

BOARD OF TRUSTEES MEETING MINUTES – DECEMBER 2, 2013

The regular meeting of the Board of Trustees of the Inc. Village of Brightwaters was held on Monday, December 2, 2013 at 8:00 p.m. at Village Hall, 40 Seneca Dr., Brightwaters, NY, with the following officers present:

Joseph A. McNulty	Mayor
Denise Gibson	Deputy Mayor/Trustee
John J. Riordan	Trustee
John E. Lawlor	Trustee
Joseph McDermott	Trustee
<i>John P. Finnerty, Esq.</i>	<i>Village Attorney</i>
<i>Christine O'Shea</i>	<i>Village Clerk Treasurer</i>

At 8:01 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 11/4/13 as written was offered by Tr. Lawlor and seconded by Tr. Riordan and all approved 5/0.

Suffolk County Police Dept. Third Precinct

At this time no police officer was in attendance.

Trustee Reports

Code Enforcement

Trustee Lawlor read his report for this meeting ~~~
Report for the month of November 2013.
Summons served 21
Fines collected \$900.
Complaint reports prepared 16
Building permits issued 12 / fees \$1845.
Building permit renewals 0 / fees \$.
C. O. inspections 9 / fees \$450.
Fence permits 3 / fees \$75.
Dumpster permits 4 / fees \$200.
Pod permits 3 / fees \$75.

Tr. Lawlor read Fire Marshal Brennan's report dated 11/27/13 ~~~

As of this report, all permits for Public Assembly and Multiple Dwelling occupancies within the Village of Brightwaters are currently valid and up to date. Recent completion for renewed public assembly permits were successfully processed for Peter Pan Diner and Mustang Sally's.

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Progress continues with the implementation process of having the “Kiddie Academy” institute the *Knox Box* key access system. The system is now in place and awaiting contact by the Bay Shore Fire Department. All future progress will be reported.

A request from the Unified Insurance Company was received regarding a rubbish fire on the exterior of 173 South Windsor Ave. I communicated with the adjuster that there was no property damage and provided additional fire department contact information for any additional information that may be required.

An inspection and acceptance test was recently conducted at the “Food King” Chinese restaurant on Howells Rd. The test was successful and accepted with a fee of \$150. Collected and submitted to the Deputy Village Clerk.

Fire inspections have continued in the Village of Brightwaters since my last report, with subsequent re-inspections having also been conducted to insure that all violations have since been removed.

Sincerely,

Matthew Brennan

Matthew Brennan, Fire Marshal
Village Of Brightwaters

Tr. Lawlor stated that a request was made last month about real estate signs and a map had been given to us with property lots that had the real estate signs on the village’s right of way. Realtors were called and reminded to set the signs back. Summonses have been issued to some homeowners. Mostly all real estate signs are installed by realtors. One real estate sign on North Windsor is chained to the telephone pole.

Administration

Tr. Gibson moved to approve accounts payable abstract reports
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Abstract Report #3808 dated 11/27/13 with 32 vouchers for \$154,384.12 and checks will be dated 12/3/13.

I also move to approve the following abstracts that were generated during the month of November 2013.

APAR #3803 dated 11/6 with 1 voucher for \$4263.44  
APAR #3804 dated 11/6 with 1 voucher for \$750.00  
APAR #3805 dated 11/7 with 7 vouchers for \$3229.29  
APAR #3806 dated 11/19 with 1 voucher for \$1125.00

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APAR #3807 dated 11/20 with 9 vouchers for \$5308.83

\*\*\*\*\*Total 51 vouchers for a total of \$169,060.68 \*\*\*\*\*

Included in the above vouchers were payments for health insurance \$15,000., garbage contract \$31,000., and employer share to NYS Retirement System for \$99,000. - otherwise business as usual, and Tr. Riordan seconded and all approved 5/0.

### **Highway Dept.**

Tr. Riordan read his report for this meeting....

November was filled with holiday preparations. Lights were installed on the tree at the head of the canal and in trees in the business district in preparation of the Annual Photos with Santa and Christmas Tree Lighting event.

