

VILLAGE OF BREWSTER
BOARD OF TRUSTEES
07 JUNE 2017
7:30 P.M.
REGULAR MEETING
MINUTES

The Board of Trustees of the Village of Brewster held a Regular Meeting on June 7, 2017 at Village Hall, 50 Main Street, Brewster, NY 10509.

Attendees:

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

Absent:

Erin Meagher
Todd Atkinson

Pledge to flag.

Notation of Exits

Regular Meeting

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

1. Trustee Erin Meagher, Resignation of –

Deputy Mayor Piccini reads the following into the record:

Preamble:

Excerpt from Village of Brewster Employee Handbook - Conflict of Interest/Code of Ethics:

A Village Government's reputation for integrity is its most valuable asset and is directly related to the conduct of its official, officers and employees. The integrity of each employee is of utmost importance.

Employees of the Village shall conduct their personal affairs such that their duties and responsibilities to the Village are not jeopardized and/or legal questions do not arise with respect to their association or work with the Village.

Remember that the "appearance of impropriety" is the ethical benchmark. Do not allow yourself to do anything that may have the appearance of impropriety.

Based upon her admission of guilt in the Carmel Town Court to the misdemeanor of petit larceny in relation to abusing her position as CEO of the Chamber of Commerce, and thereby breaching the trust and confidence to which the public is entitled with respect to its elected officials, it is hereby moved (by Deputy Mayor Piccini as read) that the Board of Trustees asks for the immediate resignation of Erin Meagher from her position of Village Trustee, Mayor Schoenig 2nd all in favor 4 to 0.

Mayor Schoenig reads his statement into the record as follows:



VILLAGE OF BREWSTER

INCORPORATED 1894

OFFICE OF THE MAYOR
JAMES J. SCHOENIG

June 7, 2017

Tonight the Village Board of Trustees ask that Trustee Erin Meagher resign her position immediately.

While it is true that the only way one can be removed from the position is being found guilty of a felony, let's look at the facts.

Trustee Meagher was charged with a felony in Carmel for stealing money from the chamber of commerce, during this time Trustee Meagher gave a statement saying she was innocent and being targeted for her age and political affiliations. In the end Trustee Meagher pleaded guilty to a misdemeanor, which includes community service and restitution to the chamber.

Now you have to ask yourself why would one who has claimed they were innocent enter a plea of guilty to a lesser charge that included restitution. Because they are guilty.

We all stand in this court room and take an oath of office to uphold the constitution and the laws of NYS, on this she failed. We feel it is in the best interest of the village of Brewster that she resigns.

She has lost public trust.

Thank you,
James J Schoenig

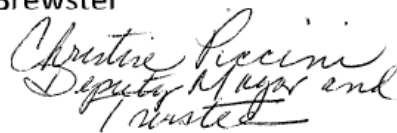
Deputy Mayor Piccini reads a statement into the record as follows:

On Tuesday May 23, Erin Meagher avoided a felony conviction, a conviction which would have required her to step down from her elected office as a Trustee in the Village of Brewster, by pleading guilty to the reduced charge of Petit Larceny, a Class A misdemeanor. A person is guilty of Petit Larceny if he or she is convicted of stealing property.

Wednesday May 24, the Mayor and 3 members of the Board of Trustees released a statement asking Erin Meagher for an immediate resignation from her position as a Village Trustee. Erin provided a statement to HamletHub, published on Thursday May 25, in which she declined to resign as she believed she had committed no act of moral turpitude.

Although the phrase moral turpitude does not have a precise definition, it generally refers to actions that violate sentiments or standards of a community: actions that shock the public. Among the crimes against property there are specific actions viewed as involving moral turpitude, such as fraud and crimes where fraud is an element, all theft offenses and false representations. It seems straight forward enough to me that Erin Meagher's admission of guilt is also an admission to conduct of moral turpitude.

