

4/4/11 - Board of Trustees Meeting

BOARD OF TRUSTEES MEETING MINUTES – APRIL 4, 2011

The regular meeting of the Board of Trustees of the Inc. Village of Brightwaters was held on Monday, April 4, 2011 at 8:00 pm at Village Hall, 40 Seneca Dr., Brightwaters, NY, with the following officers present:

Joseph A. McNulty	Mayor
Charles Fischer	Deputy Mayor/Trustee
Mary Susan Belford	Trustee
Robert W. Fischer	Trustee
John Valdin	Trustee
<i>John P. Finnerty, Esq.</i>	<i>Village Attorney</i>
<i>Christine O'Shea</i>	<i>Village Clerk & Treasurer</i>

At 8:05 pm, Mayor McNulty called the meeting to order followed by a salute to the flag. After the Pledge of Allegiance, a motion to approve the minutes of March 7, 2011 as written was offered by Tr. Charles Fischer, seconded by Tr. Belford and all approved 5/0.

Trustee Reports

Highway Dept.

Tr. Bob Fischer read his report for this meeting –

Pot hole patch work has been ongoing and will continue as needed.

The village has repaired damages caused by snow plowing through the winter.

Wohseepee Park is being prepped for the spring. The tennis courts were cleaned and the nets are up and ready for resident use.

A new picnic table was installed at Wohseepee Park.

The canal is being readied for its opening.

Walker Beach is in the process of having the playground slide secured. At this time for safety purposes, it is out of service until the equipment arrives and is installed.

Clean up of the service roads and lakes have been done and will continue.

Sign replacement has been done around village.

The planter boxes have been planted.

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Lakes and Parks

Tr. Belford said that she had spoken to Robert Guadagno who is in the geese removal business. His business uses a three dimensional fake eagle that scares geese away. He could teach someone on how to do this or he can do this for us. Also, on Easter Sunday morning, there will be the Easter egg hunt for children; “thank you Brightwaters Lions”. We would like to make the movie night a two times a year event. The annual plant sale is coming up on Saturday, May 7. In the business area they would like to hold a district artist’s show.

Administration

Tr. Charles Fischer moved to approve Abstract Report #3475 for accounts payable vouchers totaling \$34,038.86 - The primary drivers this month were health insurance @ \$21,209., hwy. vehicles repairs & maintenance @ \$4,567., and audit professional svcs. @ \$1,950. - other wise business is as usual and Tr. Belford seconded and abstract was approved for payment 5/0.

Code Enforcement

Tr. Valdini stated that the car break ins have increased. So please remember to lock your cars. The building department has changes now; the planning board will review all building permits for construction, including pools and fences received at the village office prior to issuances of permits. So please plan ahead for this; it will take a few more weeks to process permits. The dogs signs at the park should be bigger so dog owners can notice them better. Please remember to pick up after your dog. Also, a lot of tickets have been issued for parking the wrong way on the street. Please park the right way to avoid getting a ticket.

Treasurer Report @ March 31, 2011

<i>Municipal checking:</i>		
General Fund	\$	72,186
Payroll Fund	\$	241
Trust & Agency Fund	\$	-0-
Restoration Fund	\$	2,713
<i>Investments:</i>		
CLA\$\$ General Fund	\$	288,769
CLA\$\$ B.I.G. Fund	\$	3,048

Brightwaters Residents for the Common Good Newsletter

Mayor McNulty commented on this newsletter that was mailed out to residents –

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During the past month, I received a brochure in the mail sent by “Brightwaters Residents for the Common Good.” I have no idea who wrote it, but whoever did write it, neglected to check the facts. I would like to correct some of the misconceptions, as I see them.

They took a swipe at Trustee Charles Fischer. I do not feel the need to go into great depth to defend Mr. Fischer.

Anyone who knows Charles Fischer, knows the high ethical standards and total dedication that Charles brings to our Village. Mr. Fischer is more than capable of defending his unblemished record.