Equipment was prepped for wintery conditions. Sander was refurbished with new brackets for truck #24 and plows are ready to go in the event we need them.

Stout Construction completed the breakwater repair .

All village sprinklers were winterized.

The unlimited fall clean up ends this week. All regular rules and limit regulations resume next week. The 2014 Sanitation Calendar is being printed and will be mailed out the last week of the month.

The Maggie Fischer Memorial Cross Bay Swim Organization donated a memorial tree which was planted at Gilbert Park to replace a tree lost during last year's storm. Our thanks to Bob Fischer and his committee.

On- going fall clean-up of leaves and debris continues throughout the village.

### **Lakes & Parks**

Tr. McDermott stated that the Turkey Trot, organized by Doug Rabin, had 600 people attending. This event raises money for Trying-4-Kids. Photos with Santa went well and he thanked Judy Sallie for all she does for this event. BSFD picks up Santa at cabin and brings him down to the head of the harbor for the tree lighting. Mayor McNulty mentioned

that the music was wonderful. Tr. McDermott said coats could be donated in a bin at Brightwaters Hardware.

Tr. McDermott also spoke about a plank type walkway for the beach that would extend from parking lot to the lifeguard stand. He asked the board members for permission to send out a flyer asking residents to “Sponsor a Plank” that would off set the costs to the village for this roll out wooden walkway from Mr. Boardwalk. A resident stated that the walkway would have to be a minimum 5ft. wide so wheelchairs can turn around. Donna Periconi thought it was a good idea. Dennis Gartland said that he used to be a manager at Robert Moses State Park before he retired and they used Mobi mat. It’s flexible and sturdy. Jones Beach used it too. They can be rolled up quickly if need be. The material is rubber. Must be approved by ADA. Tr. Gibson said that Paul Fink from TOI could possibly get us money for this; if Mr. Boardwalk can give us ADA approval.

**Treasurer Report @ 11/30/13**

|                                       |                    |
|---------------------------------------|--------------------|
| <i>Municipal checking:</i>            |                    |
| General Fund                          | \$24,144           |
| Payroll Fund                          | \$574              |
| Trust & Agency Fund                   | \$-0-              |
| Restoration Fund                      | \$6,572            |
| <i>Investments:</i>                   |                    |
| CLAS\$\$ General Fund                 | \$969,173          |
| CLAS\$\$ B.I.G. Fund                  | \$10,050           |
| <b><u>Total Accounts Balance:</u></b> | <b>\$1,010,513</b> |

**Resolution amending 128-61.A. Location restrictions; driveways.**

Tr. Lawlor stated that this resolution was reviewed by Planning Board Chair Joe Paliseno, Hwy. Foreman Mike Ackerson and Chief Code Officer Vinny Clancy and they are comfortable with it. Tr. Lawlor is laying it on the table tonight (introduced) and to have a public hearing on it at the next board meeting in January 2014. Tr. Riordan seconded and all approved 5/0 to move forward with public hearing.

Tr. Lawlor also mentioned that the Tee shape markers for parking in business area should be done in the spring.

Tr. Lawlor stated that he went to the Neighborhood Watch meeting. Gene Vetter had put police incident statistics into a manageable format. Mr. Vetter is going to get 3 yrs. of info and Tr. Lawlor said that he would sit down with him to categorize; car break-ins, burglaries, etc. and color-code them. Tr. Lawlor said that he has info for 2012 & some of 2013 and

Mr. Vetter will be getting 2010 and 2011 info. Mayor McNulty added that Orinoco Drive, Howells Road and Wohseepee Park are areas of concern.

**Resolution for Landscaper permits**

Tr. Gibson said that we are not putting this forward at this time. We need more time to review. We want to define it better. Will we charge owners a one time fee or a per truck fee? Hopefully we will have something for January 2014 board meeting.