Conduct of moral turpitude can be used to determine honesty or trust-worthiness of candidates for elected office. With that in mind, Erin Meagher should offer her immediate resignation from her seat as a Trustee in the Village of Brewster



Christine Piccini
Deputy Mayor and
Trustee

Trustee Boissonnault says he will illustrate his point by telling a story. He noticed his mail at Village Hall is addressed to Trustee Thomas Boissonnault and sometimes to Honorable Trustee Thomas Boissonnault and he finds it very disheartening to see the Meagher situation where there is so little trust (as what should be inferred by the word Trustee) and certainly no honor (as in Honorable) with her current state of affairs.

Trustee Boissonnault goes on to say that he thinks it is time she put herself second and the Village first and does the right thing by her constituents and our venerably institution and resigns her position as Trustee immediately before further damage is done to the faith and trust of our elected officials. One bad apple tends to spoil the whole bunch unless you remove it from the bushel.

Trustee Bryde says the position of Trustee is a responsibility that we take very seriously and by asking for her resignation we are trying to protect the Village.

Mayor Schoenig reassures the public that with the checks and balances inherent in our Village financial controls Trustee Meagher does not have access to Village funds.

At the request of the public attendees Mayor Schoenig reads Erin Meagher's emailed letter into the record as follows:

Peter Brewster Hansen

From: Erin M <erinemeagher@gmail.com>
Sent: Wednesday, June 07, 2017 3:27 PM
To: Peter Brewster Hansen

Erin E. Meagher
12 Main Street APT 3B
Brewster, NY 10509
June 7, 2017

Village of Brewster
50 Main Street
Brewster, NY 10509

Dear Village of Brewster Board of Trustees:

It is explicit of the board in calling for my resignation that it does still acknowledge I am an elected official. On whom they have illegally barred from representing the constituents of this village in executive sessions.

To their call, I say No. I will not yield to partisan political pressure and base manipulation of the public; I will continue to represent my constituents as is my sworn duty. I say shame to the public use of the name and resources of the body for base partisan politics.

However, due to the hysteria caused by the political usage of the official Village of Brewster Facebook page and other interference, I do not have faith that my presence at tonight's meeting will serve any purpose but further disruption and deviation from the duties of this body. Therefore, I will not be attending tonight's meeting.

Pertaining to allegations of wrongdoing, that legal matter was resolved in Carmel Town Court, my allocution in open court acknowledging my fault, which is in no way related to my duties as an elected official. The resolution, without jail time or fine, as a petty offense demonstrates the wild inaccuracies and exaggeration of allegations.

I've no desire to distract the public or interfere with my former employer and their good work by engaging in such a sideshow from the important work with which the Village of Brewster should properly concern itself.

Sincerely,

Erin E. Meagher

Mayor Schoenig says now that he has read the letter he will comment on it. Mayor Schoenig says Ms. Meagher's letter states that; "...without jail time or fine, as a petty offense demonstrates the wild inaccuracies..." First of all; she has restitution to pay. Secondly, she has 100 Hours of Community Service to serve in lieu of jail time. Third, she pleads guilty to a crime and did not dispute the facts of the case. Her quoted statement is offensive to this Village Board. There is a time and place to stand up and take

responsibility for your actions and stop trying to blame others for your own crimes. She has blamed others for picking on her because of her age. Well there comes a time when you have to stand on your own two feet and accept responsibility for the mess you have created and you can't use age as an excuse. We stand up here in this room after election each year and take an oath to uphold the Constitution of the United States and Constitution of the State of New York which includes all laws and we take that oath seriously. Erin Meagher failed. She violated the oath of office and does not deserve to sit in a trustworthy position of judgment over Village affairs.

Mayor Schoenig goes on to refute Ms. Meagher contention that we "barred from [her from]...executive sessions" as ludicrous. Ms. Meagher sat there when we voted on the Urban Renewal Plan and stated that she had a conflict of interest. That single act became a recusal and barred her from participating in any matters in public sessions or executive sessions that had to do with Urban Renewal. She did that all on her own and we are complying with NYS law as we will do in support of our oaths of office and to protect the Village and its residents. She has no one to blame for that except herself and her continued ignorance of civil and criminal law.

