

BOARD OF TRUSTEES MEETING MINUTES – April 8, 2024

The monthly meeting of the Board of Trustees of the Inc. Village of Brightwaters held on Monday, April 8, 2024 at 7:30 p.m. at Village Hall, 40 Seneca Drive, Brightwaters, NY, conducted in person as well as the Village's YouTube live page with the following officers present:

John Valdin
Thomas Zepf
Michael Dopsovic
Patrick Fawcett
Nicole Rhodes
Charles Casolaro
Michael Gralton

Mayor
Deputy Mayor
Trustee
Trustee
Clerk – Treasurer
Village Attorney
DPW Foreman

Absent: Trustee Mary Del Vecchio

At 7:30 pm, Mayor John Valdin called the meeting to order followed by a salute to the flag and a moment of silence for those who served our country and passed.

Approve previous Board Minutes from March 6th and March 20th 2024

Motion: Mayor John Valdin
Vote: 4 ayes 0 nays

Second: Trustee Dopsovic
1 Absent

Suffolk County Police Department: - SCPD Officer advised to keep car doors locked and make sure security cameras work. Mayor Valdin mentioned that south of the tracks at Union/Woodland, a person is believed to be selling drugs to cars. The Officer advised she gets calls but by the time she gets there they are gone. She can have more patrol presence in that area to deter them from going back there. Mayor also informed the Officer that there are issues at the Fairfield Apartments on the corner of Richland and Orinoco. A tenant is doing drugs and another tenant keeps coming into village office for help. They are supposedly getting evicted. The Officer advised that the Sheriff is in charge of that. Residents have tried calling police about the speeding and running stop signs and they are not getting a response. The Officer said they can put in patrol checks.

Mayor Valdin – Mayors Report

- Last week was the Easter Egg Hunt. Big thank you to the Lions Club and to the Art Council for their help. 4,000 Easter Eggs went in about 6 minutes. Thinking of ways to slow it down and control it more for next year.
- Tomorrow at 7PM there will be a meeting at Village Hall for "It's Our Town, Slow Down" Day. Lawn signs and ribbons will be put throughout the village on stop signs to make people aware of their actions and dangerous driving habits.
- April 17th at 7PM the Historical Society is having a presentation.
- April 27th is the Village-wide Garage Sale.
- May 4th is "It's Our Town Slow Down" Day.
- May 11th is the Village's 35th Annual Mother's Day Plant Sale.
- May 18th is the SOS Run at Walker Beach.
- May 19th is the Spring Thing Block Party. Good Samaritan Hospital already donated \$1,000 to be a major sponsor for the event.

- May 25th 10AM is the Memorial Day Weekend Ceremony.
- In everyone's packet there is a list of every block that has a four way stop signs. Concerns about traffic and speed. Please get a petition going if you'd like a four way stop sign on your street.
- Surveyed Suffolk County Villages on speed humps and are accumulating more data and information on the pros and cons of speed humps.
- Last Tuesday the Mayor attended a complete street summit ran by Vision Long Island. Mostly Engineers and Elected Officials in attendance. Different mindsets at the summit. Most Village's are spending millions to redesign their roads to make them safe. "It's Our Town, Slow Down" Day is a much less expensive approach and will start to get more people involved before looking into other solutions.
- At the last meeting the Mayor was absent but watched from the airport. At that meeting the chemicals for the sweet gum trees were mentioned. Three years ago, Cornell Cooperative came in and advised that our trees were too mature to inject chemicals and it would not work. Last week Bartlett Tree Service came in and said the same thing. The chemical can slow it down but no guarantee that it will do anything. It is a very costly treatment to and is not guaranteed. If you have a sweet gum tree and want to cut it down, the resident will have to fill out a tree permit and if approved will need to cut remove and replace the tree with a hearty sized tree at the residents own expense.

Trustee Fawcett – Special Projects:

- Focusing on the budget and making sure to stay under the cap.'
- Getting ready for Spring. A couple of projects with the lakes and will be working with DPW.

