

7/5/11 - Board of Trustees Meeting

**BOARD OF TRUSTEES MEETING MINUTES – JULY 5, 2011**

The regular meeting of the Board of Trustees of the Inc. Village of Brightwaters was held on Tuesday, July 5, 2011 at 8:00 pm at Village Hall, 40 Seneca Dr., Brightwaters, NY, with the following officers present:

Joseph A. McNulty  
Charles Fischer  
Robert W. Fischer  
Timothy H. Cox  
*John P. Finnerty, Esq.*  
*Christine O'Shea*

Mayor  
Deputy Mayor/Trustee  
Trustee  
Trustee  
*Village Attorney*  
*Village Clerk & Treasurer*

Absent: Mary Susan Belford, Trustee

At 8:06 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 June 6, 2011 as written was offered by Tr. Charles Fischer, seconded by Tr. Bob Fischer and they were approved 4/0.

**Oath of Office**

Mayor McNulty administered the oath of office to incumbent Trustee Robert Fischer and to newly elected Trustee Timothy Cox to discharge the duties of the office of Trustee for a term of two years. Mayor McNulty also had ex-Honorable Mayor Robert Cox (Timothy Cox's father) to be part of the swearing in as this has not happened before.

**The Passing of Robert W. Oliver**

June 30, 2011

In the recent passing of former Brightwaters resident, Robert W. Oliver, Esq., Mayor McNulty mentioned the many offices he held in the Inc. Village of Brightwaters as such;

Village Justice 1961 - 1966

Member of the Zoning Board of Appeals 1966 - 1971

Village Trustee 1971 - 1984

Village Attorney 1984 – 1992

An appreciation proclamation for his many years of service to the Village of Brightwaters will be made up and forwarded to his family in Florida.

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**Suffolk County Police Dept. Third Precinct**

There was an officer present at this meeting. He stated cars are still getting broken into; but you have to lock your cars! A car was broken into at Orinoco & Windsor. There were two home invasions; one on Plymouth Ave. and one on South Bay Ave. The Mayor mentioned that a break in on Manatuck where jewelry was taken the person had been caught. Officer stated the break in on Seneca & Potter; that guy had been caught too.

**Trustee Reports**

**Highway Dept.**

Tr. Bob Fischer read his report for this meeting.....

Wohseepee Park and cabin were prepared for the opening of day camp which started today. The camp will run until July 29<sup>th</sup>.

Wohseepee cabin had a chimney liner and cap installed.

Replaced 40 yards of playsafe playground material at Wohseepee playground.

Beach was rototilled, new signs put up and seaweed raked and removed on a daily basis.

Cleaned and painted the bathrooms.

Reconstructed around 1600 sq ft of bay front at Gilbert from storm damage. Seeded and compost area.

Restored 345' of Concourse West from breakwater north.

Restored drain at Lawrence and Plymouth.

Installed new drain at Ackerson and Penataquit.

Regular village maintenance done: weeding, trimming, grass cutting, replacing dead shrubs, cold patch and signs.

**Lakes and Parks**

Tr. Belford was not at this meeting so the Mayor mentioned a few things. Cutting around the lakes happened last month. Town of Islip had the 4<sup>th</sup> of July fireworks so the Gilbert Park and Walker Park were open for viewing. At 9:00pm Fifth Ave. was backed up to Sunrise Hwy.! Code Enforcement was on the west side of the canal and the Highway Dept. was on the east side of the canal to help with traffic control. All in all the fireworks night ran pretty smoothly. Day Camp opened today and the 62 youngsters were enjoying themselves.

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**Administration**

Tr. Charles Fischer moved to approve Abstract Report #3508 for accounts payable vouchers for May \$40,451.34 and June \$46,504.41 totaling \$86,955.75 - The primary drivers this month for May were audit fees @ \$32,000., and street repairs @ \$2,600., for June there was street repairs @ \$8,000., drainage @ \$9,000., and tree removal @ \$1,900., - other wise business is as usual and Tr. Bob Fischer seconded and abstract was approved for payment 4/0.

**Code Enforcement**

Being that the newly elected Trustee Timothy Cox is new in his position he hadn't anything to report at this time.