They (whoever they are) mentioned a litany of items they wanted addressed: Parks, Roads, Budget, and Planning---long term and short term, Green initiatives, board appointments, and business community. I will attempt to address their concerns:

PARKS AND ACTIVITIES:

A. GILBERT PARK:

- a. Cross Bay Swim
- b. Snapper Tournament
- c. Bay Shore School Band –outing
- d. Bay Shore Fire Dept. – Drills-Practice-drafts-water rescue practice
- e. Sky lantern launching- Memorial tribute to our resident, Anne

Glynn

B. WALKER PARK:

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- a. Sail Harbor – Home of the Bay Shore High School Sailing Team
- b. Cystic Fibrosis walk-a-thon (they have raised over \$25,000)
- c. Beach and Swimming – June, July and August
- * d. Thursday night activities – July
- e. Cancer Survivor Night
- f. Pumpkin Run

C. WOHSEEPREE PARK:

- a. Arbor Day – 9 years
- b. Easter Egg Hunt – Brightwaters Lions Club
- c. Band concert and Ice Cream Social
- d. Garage Sale and Flea Market
- * e. Movie in the Park
- f. Halloween Parade – Brightwaters Lions Club
- g. Photo with Santa and Plant Sale – Judy Sallie
- h. Cabin Use: Girl Scouts, Boy Scouts, Little League and many other

civic organizations- No charge

Day Camp because of the outstanding leadership of Eileen and Tim Cox. We have one of the finest programs on L.I.—we have a waiting list---we cannot thank them enough for their efforts.

D. HEAD OF THE HARBOR:

a. Easter Sunday Sunrise Services @ 7 a.m. @ the Gazebo sponsored by the First Congregational Church of Bay Shore.

b. Annual Plant Sale sponsored by the Brightwaters Improvement Group.

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c. Christmas Tree Lighting with Santa, who is delivered from the Wohseepee Park Cabin to the Head of the Harbor by the Bay Shore Fire Dept. Hot cocoa and cookies are served, courtesy of Pat's Deli in Brightwaters. Music is by the Bay Shore High School Show Stoppers under the direction of Dr. Chris Bilello.

It is a pleasure to drive by Windsor fields and see the young people practicing and learning their athletic skills.

All of our parks and the open areas located on Montauk Highway and Windsor Avenue and North on Seneca Drive west of Village hall are meticulously maintained by our Village workforce. We must be very mindful that under the guise of volunteerism we don't encroach on their work area and in a sense, take food from their table.

I have, what I believe, a great working relationship with our Highway Dept. personnel, as well as the union and our most efficient office staff.

On the subject of communication, I would like to believe that our work on behalf of the Village speaks louder than words. I truly feel that we are diligently doing the work that we were elected to do!

Neither all the talk nor all the printed words won't pave a road or plant a tree. I will endeavor to be more open and more communicative with the community.

The Brightwaters Residents for the Common Good mention Green Initiatives. I would like to believe our Village was "Green" before "Green" was fashionable. I instituted a reforestation program 9 years ago, and was forced to defend that initiative in court.

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Some residents took us to court to stop our planting trees on our Village right-of-way, which is 10 feet from the street. We went all the way to the Appellate Court in Brooklyn and the Court gave us a favorable decision. It is very satisfying to look at all the beautiful trees that line our Village streets and know that they will be there for future generations to enjoy. During the past 10 years, my administration has planted over 1300 trees and on Arbor Day has distributed 3000 saplings to our school children for planting in their own yards. I have held festivities on Arbor Day (the last Friday in April) in Wohseepee Park for the last 10 years. Trees have been planted with plaques to honor some of the residents of the Village who have given of their time and talents.

The Lady Marauders of the Bay Shore High School Softball team come to the park on Arbor Day to act as hostesses and mingle with the youngsters and distribute ice cream and the saplings.

At a meeting two years ago, Susan Bela questioned the wisdom of our spraying pesticides on our trees and Village owned open areas. We have since passed an ordinance banning such spraying.

Long-term planning has been dear to my heart and frustrating at times. Eleven years ago at a monthly meeting I said that one of my goals was to pay off the debt of the Village. The debt at that time was one and $\frac{3}{4}$ million dollars. I am proud to say that on July 2007 at our centennial celebration; at our Summer concert and Ice Cream Social, we burned the last of our debt. From that point on, our Village has been debt-free and on a pay-as-you-go basis.

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In 1997 I started planning to replace the bulk heading in the Yacht

Harbor. For the next 4 years we spent between 300 and 500 thousand dollars per year installing plastic bulk heading and it was all paid for at the time of installation.

Our next project was our Roads. Windsor Avenue was our main concern. After years of planning and battling with the New York State, we opted to go it alone and we paved from Sunrise Service Road South to Johnson Drive. People asked why we did not pave all the way to Montauk Highway, Simple; we ran out of money at that time. I finished from Johnson Drive to Montauk Highway last summer. I had put away "CHIPS" money to pay for it.

Suffolk County Water Authority needed to replace pipes under our roads. So, in conjunction with them, we paved 3 miles of roads, Peters, Potter, Manatuck and 3 blocks on Hiawatha Drive. Last summer, also with the Suffolk County Water Authority, we paved 4 miles in the lake section at a cost of \$689,000. Our Village is still debt-free and on a pay-as-you-go basis.