Trustee Dopsovic – Highway Department:

- Highway Department is doing their usual spring cleanup. Made it through the winter unscathed with 2 light snow storms.
- Potholes are being filled and cleaning storm drains. The heavy rainstorms and balls from sweet gum trees have been clogging the drains.
- This week the street sweeper will be starting north and heading south so keep all vehicles off the road.

Trustee Zepf – Code Enforcement:

- Code is not Police. Please call 911 first with any police related activity.

Presentation from Douglas M. of Lions Club District Governor proposing a project to filter and clean water in the Great South Bay.

- All funds raised for the Lions Club goes back to the community. They are working with Cornell Cooperative, Suffolk County Community College, Faith based communities and the scouts to clean the great south bay organically by harvesting raking clams and shellfish oysters. Shellfish harvesting has declined. Each oyster can filter 50 gallons of water a day. They will be grown locally in Southold. They are looking for a place to put a floating raft with doors to keep the racks of shellfish. Will start in June and go through to the winter. The village will provide nothing but the location. The clams will be taken out and put in protected waters once they mature. They will then form reefs in the Great South Bay. Resident Jennifer Bartlett asked if they've been in contact with Save the

Great South Bay. They haven't been approached by them but are more than open to share resources and knowledge. The Board asked Douglas to please give all information, pictures and details to the Village Clerk before the next working meeting on April 15th.

Permission to enter into an Agreement with the New York Genealogical and Biographical Society to digitize and preserve the Village of Brightwaters Historical Documents.

Motion: Mayor Valdin Second: Deputy Mayor Zepf
Vote: 4 ayes 0 nays 1 Absent

Permission to purchase a New Holland Workmaster 25S Tractor off of the NYS Contract from Malvese Equipment Co. in the amount of \$23,778.

Motion: Mayor Valdin Second: Trustee Dopsovic
Vote: 4 ayes 0 nays 1 Absent

Permission to purchase 500 Gallon Express Skid Sprayer from One Clarion in the amount of \$6,697.50

Motion: Mayor Valdin Second: Trustee Dopsovic
Vote: 4 ayes 0 nays 1 Absent

Permission to purchase an echo Double-sided hedge trimmer in the amount of \$399.99 and a RedMax Backpack Leaf Blower in the amount of \$409 from Mowers at Jacks.

Motion: Mayor Valdin Second: Trustee Dopsovic
Vote: 4 ayes 0 nays 1 Absent

Adopt Local Law 2-2024 to amend the Brightwaters Zoning Code Article IV & V §128-11 thru 13 (Orinoco Corridor Legislation).

Motion: Mayor Valdin Second: Trustee Fawcett
Vote: 4 ayes 0 nays 1 Absent

LOCAL LAW 2-2024

THIS NEW LAW SHALL REPEAL AND REPLACE SECTION 128-12 THROUGH 128-13, AND ADD THE FOLLOWING:

FIRST:

**BRIGHTWATERS ZONING CODE
ARTICLE IV**

§ 128-12 Residence D District

A. Permitted Uses

- 1.)Townhouse or Condominium. Wherein each unit has a separate entrance to the exterior and there are no common interior hallways.
- 2.)Houses of Worship
- 3.)Accessory Buildings and Uses incidental to the primary use.
- 4.)Any lot located adjacent to a parcel zoned as B-3 or is located adjacent to a parcel granted any B-3 uses may be granted the right to any use permitted in the B-3 Zoning District. Any property developed as a B-3 use shall be subject to the B-3 dimensional requirements.

B. In any Residence D District no building shall be constructed on a lot having an area of less than 20,000 square feet.

C. In Residence D District, no building shall be constructed on a lot less than 150 feet in width.

D. Maximum residential density equals 1 unit per 1800 square feet of lot area.

E. Gross floor area shall not exceed 50% of lot area. Gross floor area is defined as the total floor area, including all levels or stories, of a structure as measured from the exterior faces of the walls. Accessory structures shall not be included in Gross Floor Area.

