

**WEDNESDAY MAY 20, 2009**

**7:30 P.M.**

**SPECIAL PRESENTATION**

Attorney General's Office of Constituent Services – Informational presentation  
Mr. John Katzenstein of the Attorney General's office spoke about his department of consumer frauds and protection service. He offers communications services to local clubs, meetings, etc.

Highlights include:

Free credit reports (3 per year, 1 from each credit service) are available to help ensure no one is using your identity. Call 877-322-8228 or visit [www.annualcreditreport.com](http://www.annualcreditreport.com)

The number to call to be put on the Do Not Call list is: 888-382-1222

There is an opt out list to reduce junk mail: Call 888-567-8688

The Attorney General of NY can be reached at 800-771-7755 or online at [www.oag.state.ny.us](http://www.oag.state.ny.us)

**Followed by**

**PUBLIC HEARING**

VILLAGE OF BREWSTER

BOARD OF TRUSTEES

MAY 20, 2009

7:30 P.M.

PLEASE TAKE NOTICE, that the Board of Trustees of the Village of Brewster will hold a Public Hearing ON MAY 20, 2009 at 7:30 PM or as soon thereafter as time permits for the purpose of obtaining public input for sewer rent considerations. Current rate is \$0.022 per gallon (2.2 cents per gallon). Proposed rate is \$0.013 per gallon (1.3 cents per gallon) a 40% reduction.

The Public Hearing will take place at Village Hall, 208 Main Street, Brewster, NY, at 7:30 P.M. or as soon thereafter as time permits. Anyone wishing to be heard may do so as time permits. The Village of Brewster will make every effort to assure that the hearing is accessible to persons with disabilities. Anyone requiring special assistance and /or reasonable accommodations should contact the Village Clerk.  
Dated: May 7, 2009

BY ORDER OF THE  
BOARD OF TRUSTEES OF THE  
VILLAGE OF BREWSTER  
PETER BREWSTER HANSEN  
VILLAGE CLERK

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

Mayor Schoenig motioned to open the Public Hearing, Trustee Stockburger 2<sup>nd</sup>, all in favor 5-0

Rick Stockburger said he would like to see a contribution toward capital reserve and perhaps the board could not reduce the rate quite as much to accomplish that.

Gary Kropkowski asked about the current state of DEP negotiations. The Mayor said we are expecting to receive their comments to our contract proposal the week of May 26, 2009

Bob Morini said that a “commercial-residential” rate was not conducive to the business community. Mr. Morini also asked if the Public Service Commission oversees rates; Counsel Molé said no, the PSC does not oversee municipalities.

Bill Villanova asked if we could increase the volume to reduce everyone’s rate. Clerk said there were some modest developments on the table and any new ideas would need to be brought before the planning board and reviewed by engineering to determine the availability of water and sewer capacity.

Tyler Murello asked how long the rate would remain in effect. Mayor Schoenig said that the rate is based on the budgeted amount for sewer rents and extrapolated from flow estimates. If the actual flows come in lower it might be necessary to adjust the rate prior to the end of the budget year.

Gary Kropkowski asked if there were any cost allocation changes made to the budget. Mayor Schoenig said no.

There being no more public input, Mayor Schoenig motioned to close the Public Hearing on Sewer rents, Trustee Stockburger 2<sup>nd</sup> all in favor 5 to 0.

## **Followed by Regular Meeting of the Board of Trustees**

# **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 May 20, 2009 at Village Hall, 208 Main Street, Brewster, New York. The meeting is called to order at **8:15 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) Monthly reports
  - a) Code – Robert Serino
    - i) Deputy Mayor Piccini motioned to accept the code enforcement report for April, Trustee Stockburger 2<sup>nd</sup> all in favor 5 to 0
  - b) Engineer – John Folchetti
    - i) Cassidy Retainage – Trustee Stockburger motions to accept the Engineer’s recommendation of substantial completion on the Sewer House Connections project and

