removing the hanging baskets. Mr. Gress notes the brackets need to be re-coated. Trustee Stockburger and Deputy Mayor Piccini think we should hang some sort of holiday basket and having the brackets refinished would be a good idea.
- 7.6. Trustee Stockburger says the Town will be discussing the out of village water situation. Mayor Schoenig will attend and be prepared to speak to the issue.
- 7.7. Trustee Stockburger says Counsel Molé is working on the bicycle on sidewalks issue through drafting legislation.
- 7.8. Trustee Bryde asks about the cross hatching in front of Bob’s Diner and the parking meter at 55 Main. Parking Enforcement Officer Stockburger says the cross hatching is done and Dan Crawford is waiting for underground lines to be marked out so he can drill for the parking meter post.
- 7.9. Trustee Bryde asks about the Wells Park grading – Clerk Hansen says there has been no progress to date.

- 7.10. Trustee Bryde asks about the bulk pickup scheduled next week on September 24<sup>th</sup>. Trustee Stockburger says we might be able to lower the cost of garbage pickup if we move to a different bulk pickup schedule. Mayor Schoenig says we are waiting for a letter request from Suburban to change the contract.
  - 7.11. Mayor Schoenig thanks Jack Gress for having the 9/11 ceremony again this year. It is a wonderful event and well attended.
  - 7.12. Mayor Schoenig notes that Founders Day was a great day, beautiful weather, and thanks Jack Gress, Erin Meagher, the Coalition for a Better Brewster, Hudson Valley Cerebral Palsy Association and everyone else who worked hard to make Founders Day a success.
8. New Business
- 8.1. Deputy Mayor Piccini notes the NY Planning Federation training is April 12-14 at the Sagamore Resort on Lake George in Bolton Landing.
  - 8.2. Trustee Stockburger attended a historical preservation workshop in Dutchess County and felt it was very informative. Trustee Stockburger would like to have the Board to consider sponsoring local training seminar on historical preservation. Training would count for our Planning, Zoning, and Code Enforcement personnel toward continuing education credits.
  - 8.3. Trustee Bryde asks about the Town of Pound Ridge-NYSEG information sharing portal. Clerk Hansen says it is an attempt to elicit our DPW and Police to be NYSEG's eyes during major storm events to report downed wires, polls, trees, blocked roads or other major obstacles to NYSEG restoring power before their survey crews get around to reviewing the damage in our area first-hand. Deputy Mayor Piccini would like to see us insert a flyer into the October water bill explaining the importance of contacting NYSEG to report any and all trouble. Trustee Bryde asked if the Village would participate in this meeting and Clerk Hansen does not plan to attend. Clerk Hansen says we will continue to report any and all information to NYSEG via the outage portal or during our regular conference calls. We can also call or contact Katherine Abels directly as she is the municipal liaison.
  - 8.4. Mayor Schoenig was approached regarding an Intermunicipal Agreement with the Fire District to plow out their Main Street firehouse to maintain access in an emergency. We would need to provide a cost estimate if we are interested. Mayor Schoenig will speak with Superintendent Crawford regarding this subject.
9. Public Comment
- 9.1. Jack Gress notes there were a lot of people who helped out at Founder's Day but Erin Meagher went to the greatest effort of all.
  - 9.2. Rick Stockburger read the two opinions on outside water from the State Comptroller and notes that with enough notice you can shut the town residents off from our water supply. When will we address the water rates next? Maximum amount feasible may be 3 times the village rate. The Town of Southeast charges the maximum allowable by law on property taxes to Village residents; we should do the same for water to Town residents. We should also contact the outside village water customers directly as the Town of Southeast does not represent the Village of Brewster. Refuse contract – single bulk pickup – when does contract need to be modified? Mayor Schoenig says it must be a modification sent from Suburban to the Village before we can act on any changes.
10. Mayor Schoenig motions to go into Executive Session to discuss contractual matters, Trustee Stockburger 2<sup>nd</sup> all in favor 4 to 0.
11. Mayor Schoenig motions to resume the regular meeting, Trustee Bryde 2<sup>nd</sup> all in favor 4 to 0.
12. Mayor Schoenig motions to adjourn, Trustee Bryde 2<sup>nd</sup> all in favor 4 to 0.

## August, 2014 Code Enforcement Report

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

### August, 2014 SUMMARY REPORT

BUILDING FEES = \$12,718.00  
SAFETY INSPECTION = 950.00  
TOTAL FOR August = \$13,668.00

PERMITS: 8  
INSPECTIONS:  
(Property Reg, Property Maintenance, 2  
TOTAL COs, CCs: 22  
APPEARANCE TICKETS 7  
ORDERS TO REMEDY: 2  
STOP WORK ORDER: 2

## July, 2014 Code Enforcement Report

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

### July, 2014 SUMMARY REPORT

BUILDING FEES = \$1,100.00  
PROPERTY REGISTRATION = 10.00  
SAFETY INSPECTION = 875.00  
TOTAL FOR July = \$1,985.00

PERMITS: 9  
INSPECTIONS:  
(Property Reg, Property Maintenance, 5  
TOTAL COs, CCs: 2  
APPEARANCE TICKETS 5  
ORDERS TO REMEDY: 5  
PROPERTY REGISTRATION PENDING: 0  
STOP WORK ORDER: 0