F. All buildings, including accessory buildings, shall cover no more than 60% of the area of the lot.

G. All units must have a minimum area of 700 square feet.

H. All improvements to parcels within Residence D District will be subject to a Site Plan Development Approval by the appropriate board. Any proposed plans shall comply with the requirements of the Site Plan Specifications outlined in Section 128-18 of the Village Code. The Board may grant a modification at the request of an applicant, provided a greater good to the public can be created or unreasonable hardship can be demonstrated.

I. Setbacks, Restrictions.

- 1.) Front yard setback must be no less than 10 feet.
- 2.) Side yard setback for buildings shall be 5 feet.
- 3.) Rear yard setback for residential structures shall be 50 feet.
- 4.) Rear yard setback for accessory structures shall be 5 feet.
- 5.) No residential structure shall exceed 30' or 2 1/2 stories and no living area above the second story.

6.) No accessory structure shall exceed 15' or 1 ½ stories.

BRIGHTWATERS ZONING CODE

ARTICLE IV

Business Districts

§ 128-13 Business Districts

The establishment and refinement of these districts is intended to encourage and promote the retention and establishment of those business, enterprises, and institutions which enhance our community by providing for the needs of the citizens and encourage the highest and best uses for the land. And to encourage the proper development which can be optimized by synchronicity of uses while minimizing any negative impacts on the adjacent residential properties in close proximity.

§ 128-13.1 Permitted uses in B1 Business District. (*Orinoco Drive Central Business District*)

No building or premises shall be used, and no building shall be erected which is intended or designed to be used, in whole or in part, for any trade, manufacturing or commercial use or purpose other than one of the following uses, and any use not specifically permitted herein is specifically prohibited:

A. Restaurant either as an “eat or dine in” or “take out”. Any restaurant or food establishment that serves and consumes food, located within any Village Business District shall require a Special Use Permit from the Board of Trustees and all necessary permits from the County and State Health Departments.

B. Arts and crafts; art galleries and jewelry stores.

C. Bars and grills either as an “eat or dine in” or “take out”. May serve alcohol with proper State license. All events, musical or otherwise, as well as outdoor gathering will require a Special Use Permit from the Board of Trustees and proper permits from the County and State Health Departments

D. Retail sales of any goods or commodities, except sales or rentals of videos, sexually oriented publications, or devices if such sales are the principal sales product, and paraphernalia for use of illegal drugs.

E. Barbershop. No food or beverage sold on location.

F. Beauty shop. No food or beverage sold on location.

G. Bakery, donut, or bagel shop.

H. Farmer's markets/gourmet stores, seafood, Italian or any ethnic markets may include such items as cooking elements and essential ingredients. May also permit the inclusion of an interior retail section consisting of "small brand name" items used for cooking and/or personal health or hygiene. Outdoor farmer's market subject to special use permit.

I. Delicatessen.

J. Dry cleaners or Tailor shops, but no processing of Dry Cleaning on site.

K. Hobby store.

L. Florist.

M. Yoga studio, subject to licensing, where applicable, by New York State. There will be no food or beverages sold on location.

N. Ice cream parlor.

O. Shoe repair or sales.

P. Liquor store.

Q. UPS, FEDEX or other type of drop off service stores.

§ 128-13.1.1. Setbacks, Dimensional Restrictions for B1 Business District.

1.) The front yard setback must be no less than 5 feet.

2.) The side yard setback for buildings shall be 5 feet.

3.) The rear yard setback for primary structures shall be 5 feet.

4.) No accessory structures shall be permitted.

5.) The setback for any property line adjacent to a residentially zoned lot shall be no less than 15 feet, which shall include a 10-foot landscaped buffer to be established adjacent to all residentially zoned property line.

6.) No structure shall exceed 1 story or 20 feet in height.

7.) No accessory structure shall exceed 1 story or 15 feet in height.

§ 128-13.2 Permitted uses in B2 Business District.

No building or premises shall be used, and no building shall be erected which is intended or designed to be used, in whole or in part, for any trade, manufacturing or commercial use or purpose other than one or more of the following uses, and any use not specifically permitted herein is specifically prohibited.