- release final payment as the funds become available, Deputy Mayor Piccini seconds, all in favor 5, opposed 0, abstentions 0
- ii) Trustee Stockburger motions to accept the engineer's report, Deputy Mayor Piccini 2<sup>nd</sup> all in favor 5 to 0
  - c) Police - Officer in Charge Del Gardo
    - i) Deputy Mayor Piccini motioned to accept the police report for April, Trustee Banks 2<sup>nd</sup> all in favor 5 to 0
  - d) Planning – David Kulo
    - i) Trustee Stockburger motions to accept the planning board's report, Deputy Mayor Piccini 2<sup>nd</sup> all in favor 5 to 0
  - e) Parking Enforcement – included in Police Report
- 2) Methodist Church – follow-up on beautification of street at Borden Bridge
- a) Bonnie Hyatt and Jackie Boissonnault appeared to request water be provided for the flowers they planted. Mayor Schoenig said he would have the flowers watered.
  - b) They also requested that they be allowed to post a sign saying the First United Methodist Church provided these flowers. Deputy Mayor Piccini will work with them on sign design and approval process.
- 3) Tax Warrant to County
- a) Trustee Stockburger motioned to authorize the Mayor to sign and send over to County Real Property Services the Tax Warrant for Fiscal year 2010 and the list of utility arrears that will be levied on the tax roll by 4:00 P.M. May 21, 2009, Deputy Mayor Piccini 2<sup>nd</sup> all in favor 5 to 0
- 4) Town of Southeast resident water arrears
- a) Counselor Molé notified the board there were three avenues open to pursue utility arrears from outside the village limits. Any one or all three may be used.
    - i) Penalties & Fines
    - ii) Civil Suit
    - iii) Shut off
  - b) Mr. Molé will draft a letter for distribution to the offending parties with these points spelled out and a deadline to make payment or face the consequences stated above.
  - c) Mayor Schoenig motioned to write the letter to delinquent outside village water users to make payment by June 30, 2009 or we will proceed with litigation on July 1, 2009, Deputy Mayor Piccini 2<sup>nd</sup> all in favor 5 to 0
- 5) 50 Main
- a) Deputy Mayor Piccini motioned to authorize entry into Lease Agreement per resolution No. 052009-1, Trustee Stockburger 2<sup>nd</sup> all in favor 5 to 0

#### VILLAGE OF BREWSTER

County of Putnam, State of New York

RESOLUTION No. 052009-1

AUTHORIZING ENTRY INTO A LEASE AGREEMENT

INTRODUCED BY: DEPUTY MAYOR PICCINI

SECONDED BY: TRUSTEE STOCKBURGER

DATE OF CONSIDERATION/ADOPTION: MAY 20, 2009

WHEREAS, the Village of Brewster has engaged in extensive negotiations with The Putnam Community Foundation, Inc., a not-for-profit corporation organized pursuant to the laws of the

State of New York, concerning the lease of a certain portion of the premises at 50 Main Street, Brewster, NY; and

WHEREAS, the purpose of said negotiations were primarily to provide the Village of Brewster with a suitable and acceptable location for a certain municipal offices as well as a Courtroom facility for the Village; and

WHEREAS, as a result of the aforesaid negotiations, the Board of Trustees of the Village of Brewster finds the terms of the proposed lease agreement acceptable in form and substance contained in the draft version of the lease attached hereto and made a part hereof; and

WHEREAS, the Lease Agreement that was authorized to be signed on April 1, 2009 stated a higher rent amount than the Lease that is attached hereto; and

WHEREAS, the previously proposed lease was never executed by the parties thereto as the rent amount was reduced; and

WHEREAS, the Village Board of Trustees desires to approve the Lease in the form attached hereto at the rental amount of \$1.00 per year for the term of the Lease;

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Brewster hereby accepts the terms of the aforesaid lease acceptable in form and substance contained in the draft version of the lease attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED, that the Board of Trustees of the Village of Brewster hereby authorizes the Mayor, upon the issuance and receipt of all necessary approvals and certificates of occupancy for the demised premises, to execute the aforesaid lease agreement with The Putnam Community Foundation, Inc., as well as any and all other documents necessary to give effect to this resolution on behalf of the Village of Brewster.

UPON ROLL CALL VOTE:

Mayor Schoenig AYE                      Trustee Ito AYE  
Trustee Stockburger AYE              Trustee Piccini AYE  
Trustee Banks AYE

VOTE: RESOLUTION CARRIED BY A VOTE OF FIVE TO ZERO

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 May 20, 2009

DATED: May 21, 2009

Signature on file\_\_\_\_\_

PETER BREWSTER HANSEN, Village Clerk

b) Deputy Mayor Piccini motions to authorize the capital cost reimbursement agreement per resolution No. 052009-2, Trustee Ito 2<sup>nd</sup> all in favor 5 to 0.

VILLAGE OF BREWSTER

County of Putnam, State of New York

RESOLUTION No. 052009-2

AUTHORIZING ENTRY INTO A CAPITAL COST REIMBURSEMENT AGREEMENT  
INTRODUCED BY: DEPUTY MAYOR PICCINI

SECONDED BY: TRUSTEE STOCKBURGER

DATE OF CONSIDERATION/ADOPTION: MAY 20, 2009

WHEREAS, the Village of Brewster has engaged in extensive negotiations with The Putnam Community Foundation, Inc., a not-for-profit corporation organized pursuant to the laws of the State of New York (the "PCF), concerning the Capital Cost Reimbursement Agreement (the "Agreement") regarding the reimbursement to the PCF for the build-out at 50 Main Street, Brewster, New York, which was built to meet the needs of the Village and which was paid for by the PCF; and