Mayor Schoenig discusses Ms. Meagher's performance as a Trustee. Most recently she failed to fulfill her responsibility to obtain flower baskets for Main Street. The rest of the Board stepped in to take care of flowers but they went up after Memorial Day which is disappointing to all of us. Another failure was the Sanitation bid was supposed to be led by Ms. Meagher but she failed to fulfill that duty. Deputy Mayor Piccini stepped up and fulfilled that responsibility. Ms. Meagher says she contacts people by phone or email and when Mayor Schoenig speaks with those same people he finds that she never made any attempt to contact them in any way. These problems are ongoing since she took office. She has never been a productive member of the Board, has never followed through on anything, and never takes responsibility. Her criminal conviction and absence here tonight is the latest example of someone who just doesn't care.

Mayor Schoenig says he will ask her to resign at every meeting.

Trustee Bryde says her contention that her criminal activities in Mahopac have nothing to do with her ability to conduct herself with the stature expected of a Trustee of the Village of Brewster is so wrong, because it goes to moral, ethical, honorable, and honest character traits that are so apparently lacking in this individual judging by her continued denials of wrongdoing after having plead guilty to the crimes in a court of law and received sentences for those crimes.

Trustee Boissonnault says the word partisan is a smoke screen. There are no politics in the Village. Mayor Schoenig says the Village Board is made up of registered voters who are non-affiliated, Republicans and Democrats and we all work together for the betterment of the Village. Our actions, deliberations and votes result in unanimity nearly all the time. Political partisanship plays no part in Village Board politics whatsoever.

Finally, the excuse of age is irrelevant. There are good people of all ages and there are bad people of all ages. Age is not a defense for corrupt conduct.

2. Letter to DEP re B.O.S. Land Development
 - 2.1. Deputy Mayor Piccini motions to authorize Mayor Schoenig to sign the letter to NYC DEP calling for a meeting with all vested parties to resolve a path forward, Trustee Boissonnault 2nd all in favor 4 to 0.
3. Court audit
 - 3.1. Trustee Bryde will conduct the court audit and report back to the Board at a future meeting.
4. Oddey settlement approval
 - 4.1. Mayor Schoenig motions to adopt Resolution No. 060717-1 as written approving the settlement for the Oddey dispute of \$105,000, Deputy Mayor Piccini 2nd all in favor 4 to 0.
 - 4.2. Mayor Schoenig motions to adopt Resolution No. 060717-2 to authorize a metes and bounds description for an access easement in the amount of \$2,000 as written, Deputy Mayor Piccini 2nd all in favor 4 to 0.

5. Hudson Valley Sloop Clearwater Resolution of Support
 - 5.1. Mayor Schoenig motions to adopt Resolution No. 060717-3 approving the letter of support for the Hudson Valley Sloop Clearwater organization and mission to Washington, D.C. regarding clean water initiatives, Deputy Mayor Piccini 2nd all in favor 4 to 0. Copy attached to these minutes.
6. Well Redevelopment Total Cost for all 2 wells, pump and motor per proposals: \$29,570
 - 6.1. Redevelopment of Well # 2 = \$11,995
 - 6.2. New Pump & Motor Well # 2 = \$5,580
 - 6.3. Redevelopment of Well # 3 = \$11,995

Mayor Schoenig motions to approve Well Redevelopment for 2 wells and a new pump and motor for Well number 3 per the proposals as written, Deputy Mayor Piccini 2nd all in favor 4 to 0.

7. Minutes for approval;
 - 7.1. May 17, 2017 Public Hearing & Regular Meeting - Trustee Bryde motions to approve the May 17, 2017 minutes as written, Deputy Mayor Piccini 2nd all in favor 3 to 0. Trustee Boissonnault abstains due to absence.