- A. Professional offices.
- B. Insurance agent
- C. Real estate office.
- D. Recruiting office.
- E. Telephone company office.
- F. Offices of an Architect, Engineer, or Interior Designer.
- G. Law Offices.
- H. Income Tax Preparation and other Financial Services including Accountants and Stock Brokerage Services.
- I. Arts and crafts; art galleries and jewelry stores.
- J. Barbershop. No food or beverage sold on location.
- K. Beauty shop. No food or beverage sold on location.
- L. Dry cleaners or Tailor shops, but no processing of Dry Cleaning on site.
- M. Hobby store.
- N. Florist.
- O. Yoga studio, subject to licensing, where applicable, by New York State. There will be no food or beverages sold on location.
- P. Shoe repair or sales.

§ 128-13.2.1. Setbacks, Dimensional Restrictions for B2 Business District.

- 1.) The front yard setback must be no less than 10 feet.
- 2.) Side yard setback for buildings shall be 5 feet.
- 3.) The rear yard setback for primary structures shall be 30 feet.
- 4.) The rear yard setback for accessory structures shall be 15 feet.

- 5.) A 10-foot landscape buffer shall be established along any property line adjacent to a residential lot.
- 6.) No primary structure shall exceed 30' or 2 stories.
- 7.) No accessory structure shall exceed 15' or 1 story.
- 8.) No accessory structure shall be located in the front or sideyard of the lot.
- 9.) Any proposed structures exceeding one story must comply with architectural requirements that establish a residential character.

§ 128-13.3 Permitted uses in B-3 Business District.

No building or premises shall be used, and no building shall be erected which is intended or designed to be used, in whole or in part, for any trade, manufacturing or commercial use or purpose other than one of the following uses, and any use not specifically permitted herein is specifically prohibited.

- A. All uses permitted within the B-1 District.
- B. All uses permitted in the B-2 District.
- C. Medical Practice Office including but not limited to optometrists, dental, orthodontal, and physical therapy.
- D. Dance School or Dance Studios. Gatherings for performances will be subject to Fire Marshall Codes for Public Assembly and will require special use permit from the Board of Trustees.
- E. Learning Centers which may include private tutoring services and/or private classes in the scholastic subjects such as math, science, and English, etc.
- F. Martial Arts/ Self Defense Studio, physical training, or gymnasium.
- G. Musical Instrument Sales, Training and/or Performance Centers.
- H. Beer and soda sales, but only by special permit from the Board of Trustees.
- I. UPS, FED EX or other types of drop off service stores.
- J. Wellness Centers solely for massages or spa treatments to be administered by New York State Licensed Professionals. Health products may be sold on location. No food or beverages to be sold on location.
- K. Appliance Store.
- L. Computer Store.

M. Home Health Care Centers.

N. Furniture Stores.

O. Hardware Stores.

P. Health Food Store which sells health supplements, vitamins, minerals, pro-biotics, meal replacements and supplements and other similar substances.

Q. Clothing Stores.

R. Banks.

§ 128-13.3.1. Setbacks, Dimensional Restrictions for B3 Business District.

- 1.) Front yard setback must be no less than 10 feet.
- 2.) Side yard setback for buildings shall be 5 feet.
- 3.) Rear yard setback for primary structures shall be 10 feet.
- 4.) Rear yard setback for accessory structures shall be 5 feet.
- 5.) No primary structure shall exceed 30' or 2 ½ stories.
- 6.) No accessory structure shall exceed 15' or 1 story.

SECOND: Separability.

If any section, sub-section, sentence, clause or phrase of this local law is for any reason held invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this local law.

This law is adopted pursuant to Municipal Home Rule Law §§10(1)(ii)(d)(3) and 10(1)(ii)(e)(3) which permits villages to adopt local laws respective to their property, affairs, and government.

THIRD: Effective Date.

This act shall take effect immediately upon filing with the Secretary of State as provided by law.

Public Hearing on the 2024-2025 Tentative Budget Hearing.

