

## **BOARD OF TRUSTEES MEETING MINUTES – NOVEMBER 3, 2008**

The regular meeting of the Board of Trustees of the Inc. Village of Brightwaters was held on Monday, November 3, 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
David Thomsen	Trustee
John P. Finnerty, Esq.	<i>Village Attorney</i>
Christine O'Shea	<i>Village Clerk &amp; Treasurer</i>

At 8:09 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 October 6, 2008 as written was offered by Tr. Charles Fischer, seconded by Tr. Belford and all approved 5/0.

### **Suffolk County Police Dept. Third Precinct**

Sgt. Peter Hanson was present at this meeting. He stated that for the month of October there was nothing unusual to report. And then he added that on the c/o Hiawatha and Richland there was a chlorine bottle that blew up. The mayor asked how did the police find this. The officer stated that a former fire official had spotted it and called the police.

Tr. Thomsen asked the Sgt. if he had any recommendations to prevent the garage break-ins and bicycle thefts. He stated padlocks and lighting.

### **Trustee Reports**

#### **Highway Dept.**

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

We have mulched leaves in the village parks as a means of natural fertilizer and will continue this process.

Corn stalks and decorations were placed around the village.

Preparations for the pumpkin run were taken care of. Where necessary, potholes were filled for runners. Additional cold- patch work was done throughout the village as needed.

Tree planting list was finalized and trees were ordered with the contractor. Planting will begin once trees are dug after frost.

Drains were cleaned throughout the village by a vac truck.

D.F. Stone Contracting replaced a drain and 210 linear feet of pipe at West Lake Court and installed a new drain in front of 540 Brooklyn Blvd.

We have been continually cutting and pruning around all stop signs.

Walker Beach and Gilbert Park have been winterized for the upcoming season.

Trucks and equipment are in the process of winterization.

Tr. Fischer also mentioned that Island Environmental will be making an extra run through the village on Saturdays during the leaf season to pick up any additional bags that residents put out after the regular pick up day during the week. Also, Tr. Fischer wanted to make a public thank you to Mr. and Mrs. Rich Dahab. They had written a very nice article on recycling and composting and it's on the village's website in the environmental section.

### **Lakes and Parks**

Tr.

Belford said that the village's garage sale did a good job netting a profit of more than a \$1,000.00 and was well attended by 65 residents selling their treasures. The Pumpkin Run was held on a beautiful day and the timing system was set up and worked very well. The Ragamuffin Parade held on Halloween and run by the Brightwaters Lions did a wonderful job. The photos with Santa & plant sale are coming up on Saturday, November 29 and the Christmas tree lighting ceremony follows at 4pm at the head of the canal/Ackerson Plaza. Tr. Belford had asked the mayor if the engineer had looked at the cabin. The mayor said that it looks like we have to replace the heating unit and we are looking into that. The mayor also mentioned that an engineer took soundings of the upper lake to determine how much soil needs to be removed.

### **Administration**

Tr. Charles Fischer moved to approve Abstract Report #3150 for accounts payable vouchers totaling \$57,830.87 - The primary drivers were \$31,000 for garbage collection, \$15,000 for storm drainage & vacuum storm sewers and \$2,000 for tree planting, other wise business is as usual and Tr. Thomsen seconded and abstract was approved for payment 5/0. Tr. Charles Fischer continued to say that we are going to continue to manage our expenses very frugally.

The mayor added that in the last seven years the village has planted over 1100 trees and all were planted with village money, there were no grants, there was no money given to the village. Every year we plant about 40 to 50 trees now and we are trying to stay green.

### **Security**

Tr. Thomsen read his report for the month of October 2008.