8. Vouchers Payable – Fiscal Year (FY) 2017 – Trustee Bryde reviewed the vouchers and found everything in order.

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|----------|------------------|------------|
| 8.1. A - | GENERAL FUND | \$6,064.13 |
| 8.2. C – | REFUSE & GARBAGE | 298.01 |
| 8.3. F - | WATER FUND | 1,992.01 |
| 8.4. G - | SEWER FUND | 1,442.81 |

Total Vouchers Payable \$9,796.96

Mayor Schoenig motions to approve vouchers payable for FY 17 as written, Deputy Mayor Piccini 2nd all in favor 4 to 0.

9. Vouchers Payable – Fiscal Year (FY) 2018 – Trustee Bryde reviewed the vouchers and found everything in order.

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|-----------|---------------------------------|-------------|
| 9.1. A - | GENERAL FUND | \$31,413.91 |
| 9.2. C – | REFUSE & GARBAGE | 18,747.31 |
| 9.3. EN - | ENGINEERING FEES ESCROW ACCOUNT | 502.68 |
| 9.4. F - | WATER FUND | 9,634.42 |
| 9.5. G - | SEWER FUND | 63,127.17 |
| 9.6. TA - | TRUST & AGENCY | 1,945.02 |

Total Vouchers Payable \$125,370.51

Mayor Schoenig motions to approve vouchers payable for FY 18 as written, Deputy Mayor Piccini 2nd all in favor 4 to 0.

10. Other Business

10.1. Deputy Mayor Piccini asks about the timing on flower baskets since Trustee Meagher dropped the ball on that task that falls under her purview as Commissioner of Beautification in her latest example of abdication of responsibility. Clerk Hansen says the Flower Garden is ordering them today and offers to hang them as soon as they get them, maybe as soon as this weekend. Deputy Mayor Piccini says the June Village Matters came out and thanks everyone for their articles. The next Village Matters deadline for articles and submittals is July 15th. Deputy Mayor Piccini says the Town of Southeast meeting has a public hearing scheduled for Peaceable Hill Water District

10.2. Trustee Bryde attended the Memorial Day service at the VFW and said it was the usual elegant and solemn experience and thanks the VFW for a job well done. Trustee Bryde says the Elks Club is hosting the Flag Day ceremony again this year on June 14th and it is always a very well attended and well run affair. Trustee Bryde says that Senator Murphy’s Women of Distinction award ceremony is Thursday, June 27th. Southeast Museum Director Amy Campanaro was nominated by the Village Board of Trustees this year and has graciously accepted.

10.3. Trustee Boissonnault says Wells Park reopened Memorial Day weekend, the flowers are planted and the grass is growing. We ordered movie equipment and it should be in at the end of this

week in time for the Father's Day movie June 17th along with a Band, Bounce House, and puppy adoption. There is a pre-school graduation later this month which was well attended last year and parking is a concern. This summer, new barbecue grills will be installed as well as new basketball hoops.

10.4. Mayor Schoenig says George Godfrey was inducted by Senator Terrance Murphy into NYS Veterans Hall of Fame.

11. New Business

11.1. Trustee Bryde says the Fireman's parade is July 27th and asks if we have heard anything from them. Clerk Hansen says we have not. Trustee Bryde says planning for the 60th anniversary celebration of the Brewster Chamber of Commerce is well on the way.

12. Public Comment

12.1. George Gaspar says thank you to the Board of Trustees for the work you do despite the lack of support and repeated absences of Trustee Meagher.

12.2. Peter Carey says the Board of Trustees does do a great job and when he is reporting he just gives the facts but personally he feels the same way as the Board in this matter. As a general comment speaking as a former police officer and still active in civil service and civic matters, it makes all civil servants look bad when one does something dishonest. It is a poor reflection on all civil servants and elected officials.

12.3. Rick Lowell says people are more likely to say all politicians are crooked if they hear one is crooked. It just seems to be human nature. It's wrong but that is what people tend to do.

12.4. Peter Carey talks about the plans for the Library expansion and says there is a petition circulating for registered Southeast voters to put the bond referendum on the ballot in November and he would appreciate it if everyone would look for the petition, sign it and support the bond referendum.

