

**WEDNESDAY JUNE 17, 2009**

**PUBLIC HEARING – WATER RENTS - MINUTES**

**7:30 P.M.**

LEGAL NOTICE  
VILLAGE OF BREWSTER  
BOARD OF TRUSTEES  
PUBLIC HEARING  
JUNE 17, 2009  
7:30 P.M.

PLEASE TAKE NOTICE, that the Board of Trustees of the Village of Brewster will hold a Public Hearing ON JUNE 17, 2009 at 7:30 PM or as soon thereafter as time permits for the purpose of obtaining public input for water rents particularly adopting a flat rate for unmetered Peaceable Hill Water District and modifying the language in the current rate table to more accurately reflect billing methodology.

Mayor Schoenig motions to open the public hearing on water rents, 2<sup>nd</sup> by Trustee Stockburger, all in favor 5 to 0.

Mark Anderson asked if there was any change to the village water rates. Deputy Mayor Piccini responded that there was not.

There being no further public comment, Mayor Schoenig motioned to close the public hearing on water rents, 2<sup>nd</sup> b Deputy Mayor Piccini, all in favor 5 to 0.

**PUBLIC HEARING**

**Local Law 2 of 2009 to Prohibit Skateboarding within Village  
MINUTES**

VILLAGE OF BREWSTER  
BOARD OF TRUSTEES  
JUNE 17, 2009  
7:31 P.M.

PLEASE TAKE NOTICE, that the Board of Trustees of the Village of Brewster will hold a Public Hearing ON JUNE 17, 2009 at 7:31 PM or as soon thereafter as time permits for the purpose of obtaining public input in regard to establishing a local law (proposed chapter 201 of the Village Code) prohibiting skateboarding in public places within the boundaries of the Village of Brewster.

Mayor Schoenig motioned to open the public hearing for local law number 2 or 2009, 2<sup>nd</sup> by Trustee Stockburger, all in favor 5 to 0.

Jim Lawler commented he had lived at 15 Eastview Ave. for 15 years and had never had the trouble he is now having with skateboarders on the sidewalk in front of his home. Mr. Lawler states that in the past if the noise was too much he asked the kids to move on or keep it down and they respected his request. This year there are teenagers who are not respectful and are causing he and his wife distress with their loudness and bad language. He can not find any peace and requests the board to mitigate the situation by removing the skateboarding attraction, a large high cement curb structure.

Deputy Mayor Piccini notes that the Village received a letter from the Lawlers on this subject.

Joe Lambert spoke as to how skateboarding was a respectable sport and to outlaw it in the village would be a disservice to the community. Skateboarding provides entertainment, exercise, and self esteem building. Mr. Lambert goes on to say that there are antiskateboarding features that can be installed on the concrete pad to make it unusable for the current stunts. Mr. Lambert also called the Danbury Mayor's office and found that they had a law on the books outlawing skateboarding on sidewalks but only enforced it when there was an abusive situation. Mr. Lambert vehemently opposes the institution of a prohibition on skateboarding within the village.

Mark Anderson spoke against the law as well noting that he would like to see the board encourage activity on the streets instead of discouraging same.

Patricia Bartalucci also spoke against the law noting that her children had been skateboarding in the village for years and never caused a problem. In fact they brought business to local merchants during their time on the streets and provided themselves with a healthy leisure time distraction.

Alex Fiorentino noted that he regularly videotapes skateboarding events and has never been disrespectful of people's wishes. He wishes to see skateboarding to continue within village limits.

Karen Saunders also spoke against the law saying there were more pressing matters for the village to address.

Mr. Lambert suggested asking the Town of Southeast to build a skateboarding park. Mr. Anderson suggested the rail trail be used when it arrives in the Village.

Dave Kulo spoke against the law and reiterated that children need to be more active outside and this law would deter that circumstance.

Mr. Lawler spoke to explain that he did not ask for a law prohibiting skateboarding only that the "attraction" be removed or incapacitated in front of his home. Mr. Lawler offered to share the cost of action taken.

Trustee Ito asked Counsel Molé to research the law and determine who owns and is responsible for sidewalks within the village; is it the homeowner or the village.

Deputy Mayor Piccini motioned to continue the public hearing on July 1, 2009, 2<sup>nd</sup> by Trustee Stockburger, all in favor 5 to 0.

# VILLAGE OF BREWSTER

## BOARD OF TRUSTEES

### Adopted Minutes

#### REGULAR MEETING

The Board of Trustees of the Village of Brewster is holding a Regular Meeting on June 17, 2009, at Village Hall, 208 Main Street, Brewster, New York. The meeting is called to order at **8:20 P.M.** by Mayor Schoenig, 2<sup>nd</sup> by Trustee Stockburger, all in favor 5 to 0.