Two years ago, we did a major project in the Upper Lake. This was 3 ½ years in the planning with permit requirements by the NYS DEC. We removed the silt build up in the Lake that was obstructing the normal flow of water. We bulk headed duck island and replaced the topsoil. It wasn't just any topsoil; I sent a sample out to be tested. I would not want to be accused of introducing contaminants into our Lakes. This project was \$225,000. Our Village is still debt-free and on a pay-as-you-go basis.

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Our next major project that is in the planning stage for the past 2 ½ years is Shore Drive. We have taken Suffolk County Serer District to court.

They damaged the road and I want them to replace the damaged road. As a matter of fact, Mr. Finnerty and I were at one of several hearings before trial. It is very time-consuming, but worth it.

Another major project that has been completed, but was in the planning stage for over 3 years was the bulk heading project in Gilbert Park. It was also a project that needed permits from the NYS DEC. This project came with a price of \$299,000. And we are still debt-free.

Another major project was the refurbishing of the Gazebos at the Head of the Harbor. I replaced the roofs on both gazebos to their original green slate tile. This project cost \$68,000.

SHORT TERM PLANNING—

A). Peters Blvd, Brooklyn Blvd, and Plymouth Ave projects-drainage under the roads.

b) Tree removal and trimming

c) Village buildings – preventative maintenance

d) Snow removal – this winter we had major snow. We kept all of our roads open in a timely fashion. We cleaned sidewalks and curbs and removed all the snow in the commercial district overnight. The snow was trucked away.

We were the only Village where you could drive up to the curb and get out of your car without encountering snow drifts.

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We are making great strides in addressing the needs of the business community with regards to parking. My administration has done due-diligence on long and short term planning. It is absolutely necessary for preventative maintenance to keep our Village beautiful and in good repair. I want to discuss the subject of the Planning Board and the Board of Appeals.

PLANNING BOARD:

The planning board consists of 7 members. They serve for 5 year staggered terms. They are an advisory board to the Mayor. They do short term and long term planning. They review permits and make sure that they are within code regulations. They are in the process of doing an exhaustive study of all our codes.

BOARD OF APPEALS:

The board of appeals consists of 5 members. . They have staggered 5 year terms.

They have far reaching power. They have the power to overturn the Village Board of Trustees decisions. Residents have the right to appeal the decisions of the Board of Trustees.

To the Board of Appeals.

The complaint by the Brightwaters Residents for the Common Good is that my son and my brother-in-law are chairman of these two boards. I did not appoint them chairman of these boards. They served on these boards and rose to that position. Between the two of them, they have given over 21 years of volunteer service to the Village. Jody McNulty served under 3

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Board chairman and Nick Del Vecchio served on the Board of Appeals

under 2 chairman. They have both served many hours and have given of their time and talents. Neither one is a new comer to our village.

The men and women of these boards understand the total working of our Village and their recommendations(the planning board) and constancy(the Board of Appeals) make sure that the administration of our Village stay consistent with our goals to keep the Village of Brightwaters working according to the codes of the Village. I was the Mayor of the Village for 5 years before I made an appointment to either of these boards.

I truly believe that I have appointed some of the most talented and knowledgeable individuals to these boards. I appointed the best and I expect the best, and none have let me down. If I may, (mayor points to) Donald Souhrada, has served on the Board of Appeals for 25 years. I thank each and every one of these board members for their gifts of time and talent for the betterment of the Village of Brightwaters.

The Village of Brightwaters truly is the “Crown Jewel on the Great South Bay” and I am deeply honored to be allowed to serve as your Mayor.

At this time the audience applauded.

Donald Souhrada, Zoning Board of Appeals Member Honored

The Mayor said that speaking of caring, giving and especially longevity he asked Don Souhrada to come up. The Mayor handed Don a plaque for his dedicated service on the ZBA for 25 years! “A small token of our appriecation for all you have done for our village. It is because of people like you that we can hang banners like that.” The Mayor went on to say that he will plant a tree in his honor in one of our parks. Don Souhrada was very much moved and he wished that his wife, Christine, could have been here.

Mayor’s Budget Message Dated April 4, 2011

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To: The Board of Trustees of the Incorporated Village of Brightwaters

Submitted herewith, in accordance with Article 5 of Village Law, is the tentative budget for the fiscal year June 1, 2011 through May 31, 2012. The total recommended appropriation amounts to \$2,745,110.00.

Recommended revenues, exclusive of property taxes and sanitation fees, are basically the same as last year.