- Summons issued 19
- Complaints prepared 14
- Fines collected \$835.
- Building permits issued 3 – with total fees of \$833.
- Building permits renewed 2 – with total fees of \$400.
- C.O. inspections 9 @ \$50. /ea.
- Fence permits issued 2 @ \$25. /ea.
- Pod permits issued 0 @ \$25. /ea.
- Dumpster permits issued 1 @ \$25.each

Tr. Thomsen also added that we are continuing to pursue the three certificate of occupancy for pools that have yet to be issued. Not everyone is reporting the bike thefts to the SCPD and you really should. We also hired a female parking enforcement officer and she works on Sunday nights and we welcome her to our staff. We get a lot of calls on dogs running free and this is not allowed.

#### **Treasurer Report @ October 31, 2008**

<i>Municipal checking:</i>		
General Fund	\$	5,878
Payroll Fund 241		
Trust & Agency Fund		1,500
Restoration Fund		9,537
<i>Investments:</i>		
CLA\$\$ General Fund		1,310,245
CLA\$\$ B.I.G. Fund		41,964

#### **The Mayor opens the meeting for the -**

**PUBLIC HEARING** TO CONSIDER APPLICATION FOR RENEWAL BY SAMSON CABLEVISION CORP. (CABLEVISION) FOR ITS CABLE TELEVISION SERVICE WITH THE VILLAGE OF BRIGHTWATERS.

#### 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, November 3, 2008 at 8:00 p.m. at Village Hall, 40 Seneca Dr., Brightwaters, NY to consider the application for renewal by Samson Cablevision Corp. (Cablevision), 1111 Stewart Ave., Bethpage, NY of its cable television

service with the Village of Brightwaters. Copies of the renewal application and the proposed franchise renewal 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 with respect to Cablevision's compliance with the requirements of the existing cable television franchise and the community's cable related needs and interests for a new franchise agreement.

BY ORDER OF THE BOARD OF TRUSTEES  
INC. VILLAGE OF BRIGHTWATERS, NY 11718

Christine O'Shea, Village Clerk

Dated: October 16, 2008

Ms. Joan Gilroy, Director of Government Affairs for Cablevision, 700 Motor Parkway, Hauppauge spoke on renewing the cable franchise agreement with the Village of Brightwaters. The renewal was up in 2004 but she stated that they have 36 months open window to renew and that expired in 2007. She stated that Samson Cablevision Corp. (Cablevision) offers 400 channels and we were the first to offer the triple play program. We have 24 hrs. live on line service and we have seven day work schedules. She explained in detail much of what Cablevision offers to its customers and how much the company has grown in the last ten years with all the new technology. She stated that we are looking forward to renewing our franchise agreement and continue our working relationship for the next 15 years.

Then, Ms. Joan Gilroy introduced Mr. Jim Goran. Mr. Jim Goran, Esq., stated he is outside counsel for Cablevision with offices at 191 New York Ave., Huntington, NY, first he would like to thank the board and Mr. Finnerty for quickly turning the documents around for us, we really do appreciate it. This franchise agreement continues Cablevision's commitment to providing the village with the quality cable television programs that many residents have grown accustomed to. The document that we currently have is over ten years old; this is a more modern document that reflects the cablevision industry as it exists today. And it also basically is the agreement that was given to Verizon. We look forward to working with you and hope that you consider approving it.

The mayor asked Jack Finnerty. who worked closely with Verizon on their agreement, are both Verizon and Cablevision similar contracts. Yes, that is correct. The mayor stated the idea was to offer to the village a choice and it doesn't matter to the village what choice a resident makes. Both companies pay the village an annual 5% franchise fee.

After all comments and/or questions were heard and answered, Tr. Charles Fischer moved to close the public hearing and Tr. Belford seconded and all approved 5/0.

### **Cablevision franchise agreement**

Tr. Charles Fischer moves to approve the resolution awarding the cable television franchise agreement renewal to Cablevision to provide cable service to the Village of Brightwaters and approve the cable franchise agreement with Cablevision and in the final form which exists in the public record as it was laid on the table, seconded by Tr. Thomsen and all approved 5/0.

**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 9:08 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 5/0.

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Christine O'Shea  
Village Clerk & Treasurer

Public attendance: 21