**Treasurer Report @ June 30, 2011**

Municipal checking:		
General Fund	\$	110,368
Payroll Fund	\$	241
Trust & Agency Fund	\$	2,239
Restoration Fund	\$	5,635
<i>Investments:</i>		
CLAS\$ General Fund	\$	948,794
CLAS\$ B.I.G. Fund	\$	3,049

**JUNE 21, 2011 ANNUAL BRIGHTWATERS VILLAGE ELECTION RESULTS**

THE TOTAL NUMBER ACTUALLY VOTED 852

**FOR THE OFFICES OF TRUSTEE**

TIMOTHY H. COX RECEIVED	474 VOTES
ROBERT W. FISCHER RECEIVED	427 VOTES
PATRICK M. FAWCETT RECEIVED	411 VOTES
JOHN VALDINI RECEIVED	386 VOTES

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THE WINNERS OF THE ELECTION WERE TIMOTHY H. COX AND  
ROBERT W. FISCHER OF THE CITIZENS PARTY.

### **VILLAGE ORGANIZATIONAL MEETING & APPOINTMENTS**

Tuesday, July 5, 2011  
Board of Trustees Meeting

Mayor McNulty proposed the following appointments:

RESOLVED that Charles Fischer be and hereby is appointed Deputy Mayor for an official term of one year.

RESOLVED that Christine O'Shea be and hereby is appointed Village Clerk Treasurer, Tax Receiver and Assessor for an official term of two years.

RESOLVED that Virginia Anitra be and hereby is appointed Deputy Village Clerk for an official term of two years.

RESOLVED that George Peterson be and hereby is appointed Highway Foreman for an official term of one year.

RESOLVED that Vincent P. Clancy be and hereby is appointed Chief Code Enforcement Officer for an official term of one year.

RESOLVED that John P. Finnerty, Esq. be and hereby is appointed Village Attorney for a term of one year at \$2700/mo. and \$150/hr. for additional legal fees.

RESOLVED that Dennis Babinecz be and hereby is appointed Computer Consultant at a rate of \$80/hr. for a term of one year.

RESOLVED that Daniel Falasco be and hereby is appointed Village engineer at a rate of \$90/hr. for a term of one year.

RESOLVED that Bartlett Ackerson be and hereby is appointed Harbormaster for a term of one year.

RESOLVED that John P. Finnerty, Esq. be and hereby is appointed Prosecuting Attorney at a rate of \$100/hr. for a term of one year.

RESOLVED that John E. Lawlor, Esq. be and hereby is appointed Acting Village Justice for a term of one year.

RESOLVED that Christine O'Shea be and hereby is appointed Clerk of the Court for a term of one year.

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RESOLVED that Joseph Paliseno be and hereby is appointed Planning Board Chairman for a term of five years.

RESOLVED that Joseph A. McNulty III be and hereby is appointed Member of the Planning Board for a term of five years.

RESOLVED that Frank Manhardt be and hereby is appointed Member of the Planning Board for a term of five years.

RESOLVED that Michael McDyer be and hereby is appointed Member of the Planning Board for a term of five years.

RESOLVED that Jane Arbeiter be and hereby is appointed Village Historian for a term of one year.

RESOLVED that Christine O'Shea be and hereby is appointed Registrar for a term of five years.

RESOLVED that Mayor McNulty, or his designated successor, be authorized to approve the attendance by the Board of Trustees, Board of Appeals, or Planning Board to specific training schools and/or meetings with expenses reimbursed.

RESOLVED that Trustee Mary Susan Belford, or his designated successor, be authorized to approve the attendance by the village administrative staff at specific training schools conducted by NYCOM or other appropriate agencies with expenses reimbursed.

RESOLVED that Trustee Charles Fischer, or his designated successor, be authorized to approve the attendance by the highway administrative foremen at specific training schools conducted by NYCOM or other appropriate agencies with expenses reimbursed.

RESOLVED that Trustee Robert W. Fischer or his designated successor, be authorized to approve the attendance by the Code Enforcement Officers at specific training schools with expenses reimbursed.

RESOLVED that Sheehan & Co. be and hereby is appointed auditors for the official fiscal year ending May 31, 2011.

RESOLVED that the Islip Bulletin be and hereby is designated the official newspaper for the village.

RESOLVED that JPMorgan Chase Bank be and hereby is designated as the depository for the village funds in the General, Payroll, Trust, Restoration and all other funds, said bank to pledge suitable and sufficient

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collateral at all times for the protection of said funds and that the funds in these various accounts be made available upon the signature of any two officers.