Open Public Hearing

Motion: Mayor Valdini
Vote: 4 Ayes

Second: Deputy Mayor Zepf
0 nays 1 Absent

Highlights:

- Did not pierce the tax cap.
- Garbage Increase – Extended Contract for two more years with a 12% increase for the first year and nothing in the second year. When we originally went out to bid Alpha Carting was about 40% less expensive than the other carter.
- \$300,000 toward road paving.
- Working on getting more sponsors to help with the costs for the events and fundraising efforts from the Brightwaters Improvement Group.

Public Comments:

- Chris Pace of N. Windsor – Any money in the budget for speed humps? Health Insurance premiums very high. How much for tree plantings?
- Joseph McDermott of Potter Blvd. – Does the building permit fee income include the inspection fee for the mini storage unit? Better off taking care of the village than staying under the cap. What is going on with the lakes? Is there a capital budget?



2024-2025 FINAL VILLAGE BUDGET

To: The Board of Trustees

Submitted herewith, in accordance with Article 5 of Village Law, is the budget for the fiscal year June 1, 2024 to May 31, 2025. The total recommended appropriations amounts for revenue and expenses is \$3,497,750.61

Mayor John J. Valdini

2024-2025 FINAL BUDGET POINTS

- **Tax Rate: 31.20 per 1,000 assessed. NOT Piercing the tax cap. (2023/24 Tax Rate: 30.68)**
- **Garbage increase of \$50 more a year/per household or per each garbage unit (~12%)**
- **Transfer from General to Capital \$300,000 assigned for Road Paving**

Close Public Hearing

Motion: Mayor Valdini

Vote: 4 ayes

Second: Deputy Mayor Zepf

0 nays 1 Absent

Adopt the 2024-2025 Budget. (Final 2024-25 budget on Village Website and available at Village Office.)

Motion: Mayor Valdini

Vote: 3 ayes

Second: Trustee Dopsovic

1 nay (Mayor Valdini) 1 Absent

Approve Treasurer's Report and Abstracts
VILLAGE OF BRIGHTWATERS

ABSTRACT REPORT FOR BOT April 8, 2024

Seeking to approve payment on:

Abstracts #4417-4420	vouchers	\$115,510.46
Expense		
Employee Health Insurance for March & April 2024		\$53,309.52
Alpha Carting - March 2024 Garbage		\$38,236.00
Income for Period: 3/5/2024-4/8/2024		\$142,235.66
Summer Program	\$52,935.00	
Building / Plumbing Permits	\$3,749.00	
Landscape & Business Licenses	\$4,695.00	
Suffolk County Mortgage Tax	\$17,205.59	
Gross Receipts	\$54,584.55	
JCAP Grant	\$5,438.98	

Treasurer's Report

Cash on Hand as of 4/8/24

General Fund - DIME	245,971
General Money Market - DIME	50
CLASS General	1,118,362
Total Cash on Hand - General	1,364,384
Capital Fund	38,295
CLASS Capital fund	15,087
Total Cash on Hand - Capital	53,381
Canal Enterprise Fund - BNB	95,826
Canal Savings Fund - BNB	56
	95,883

Motion: Mayor Valdini Second: Trustee Dopsovic
Vote: 4 ayes 0 nays 1 Absent

Motion to Open to Public:

Motion: Deputy Mayor Zepf Second: Trustee Dopsovic
Vote: 4 ayes 0 nays 1 Absent

Public Comment:

- Joe Pers of Lakeview Ave E – Highway Building. 98% Complete.
- Chris Pace of Windsor Ave. – When does water come on at canal and Walker Beach? Storage Unit looks great. Garbage Company comes too early 5am.
- Christian Sullivan of Ackerson Blvd. – Brightwaters Improvement Group looking for residents or businesses to sponsor any events. Please contact the village office if interested. Can even chip in with neighbors to sponsor an event or give to give a donation.

4/8/2024 – Board of Trustees Meeting

- Joe McDermott of Potter Blvd. – Mayor Reimbursement and village is tax exempt. Contract Award for Maccarone Plumbing and T&D Electric.
- Nick Del Vecchio of Woodland Dr. – New zoning for the Business District.

Adjourn the meeting:

Motion: Mayor Valdin

Second: Trustee Fawcett

Vote: 4 ayes

0 nays

1 Absent

Meeting adjourned at 9:03PM.