

BOARD OF TRUSTEES MEETING MINUTES – OCTOBER 6, 2008

The regular meeting of the Board of Trustees of the Inc. Village of Brightwaters was held on Monday, October 6, 2008 at 8:00 pm at Village Hall, 40 Seneca Dr., Brightwaters, NY, with the following officers present:

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

Absent: David Thomsen, 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 September 2, 2008 as written was offered by Tr. Charles Fischer, seconded by Tr. Belford and all approved 4/0.

Suffolk County Police Dept. Third Precinct

There was a police officer present at this meeting. Mayor McNulty added that he had a meeting with 3rd Precinct Inspector Cuff on the monthly report and everything worked out. Trustees Bob Fischer & Dave Thomsen were also at this meeting.

The Mayor also added at this time that he wanted to comment on the health of the village during the recent decline in our country's economics. For the past ten years that he has been in office the village has managed to pay down its debt and we are now debt free and healthy. He stated that the board of trustees had met about 2 weeks ago and it was decided that all unnecessary expensed will be stopped. Other than that, the village is good shape and we hope to keep it that way.

Trustee Reports

Highway Dept.

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

New carting company, Island Environmental started as of September 1st; all has been going well with them.

Leaf bags are in and can be picked up at the Village Office. The unlimited fall clean up begins the first week in November as outlined on the sanitation calendar.

Regular village maintenance done such as street sign replacement, cold patch-work repair and trimming and cutting around stop signs, service roads and lots.

Winterizing equipment for the upcoming season is in progress.

D.F. Stone installed 2 drainage boxes and 200 feet of pipe at West Lake Court and a leaching basin at 540 Brooklyn Blvd.

Delgado Paving installed 100 feet of curb and sidewalk at Amritraj. A dead tree pulled up the old sidewalk causing a dangerous condition. Tree was removed by Mennella Landscaping prior to installation of new curb and sidewalk.

Tr. Bob Fischer also added that Donna & Ken Meltsner, 256 Windsor Ave. sent a letter to the village and wanted to thank the highway dept., especially George Peterson, for the professional manner in which he handled the removal of a

diseased maple tree that was i/f/o their house. Mennella Landscaping had removed said tree.

Tr. Bob Fischer also mentioned that composting is a win win situation for your leaves and grass clippings and you should try it. You can get more information on composting in our newsletter that is going out shortly and on our website @ www.villageofbrightwaters.com.

Lakes and Parks

Tr. Belford stated that due to the moratorium on spending the playground equipment that was to be purchased in the fall will be set aside for the spring. Tr. Belford had asked the board on the outcome of the cabin. Tr. Bob Fischer stated that an architect had looked at the cabin just last week and will get back to us with the cabin's condition. Garage sale is scheduled for Saturday, October 11 with a rain date of October 12 from 9am – 4pm. \$25 fee for a space at Wohseepee Park. The Pumpkin Run will be held on a Saturday this year on October 25. It's earlier this year due to Halloween being on Friday, October 31. It starts at Walker Park Beach and you can still register that day at 7:30am. The Ragamuffin parade starts at 6:30pm, Friday, October 31, i/f/o Chase Bank on Orinoco Drive.

Mayor McNulty spoke at this time about the north lake. We're having problems with drainage at the lake and we do have permission from the DEC. Engineers were there two weeks ago taking soundings, measurements of soil that will have to be taken out and we are waiting for the engineering report to come back before we decide what we are going to do and what we are going to do about it.

Administration

Tr. Charles Fischer moved to approve Abstract Report #3137 for accounts payable vouchers totaling \$99,726.56 - The primary drivers were \$31,000 for garbage collection, \$14,874 for health insurance, \$11,800 for storm sewer work and \$10,800 for tree trimming & removal, other wise business is as usual and Tr. Belford seconded and abstract was approved for payment 4/0.

Security

Mayor McNulty stated that Tr. Dave Thomsen is not here this evening and so we will have to for go his report.