**VILLAGE OF  
BREWSTER POLICE  
DEPARTMENT  
MONTHLY REPORT**

**AUGUST 2014**

**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 August 2014

TICKETS			
Uniform Traffic Tickets:			127
Parking Tickets:			81
Local Ordinance:			8
<b>TOTAL TICKETS</b>			<b>216</b>
TAXI INSPECTION			34
ARRESTS			
Caban		Assault	
Wenzel		G.L.A.	
Wenzel		Assault	
Mirko		D.W.I.	
Oddo		Assault	
Villani		VTL 511	
<b>TOTAL ARRESTS</b>			<b>6</b>
Sewer Plant			224
Water Tank			212
Well Field			135
<b>SECURITY VISITS</b>			<b>571</b>
FOOT PATROL		HOURS	
Main Street:			85
M.T.A Station:			84
Residential:			11
<b>TOTAL HOURS</b>			<b>180</b>
Administration:			21
911 CALLS			74
Walk in Complaints			29
Assists:			19
Court Hours	Village		24
Court Hours	S.E.		77

VEHICLE		REPAIRS	
			\$0
MILEAGE			
7K-245			1154
7K-246			2238
1065			1150
7K-241	K-9		722
Mileage Total:			5264
Fuel:			770

PEO Stockburger	Tickets	12
	Hours	23
PEO Gianguzzi	Tickets	19
	Hours	5

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

## 911 DISPATCHED CALLS – 74

**AIDED CASE – 13**  
**BURGLARY - 1 ( In the past )**  
**ASSAULT - 3 ( 3 arrests )**  
**GRAND LARCENY AUTO - 1 (1 Arrest)**  
**MISSING TEEN - 1**  
**VEHICLE ACCIDENT – 7**  
**911 HANG UP – 11**  
**DISPUTE – 14**  
**CALLS FOR HELP - 1**  
**HARASSMENT - 2**  
**CRIMINAL MISCHIEF - 1**  
**BURGLARY ALARM – 2**  
**FIRE ALARM – 3**  
**GAS LEAK - 1**  
**SUSPICIOUS MALE – 3**  
**DISORDLEY GROUP - 1**  
**INTOX DRIVER - 2 ( 1 Arrest )**  
**INTOX MALE – 5 ( Summons issued)**  
**NOISE COMPLAINT - 1**  
**LOST PROPERTY - 1**

**VILLAGE OF BREWSTER POLICE**

**SELECTIVE TRAFFIC ENFORCEMENT**

**AUGUST 2014**

**CELL PHONE - 21**

**SEAT BELTS - 7**

**SPEEDS - 1**

**STOP SIGN - 38**

**D.O.T. TRUCK ENFORCEMENT - 17**

**VTL ARRESTS - 3**

**RED LIGHT - 1**

**FAIL TO YIELD PEDESTRIAN - 1**

**SCHOOL BUS - 0**

**TOTAL - 89**

Village of Brewster Planning Board  
David P. Kulo Jr.  
Chairman

To James Schoenig, *Mayor*  
Christine Piccini, *Trustee, Deputy Mayor*  
Mary Bryde, *Trustee*  
Teresa Stockburger, *Trustee*  
Tom Boissonnault, *Trustee*  
Peter Hansen, *Clerk & Treasurer*  
Anthony Mole, *Counsel*

***Public Hearing***

- **Saint Lawrence O'Toole** – 67.26-2-15(16) Public site plan review. There was a large community turn out, however there was no public comment.

***Regular Meeting August 26,, 2014***

**Board Members in Attendance:**

David Kulo, Chair  
Renee Diaz  
Tyler Murello  
George Gaspar  
Rick Stockburger

**Board Member Absent:**

**New Business:**

None.

**Pending Business:**

**Saint Lawrence O'Toole – 67.26-2-15 (16)**

The addition will provide 3000 square feet over two stories for parish worship including an adoration chapel. Father Gill made a statement indicating the scraped plans for a church to be build outside the Village that a decision was made to restore the exiting church in the Village. Cardinal Dolan is planning to come next year for inauguration of the new buildings. Ms. Erin Meagher of the Landmark Preservation Society spoke on behalf of its member who unanimously supported the renovation plans. The site plan was approved under the conditions:

- Notation of bollards height.
- Notation to specify location of shrine and sign.
- Notation tracking pads.
- Notation of lighting heights.
- Notation of in and out signs.
- Inclusion of engineer comments 5 and 6 from there August 25, 2014 report

The site plan was pass unanimously.

**22 Garden Street & 14 Eastview Avenue.** 67.27-1-1 and 67.26-2-26. This application is a lot line adjustment. The PB adopted negative declaration and approved the site plan application.

David Kulo  
Chairman, Planning Board  
September 17, 2014

Village of Brewster Zoning Board Report

Richard Ruchala

Chairman

TO:

James Schoenig, Mayor

Christine Piccini, Trustee, Deputy Mayor

Mary Bryde, Trustee

Teresa Stockburger, Trustee

Tom Boissonnault, Trustee

Peter Hansen, Clerk & Treasurer

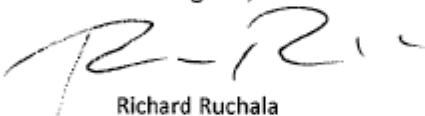
Anthony Mole, Counsel

September 16, 2014

To whom it may concern:

There was no meeting for the month of August and none scheduled for September. We have received no inquiries or applications.

Best Regards,



Richard Ruchala

ZBA, Chairman