13. Mayor Schoenig motions to adjourn, Deputy Mayor Piccini 2nd all in favor 4 to 0.

**VILLAGE OF BREWSTER
50 MAIN STREET
BREWSTER, NY 10509**

RESOLUTION NO. 060717-3

AT A DULY CONSTITUTED REGULAR MEETING OF THE BOARD OF TRUSTEES ON JUNE 7, 2018, THE FOLLOWING RESOLUTION WAS OFFERED BY MAYOR SCHOENIG SECONDED BY DEPUTY MAYOR PICCINI, TO WIT

ADOPTING LETTER OF SUPPORT AS FOLLOWS:

VILLAGE OF BREWSTER LETTER IN SUPPORT OF HUDSON RIVER SLOOP CLEARWATER'S SAIL TO WASHINGTON, DC FOR CLEAN WATER AND ENVIRONMENTAL PROTECTION

Dear Administrator Pruitt and Members of Congress,

In 1970 Pete Seeger and the Hudson River Sloop *Clearwater* helped turn the tide in favor of enacting the 1972 Clean Water Act by sailing the *Clearwater* to Washington, DC and organizing an historic Capitol Hill forum on the need for federal clean water protections, where Seeger said,

"The problems of the American Rivers can't be solved by people . . . who live on them. Only the Federal Government has the power to enact and enforce the laws that are needed."

The Hudson River and many American waterways are much cleaner and safer as a result of the implementation of the Clean Water Act, as well as other state and national environment protection legislation and regulations.

Yet issues of serious water pollution still plague communities from Flint, Michigan to the Village of Hoosic Falls in New York.

A clean, safe and healthy environment is the cornerstone of a strong economy.

Existing federal clean water protections that have recently been rolled back or are coming under threat include:

- *The Stream Protection Rule, which previously protected waterways from surface coal mining pollution*
- *EPA rulemaking to "repeal and replace" the Waters of the United States Rule, which extended Clean Water Act protections to 60% of U.S. streams and 20 million acres of wetlands*
- *Proposed 31% cuts to EPA funding, including a 45% cut in grants to states for water protection programs, elimination of funding for the Long Island Sound Study and other regional geographic programs resulting in a total estimated cut of \$1 billion to Office of Water programs.*

Federal water protections and robust EPA regulation and enforcement are vital to the environmental health of New York's waterways and to the safety of its drinking water and climate change is also a water quality issue, already impacting New York's waterways and drinking water through more frequent and severe droughts and storms.

Flat-funding Federal grants will not allow States and municipalities to implement drinking and waste water infrastructure projects needed for their maintenance or remediation.

These issues and threats affect not only all New Yorkers, but all Americans.

The historic Sloop *Clearwater* will carry to Washington and deliver to federal officials a "cargo of concern" documenting the broad-based concerns of citizens, public interest groups, and municipal and state officials throughout New York about growing threats to our water and to federal clean water protections, and the need for sound, science-based water policy.

As elected officials from the Village of Brewster we express our deep concern over current rollbacks and threats to federal clean water protections as described above and affirm **the need for sound, science-based water policy and for adequate regulation, enforcement and funding.** We also support the *Clearwater's* leading effort to carry our concerns and those of many New Yorkers for clean water and other environmental protections directly to Washington.

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|-----------------------|-----|------------------|--------|
| Mayor Schoenig: | Aye | Trustee Bryde: | Aye |
| Deputy Mayor Piccini: | Aye | Trustee Meagher: | Absent |
| Trustee Boissonnault: | Aye | | |

Vote carried by a vote of 4 (four) to 0 (zero) with one trustee being absent.

STATE OF NEW YORK)

) ss.:

COUNTY OF PUTNAM)

I, PETER BREWSTER HANSEN, Village Clerk of the Village of Brewster, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Board of Trustees of the Village of Brewster at a meeting of said Board on June 7, 2017

DATED: June 7, 2017



PETER BREWSTER HANSEN, Village Clerk

(Seal)