Treasurer Report @ September 30, 2008

Municipal checking:		
General Fund	\$	41,226
Payroll Fund		
Trust & Agency Fund		1,500
Restoration Fund		605
<i>Investments:</i>		
CLA\$\$ General Fund		1,439,244
CLA\$\$ B.I.G. Fund		43,932

The Mayor opens the meeting for the -

PUBLIC HEARING TO CONSIDER A PROPOSED INITIAL FRANCHISE AGREEMENT FOR CABLE TELEVISION SERVICE IN THE VILLAGE OF BRIGHTWATERS WITH VERIZON NEW YORK INC.

INCORPORATED VILLAGE

OF BRIGHTWATERS

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Board of Trustees of the Inc. Village of Brightwaters on Monday, October 6, 2008 at 8:00 p.m. at Village Hall, 40 Seneca Dr., Brightwaters, NY for the purpose of considering a proposed initial franchise agreement for cable television service in the Village of Brightwaters with Verizon New York Inc. Copies of the franchise application and of the proposed franchise agreement are on file at the Brightwaters Village Office and may be viewed during normal business hours, between 9 A.M. and 4 P.M., Monday-Friday.

All interested persons will have the opportunity to be heard during the Public Hearing.

BY ORDER OF THE BOARD OF TRUSTEES

VILLAGE OF BRIGHTWATERS, NEW YORK 11718

Christine O'Shea, Village Clerk

Dated: September 19, 2008

The Mayor stated that he had sat down with Verizon on several occasions and Attorney Finnerty went over the contract and spoke to the people from Verizon. The Mayor added that Cablevision is in the village now and will stay in the village. Verizon will come into the village if we approve this franchise agreement and the village residents will have an option which they didn't have before.

Attorney Finnerty announced that Verizon and Cablevision representatives are here tonight for the public hearing and suggested that Verizon speak first at hearing.

Susan Hayes, Director of Government Affairs for Verizon got up and spoke and stated it is indeed a pleasure to be in the Village of Brightwaters and introduced her colleagues, Scott Parr and Pamela Goldstein. Verizon is here because the Brightwaters residents demand access to high technology and will have a choice for cable TV service.

Pamela Goldstein, Esq., outside counsel for Verizon, spoke about the cable franchise agreement between the Village of Brightwaters and Verizon New York Inc. Verizon is tremendously excited on introducing FIOS to the residents of the Village of Brightwaters. She thanked Attorney Finnerty for his hard work on going over the agreement and helping to bring this all to fruition.

Scott Parr, also speaks on behalf of Verizon, and asked the board and the public if they had any questions.

At this time Attorney Finnerty requests that Cablevision address the board and any questions could follow.

Jim Goran, Esq., outside counsel for Cablevision, with offices at 191 New York Ave., Huntington, NY speaks on behalf of Cablevision and stated that there contract with the village has expired and would like to renew their contract with the village and contract is pretty much similar to the one that Verizon is proposing tonight. We ask that you consider our application for renewal by Samson Cablevision Corp. at your next board meeting.

The Mayor stated that we will certainly give you a fair hearing and please submit to us the contract because we do want the residents to have the opportunity to choose. That was the whole purpose that we sat down with Verizon and some of our residents have asked for it. We would not cut Cablevision out of the equation. We can get you the contract by the end of the week.

After all questions/comments were heard and discussed, Tr. Charles Fischer moved to close public hearing and Tr. Belford seconded and all approved 4/0.

Resolution to schedule a public hearing on 11/3/08 to consider a proposed renewal franchise agreement for cable television service in the Village of Brightwaters with Cablevision and a public hearing be published and notified as required by law and all approved the public hearing for Cablevision and it was approved 4/0.

Verizon cable television service agreement

Tr. Charles Fischer moves to approve the resolution awarding the cable television franchise agreement to Verizon New York to provide cable service to the Village of Brightwaters and approve the cable franchise agreement with Verizon New York and in the final form which exists in the public record as it was laid on the table, seconded by Tr. Belford and all approved 4/0.

Public

Mayor McNulty opened the floor to the audience for any questions and/or comments, and discussions of matters were raised, and all had a chance to be heard.

Adjourn

At 9:25 p.m., there being no further business before the Board, the Mayor called for a motion to adjourn the meeting. Trustee Charles Fischer made the motion; Tr. Belford seconded and unanimously carried 4/0.

Christine O'Shea

Village Clerk & Treasurer

Public attendance: 20