**Resolution for non-union full time employees**

Tr. Riordan spoke on the resolution for the non-union full time employees to change the existing resolution from 1995 to explain the benefits and time off policies. Tr. Lawlor wanted to get this by email but said that he could not open it. Tr. Gibson said she had looked at it and Mayor McNulty had too and he is waiting for legal advice. Tr. McDermott said that the personal time and time clock is something he can work with. Tr. Riordan tabled this resolution to the January board meeting. Tr. Lawlor seconded and all approved 5/0.

Charles Hughes asked Tr. Riordan who does this effect? Why are you introducing this resolution when you are in charge of highway and Tr. Gibson is in charge of administration? This should be handled by Tr. Gibson and yourself. Mr. Hughes also asked Riordan when you say many and most people, who are they, Riordan responded with I guess I should say I.

Tr. Riordan also introduced another **resolution for full time non-union employees to contribute 25% for health insurance**. Tr. Lawlor thought it was a good idea but maybe for new hires to pay part of their health insurance; for the existing employees I am not comfortable with that. Tr. Riordan said that the hwy. employees don't pay for health insurance and it's not in the current union contract that is to expire May 31, 2016. When we have future negotiations we could put this in place. Mayor McNulty said that we need a financial amount. Conceptually it is a good idea. Tr. Lawlor said that the employees' pay would come into play and we would have to come up with a scale; if you make it \$25,000 or \$50,000. Tr. Riordan wants to put this on agenda in January to vote on it.

Tr. Riordan proposed another **resolution about governance for the mayor and trustees** when approving contracts that cost the village more than 5% of budgeted expenses. Charles Hughes asked Tr. Riordan about the 3 yrs. of deficits in the last 5 yrs. He wanted to know the numbers but Tr. Riordan didn't have those numbers in front of him. Mr. Hughes said that you should have these numbers in front of you. Tr. Riordan said its on the NYS Comptrollers website. Tr. Riordan said we ended last year with a loss of \$75,000. Tr. Gibson said that we are still waiting for money from FEMA for Superstorm Sandy and that is \$114,000.

Mr. Hughes stated he is observing so much contention on this board and he feels that this board will be hard to make decisions. Board meetings are meant to inform residents and these actions and demeanor is totaled unacceptable.

Tr. McDermott proposed to the board a resolution to pass **term limits** for the four trustees and the mayor of no more than 3 consecutive 2-year terms with a maximum of 6 years total starting in July after the June election. Donna Periconi asked what is the next step and Village Attorney Finnerty said this would be a local law and you would have to put it on the table in January and then have a public hearing in February and board would have to pass on it. David Gauntlet said term limits are already in place and they call it an election.

### **Open meeting to public**

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

- Michelle Pittman said she was Trustee of Administration and served with Anna May Garbedian, Karen Deesing and Tina. She is a CPA and Anna May thought she had the keys to the kingdom but she soon found out that she didn't have any keys to the kingdom. Sheehan had to come in monthly to do financials. She said she made a mistake by passing over Tina. The one we hired turned about to be a real dud and we had to have Sheehan come in more often again. She is very upset on the attacks that are happening to Tina.
- John Valdini (JV) wants to know why the garbage men don't wear fluorescent colored vests.
- JV thanked the board for taking care of the real estate signs.
- JV said the business group needs finance funding. Planning board cannot raise the money.
- Tr. Gibson (DG) said the business group would have to have a private fund and this money would not come into village funds.
- Steve Pertusati said that you can make general contribution and a meeting of the Planning board is next week on Tues. @ 7pm
- DG said BW business district does a lot for the village; collecting 2 bags of coats; had an extension of this at the cabin with photos with Santa.
- DG said the 4 corners business district wants to be more festive this year.
- DG said have a happy & healthy new year.
- Joan Manahan hopes to get all these proposals done in January.
- DG said that a bench was donated by the Del Vecchio family to the McNulty family and placed at the head of the harbor

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At 9:27 p.m. Tr. Lawlor moved to adjourn, seconded by Tr. Gibson,  
and the meeting was adjourned on a 5/0 vote.

Respectfully submitted,

*Christina O'Shea*

Christine O'Shea  
Village Clerk Treasurer

Public attendance: 22 (not everybody signed in).