It is anticipated that the village will end the current budget year without any significant surplus. As a result, taxes, consisting of property taxes and sanitation fees will remain the same.

Sanitation fees are proposed at \$563,362., with a \$509.83 per unit charge.

Property taxes will remain close to last year at \$1,383,477.00.

The tentative total assessment roll, after all tax exemptions, amounts to 61,487,813. This will produce a tax rate of \$22.50 per \$1,000 of taxable assessed valuation, the same as last year.

I am pleased to submit another budget that will reflect no tax increase for the upcoming tax year of June 1, 2011 – May 31, 2012.

Respectfully submitted,

Joseph A. McNulty

Village Mayor

At this time the audience applauded again!

Suffolk County Police Dept. Third Precinct

There was a police officer present at this meeting. Officer stated that there was a break in on South Bay. Someone threw a rock into window and stole a pocketbook. Pocketbook was found on Main St. and Brentwood Rd. Officer stated that a lot of break ins are happening here and West Bay Shore and West Islip. He advised to hide your valuables or take into your home. They have information that a red truck or red blazer is going around after midnight and they think they know who it is. This has been happening for the last week to ten days. The Toddler house (bar) has calls on fighting and underage drinking. Village Attorney

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Finnerty stated that is a NYS problem and a police problem. Officer also stated that the streets are very dark in the village.

Resolution Authorizing the Village of Brightwaters to enter into a contract with NYS DEC regarding Water Quality Improvement

RESOLUTION

Authorizing the Village of Brightwaters to enter into a contract with New York State Department of Environmental Control regarding Water Quality Improvement

WHEREAS, the Village of Brightwaters, herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Environmental Conservation Law ("ECL") authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith;

NOW, THEREFORE, BE IT RESOLVED BY the Board of Trustees of the Village of Brightwaters

1. That Trustee Robert Fischer, or his successor in office as Trustee assigned as liaison to the Village's Highway Department, is the representative authorized to act in behalf of the Municipality's governing body in all matters related to State assistance under ECL Articles 17, 51 and 56 and/or any applicable federal grant provisions. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance; and
2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation; and

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3. That one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation; and

4. That this Resolution shall take effect immediately.

Tr. Bob Fischer moves to approve above resolution and Tr. Charles Fischer seconded and all approved 5/0.

Public Hearing on Tentative Budget for 6/1/11 – 5/31/12

INCORPORATED VILLAGE OF BRIGHTWATERS PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Inc. Village of Brightwaters will hold a public hearing to consider the adoption of the tentative budget for the fiscal year beginning June 1, 2011 through May 31, 2012 at Village Hall, 40 Seneca Dr., Brightwaters, NY on Monday, April 4, 2011 at 8:00 p.m. A copy of the tentative budget is available at the office of the Village Clerk where it may be inspected there by any interested person during village office hours.

The Mayor, Board of Trustees and Village Justice are not compensated for services rendered.

Christine O'Shea
Village Clerk/Treasurer
Brightwaters, New York

Dated: March 24, 2011

Mayor McNulty opens public hearing for any questions and/or comments and after all had been heard; Tr. Charles Fischer moves to close public hearing and Tr. Belford seconded and all approved 5/0.

Tr. Charles Fischer moves to approve the tentative budget and Tr. Belford seconded and Mayor McNulty asked the board "all those in favor?" and all approved 5/0.

Public

Mayor McNulty opened the floor to the audience for any questions and/or comments, and several issues were discussed –

- s/e/c/o Seneca & Peters bushes need trimming
- leaf blower noise levels
- n/s Montauk Hwy. between LVAW & LVAE pls clear snow
- NYS claims Bradford pear trees are evasive species

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- “Common Good” party flyer took 3 mos to write & over 50 people were involved in writing it & donations were accepted
- flyer was written right at all
- “small vocal few want to raise taxes”; that’s what initiated this flyer
- no nepotism; appointed members just moved up
- common good party participation
- planning board hearing dates
- flooding @ South Bay & Neptune from rain
- ZBA & PB are appointed positions
- would you raise taxes for common good projects – yes
- reserve fund
- when is Lombardy going to be paved
- Wohseepee is deplorable too
- Seneca needs paving too
- can we vote on a bond for road paving
- school taxes; will pay \$100/yr to do roads

At 10:20 pm, there being no further business before the Board, the Mayor called for a motion to adjourn the meeting. Tr. Charles Fischer made the motion; Tr. Belford seconded and unanimously carried 5/0.

Respectfully submitted,

Tina

Christine O’Shea
Village Clerk Treasurer

Public attendance: 41 +/-