WHEREAS, the purpose of said negotiations were primarily to provide the Village of Brewster with a suitable and acceptable location for a certain municipal offices as well as a Courtroom facility for the Village; and

WHEREAS, as a result of the aforesaid negotiations, the Board of Trustees of the Village of Brewster finds the terms of the proposed Capital Cost Reimbursement Agreement acceptable in form and substance contained in the draft version of the Agreement attached hereto and made a part hereof; and

WHEREAS, the amount to be paid by the Village pursuant to the Agreement is exempt from New York State General Municipal Law requirements for the following reasons:

- a. The project and all existing improvements at the premises was constructed by PCF its agents, servants, employees, contractors etc. prior to the time of the Agreement being contemplated and authorized by this resolution,
- b. The demised premises at 50 Main Street is particularly unique in its that its layout, floor area and construction may serve the particular needs of the Village for its municipal offices,
- c. The demised premises at 50 Main Street is the sole source wherein the Village may obtain adequate municipal office space, including meeting and court space, that will comply with requirements of the office of Court Administration for courtroom facilities and will be adequate for the municipal purposes designated for the space; and

WHEREAS, the Village Board of Trustees desires to approve the Agreement in the form attached hereto;

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Brewster hereby accepts the terms of the aforesaid Capital Cost Reimbursement Agreement acceptable in form and substance contained in the draft version of the Agreement attached hereto and made a part hereof, and

BE IT FURTHER RESOLVED, that the Board of Trustees of the Village of Brewster hereby authorizes the Mayor, upon the issuance and receipt of all necessary approvals and certificates of occupancy for the demised premises located at 50 Main Street, Brewster, New York, to execute the aforesaid Capital Cost Reimbursement Agreement with The Putnam Community Foundation, Inc., as well as any and all other documents necessary to give effect to this resolution on behalf of the Village of Brewster. UPON ROLL CALL VOTE:

Mayor Schoenig: AYE Trustee Ito: AYE

Trustee Stockburger: AYE Trustee Piccini: AYE Trustee Banks: AYE

VOTE: RESOLUTION CARRIED BY A VOTE OF FIVE TO ZERO

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 May 20, 2009

DATED: May 21, 2009

Signature on file \_\_\_\_\_

PETER BREWSTER HANSEN, Village Clerk

- 6) Budget transfers
  - a) Deputy Mayor Piccini motions to approve budget transfers per the list provided, Trustee Stockburger 2<sup>nd</sup> all in favor 5 to 0
- 7) Web page layout
  - a) The Board reviewed the conceptual layout of a new web design and agrees the proposal is conceptually okay. They would like to see more pictures of the Village, perhaps in a slide show or scrolling environment. Trustee Ito suggests looking around for grant money to pay for the proposal as it is part of the Niche Marketing recommendations to improve the image of the Village. Clerk will investigate funds availability.
- 8) Vouchers Payable
  - a) Total of \$35,994.00 consisting of
    - i) A – \$20,526.67
    - ii) F – 6,639.23
    - iii) G – 4,035.80
    - iv) H10 – 3,062.78
    - v) H90 - 1,566.72
    - vi) T - 162.80
  - b) Mayor Schoenig motions to approve Vouchers Payable, Trustee Banks 2<sup>nd</sup> all in favor 5 to 0
- 9) Approval of Minutes – May 6<sup>th</sup> regular meeting
  - a) Deputy Mayor Piccini motions to approve minutes from May 6, 2009 regular meeting, Trustee Stockburger 2<sup>nd</sup> all in favor 5 to 0.
- 10) Other Business
  - a) Verizon FIOS – meeting postponed for about 3 weeks as Verizon is not ready with a draft contract.
  - b) Resolution update from John Degnan? None received as yet.
  - c) Priority of Code items – Mayor Schoenig and Clerk Hansen to set up action item list and distribute to board and committee for individual assignments.
- 11) New Business
  - a) Provide Public Service Announcement on counter and give to everyone coming in to pay a bill, distribute by email and post to web site.
  - b) Mr. Jack Gress said the board needs to address the DPW superintendent's current office work space as it is very cramped. With the move to 50 Main that would free up space which could be converted to office and work space.
  - c) Mayor Schoenig said we would do a needs assessment at 208 Main which will include:
    - i) Water meters repair and testing area
    - ii) Parking meter repair area
    - iii) Police Department
    - iv) Codes Enforcement Department
    - v) DPW Supervisor's office
    - vi) Break room
    - vii) Conference room
  - d) 571 N. Main – Counsel Molé to investigate zoning code requirements for non-conforming use.
- 12) Public Comment

- a) Renée Diaz asked if the State Police were going to move into 208 Main, Mayor Schoenig said no they want to stay on that part of 22.

13) Adjourn –

- a) 10:38 P.M. Trustee Stockburger motioned to adjourn, Trustee Banks 2<sup>nd</sup>, all in favor 5 to 0