#### Attendees:

Mayor: James Schoenig

Deputy Mayor and Trustee: Christine Piccini

Trustees: William Banks, Yoshihiko Ito, Terri Stockburger

Village Engineer: John Folchetti

Village Counsel: Anthony Molé,

Clerk & Temporary Treasurer: Peter Hansen

#### Absent:

#### Pledge to flag.

- 1) Deputy Mayor Piccini motions to amend the agenda and open with an executive session to discuss legal matters, 2<sup>nd</sup> by Trustee Stockburger, all in favor 5 to 0.
- 2) Mayor Schoenig motions to come out of executive session and reconvene the regular meeting, Trustee Banks 2<sup>nd</sup> all in favor 5 to 0.
- 3) Monthly reports
  - a) Code
    - i) Mr. Serino delivers the May monthly report on Code Enforcement and asks the Board to authorize a mailing within the village clarifying the proper procedure for trash can placement and removal. Deputy Mayor Piccini motions to accept the code enforcement report for May, 2009 with one correction changing 10 Prospect St. to 10 Progress St., and to authorize the mailing of the requested flyer in the next refuse bill scheduled for August, 2009. Trustee Stockburger 2<sup>nd</sup> all in favor 5 to 0.
  - b) Engineer
    - i) Mr. Folchetti notes that MS-4 inspections of Well Park construction are not covered under the current budget and would need to be funded by the applicant. Mr. Folchetti also notes that the SAFETEA-LU contract for sidewalk replacement along route 6 is likely to move forward this year and JRFA needs a contract to fund their effort for DOT submittals. Mr. Folchetti requests a resolution to authorize the mayor to sign contract with JRFA to proceed with SAFETEA-LU. Action to be taken 7-1-09 meeting after Board reviews the proposed contract.
    - ii) Mr. Stockburger notes that there are surface bodies of water on DEP land that are mosquito nesting grounds and asks the engineer to speak to DEP about preventive measures. Deputy Mayor Piccini motions to accept the Engineers report for May 2009, Trustee Stockburger 2<sup>nd</sup>. All in favor 5 to 0.
  - c) Police
    - i) Officer in Charge John Del Gardo delivers the PD report. Trustee Stockburger motions to accept the PD report for May 2009, Mayor Schoenig 2<sup>nd</sup> all in favor 5 to 0.
  - d) Planning
    - i) Dave Kulo delivers the Planning Board report for May 2009 noting there are large panel vans blocking line of sight at 162 Main St. since the painting of parking line spaces. Deputy Mayor Piccini 2<sup>nd</sup> all in favor 5 to 0.
- 4) Approval of Minutes – June 3<sup>rd</sup> regular meeting
  - a) Trustee Ito motions to approve June 3<sup>rd</sup>. minutes Mayor Schoenig 2<sup>nd</sup> all in favor 5 to 0.
- 5) Water Rents

- a) Mayor Schoenig motions to accept water rent schedule as amended – excluding surcharges on arrears relieved on taxes, all else remains as written – Deputy Mayor Piccini 2<sup>nd</sup> all in favor 5 to 0.
- 6) Local Law 2 of 2009
  - a) Tabled
- 7) Secondary Data Access Officer appointment
  - a) Mayor Schoenig motions to appoint Cathy Mannfolk as secondary data access officer for the Village of Brewster, Trustee Stockburger 2<sup>nd</sup> all in favor 5 to 0.
- 8) Waive building permit fee for Fire House bathroom
  - a) Deputy Mayor Piccini motions to waive the permit fee for the handicapped bathroom on the second floor of the Firehouse, Trustee Stockburger 2<sup>nd</sup> all in favor 5 to 0.
- 9) Vouchers Payable – Batch 1037 – May 2009
  - a) Total of \$56,021.31 consisting of
    - i) A – \$7,708.38
    - ii) F – 2,918.98
    - iii) G – 35,574.19
    - iv) H10 – 8,465.65
    - v) H90 - 1,354.11Mayor Schoenig motions to approve batch 1037 for \$56,021.31, Trustee Stockburger 2<sup>nd</sup> all in favor 5 to 0
- 10) Vouchers Payable – Batch 1022 – June 2009
  - a) Total of \$43,863.17 consisting of
    - i) A – \$11,437.05
    - ii) F – 4,251.17
    - iii) G – 27,912.55
    - iv) T - 262.40Mayor Schoenig motions to approve batch 1022 for \$43,863.17, Trustee Stockburger 2<sup>nd</sup> all in favor 5 to 0
- 11) Other Business
  - a) Meeting date with ToSE
    - i) The Board agrees that July 30, 2009 is the next available date to meet with the Town of Southeast.
- 12) New Business
  - a) Paint at 50 Main in progress. Not certain if Corrections department will be able to complete the entire job.
  - b) Received the markups from DEP for the O&M contract, meeting scheduled internally on 6-18-09 to review their changes.
  - c) Office furniture, clerk advises board that with their permission he will hold off on ordering anything until we have a CO and signed lease. Anticipating August move-in.
- 13) Public Comment
  - a) Tom Sprague spoke in support of the prohibition on skateboarding within village limits. Mr. Sprague also asked when the PD would be vacating 31 Main. Mayor Schoenig said sometime this fall. Mr. Sprague then asked if a special use permit was necessary to put a tattoo parlor in that location but did not request an immediate answer.

- b) Ms. Piccini spoke about crosswalks at Garden Street School and again asked that we address the situation due to fast moving traffic at that intersection. Crosswalk will need to be researched as there are not sidewalks on both sides of the road.

14) Adjourn

- a) Trustee Stockburger motioned to adjourn, Trustee Banks 2<sup>nd</sup> all in favor 5 to 0