BE IT FURTHER RESOLVED that any two of the following officers of the municipality, to wit: Joseph A. McNulty, Mayor, Charles Fischer, Trustee, or Christine O'Shea, Village Clerk Treasurer alone, with the approval of the foregoing, are hereby authorized to make arrangements to borrow money to obtain credit for this municipality from the JPMorgan Chase Bank or such bank as may seem advisable to make and deliver notes, drafts, acceptances, advances, agreements and any other obligations of this municipality therefore in form satisfactory to said bank and to manage and transact bank matters or other business of any kind whatsoever with the bank or its officers. Also, the treasurer is empowered to invest idle fund monies of the village at her discretion and in the best interest of the village, with the approval of the Mayor.

RESOLVED that idle fund monies be invested in CLAS\$ from the General Fund, Restoration B.I.G. account and sufficient collateral be pledged for the protection of said funds.

RESOLVED that the village board meetings be held on the first Monday of each month excepting those falling on a holiday and then the meeting will be held on the day following the holiday. The village is authorized to notify by postings, newsletters or the news media of such meeting schedule.

RESOLVED that certain recurring charges such as postage, public utility bills, health insurance payments, payroll salaries, petty cash and other usual expenses be paid in advance of audit of claims.

RESOLVED that the Board of Trustees shall approve reimbursement to officers and employees of the village who use their personal automobiles while performing their official duties on behalf of the village at a rate of 51 cents per mile.

*The Mayor concluded with saying that it is "my pleasure to make these appointments for the terms set thereto".*

Trustee Charles Fischer moves to approve the aforementioned organizational meeting and appointments and Trustee Robert Fischer seconded and all approved 4/0.

### **Public Hearing**

INCORPORATED VILLAGE

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OF BRIGHTWATERS  
PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Inc. Village of Brightwaters will hold a public hearing on Tuesday, July 5, 2011 at 8:00 p.m. at Village Hall, 40 Seneca Drive, Brightwaters, NY to consider the adoption of local law #12 of 2011 to amend section 119-4 of the Brightwaters Code to authorize a stop sign on Penataquit Drive.

All interested persons are welcome and will be given an opportunity to be heard.

BY ORDER OF THE BOARD OF TRUSTEES  
INC. VILLAGE OF BRIGHTWATERS  
Christine O'Shea, Village Clerk

Dated: June 10, 2011

The Mayor opened the public hearing for any comments and/or questions. After all being heard, Tr. Charles Fischer moved to close public hearing and Tr. Robert Fischer seconded and all approved 4/0 to close.

Tr. Charles Fischer moved to approve LL#12-2011 to place stop sign on Penataquit c/o Pine to stop traffic westbound on Penataquit and Tr. Robert Fischer seconded and all approved 4/0.

**Correspondence**

Mayor McNulty read aloud a letter he received from Deputy Sheriff, Arthur Sanchez of Suffolk County Deputy Sheriffs Police Benevolent Association requesting permission to place a memorial bench at Wohseepee Park in honor of the Bustamante family who had lost their 10 yr. old son, Devin Robles in a terrible accident.

Mayor McNulty also read aloud a letter he received from Jim Dreher, Production Assistant for "Bike to the Beach" event that was held on Friday, June 10, 2011. Donations will be donated to Autism Speaks to aid in efforts to change the future for all those who struggle with Autism spectrum disorders.

Mayor McNulty also was proud to announce the approval of the Day Camp permit from Suffolk County. Day Camp runs 7/5/11 to 7/29/11.

**Public**

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

- need traffic light c/o Orinoco & No. Windsor
- when railroad gates come down, traffic light is green on Union
- extend dog off leash law by an hour
- Desario house on Pine Acres back in sons name
- thank you John Valdini for your service the last two yrs. as trustee
- 7/4: residents only at parks; why wasn't this enforced

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- 7/4: many complaints on all the people & cars at Gilbert Park
- So. Windsor resident complained of people on his property & dock & some were fighting
- Bay Shore resident requests access to train for cross bay swim on the bay
- school conferences
- planning board duties
- Orinoco Dr. east looks shabby by apts & downtown too
- planning board gives opinions; the past year we've been working mainly on the code
- any capital projects in the upcoming year
- put village residents professional talents to use
- committees and volunteers should work together
- why do you have to have a commission to address health care costs
- 200 people attended movie nite; it was great
- 96 Concourse East wants "no parking here to corner" sign back

At 9:39 p.m., 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. Bob Fischer seconded and unanimously carried 4/0.

\*\*\*\*\*

Respectfully submitted,

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Christine O'Shea  
Village Clerk Treasurer

Public in attendance that signed in: 18 (not everyone had signed in)