

BOARD OF TRUSTEES MEETING MINUTES – July 1, 2019

The monthly meeting and Organizational Meeting of the Board of Trustees of the Inc. Village of Brightwaters held on Monday, July 1, 2019 at 7:30 p.m. at Village Hall, 40 Seneca Drive, Brightwaters, NY, with the following officers present:

John J. Valdini	Mayor
Thomas Zepf	Deputy Mayor
Michael Dopsovic	Trustee
Patrick Fawcett	Trustee
Mary Del Vecchio	Trustee
Nicole Rhodes	Clerk-Treasurer
Charles J. Casolaro	Village Attorney
Hon. David Kluepfel	Village Justice
John Catania	DPW Foreman
Anthony Rambazis	Code Supervisor

At 7:30 pm, Mayor John J. Valdini called the meeting to order followed by a salute to the flag and a moment of silence for our troops.

Village Justice, David Kluepfel officially sworn in Thomas Zepf & Patrick Fawcett as Trustee for a two-year term and Mary Del Vecchio as Trustee for a one-year term.

Approve the following appointments & resolutions:

Motion: Mayor Valdini	Second: Trustee Dopsovic
Vote: 5 ayes	0 nays

<u>Position</u>	<u>Term</u>	<u>Name</u>
Village Attorney	One Year	Charles Casolaro, Esq.
Deputy Clerk	One Year	Carol Posimato
Justice Court Clerk	One Year	Nicole Rhodes
Justice Court Clerk	One Year	Jeanne Pirkel
Registrar	One Year	Nicole Rhodes
Building Inspector	One Year	Robert O'Shea
Highway Foreman	One Year	John Catania
Associate Village Justice	One Year	Andrew Arcuri, Esq.
Village Engineer	One Year	Dan Falasco
Village Historian	One Year	Jane Arbeiter
Harbor Master	One Year	Michael Kane
Planning Board Chair	One Year	Joseph Paliseno
Planning Board Member	Five Years	Joseph Paliseno
Zoning Board of Appeals Chair	One Year	Nicholas Del Vecchio
Zoning Board of Appeals Member	Five Years	Nicholas Del Vecchio
Zoning Board of Appeals Member	Four Years	Michael Walther
Zoning Board of Appeals Member	Five Years	Joseph Pers

Mayoral Appointment:

Deputy Mayor	One Year	Thomas Zepf
--------------	----------	-------------

I. Resolutions

RESOLVED that Mayor Valdin, or his designated successor, be authorized to approve the attendance by the Board of Trustees, Board of Appeals, Planning Board, Village Administrative staff, Highway Administrative foreman, and Code Enforcement officers to specific training schools and/or meetings with expenses reimbursed.

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

RESOLVED that Bridgehampton National Bank be and hereby is designated as the depository for the village funds in the General, Payroll, Trust, Capital and all other funds, said bank to pledge suitable and sufficient 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.

RESOLVED that the Village maintains a Capital Project Fund with Bridgehampton National Bank for the purpose of maintaining the funds necessary to complete capital projects consisting of, but not limited to, road paving and reconstruction, canal reconstruction, building construction and maintenance, downtown revitalization projects and heavy-duty vehicles for the DPW.

RESOLVED that the Village maintains a Canal Enterprise Fund with Bridgehampton National Bank for the purpose of maintaining the funds necessary to cover the operational costs of the Brightwaters Canal including electric, water, maintenance and repair, reconstruction and any debt service associated with these items.

BE IT FURTHER RESOLVED that any two of the following officers of the municipality, to wit: John Valdin, Mayor, Patrick Fawcett, Trustee, Thomas Zepf, Trustee, Mary Del Vecchio, Trustee, Michael Dopsovic, Trustee or Nicole Rhodes, 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 Bridgehampton National 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 CLASS from the general fund, or Bridgehampton National Bank general fund money market 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, 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 54 cents per mile.

RESOLVED that the Capitalization Policy will be recorded on capital assets (.2 equipment) which generally have a cost of \$1,000 or more at the date of acquisition and have an expected useful life of more than one year.

Approve Minutes from the Board meeting June 3, 2019.

Motion: Mayor Valdini Second: Deputy Mayor Zepf

Vote: 5 ayes 0 nays 1 absent

Follow-up on recent Village Election concerns: Mayor Valdini recapped a series of events that happened during the Village Election. He stated that the first issue happened early on in the election process when Candidate Reginald Ligonde submitted his petitions with the minimum amount of 75 signatures. Upon Trustee Fawcett's review, he found that one of the signatures on Mr. Ligonde's petition was clearly a signature from someone in Bay Shore and not a Brightwaters resident, which left him with less than the required 75 signatures on the petition. Trustee Fawcett, Trustee Zepf and Trustee Del Vecchio decided not to protest the petition and allowed Mr. Ligonde's petition to stand. The regular election process continued to proceed. Another event occurred the day before the election in which the Mayor, Clerk and Village Attorney received a Cease and Desist Letter from Candidate Reginald Ligonde at 10:15 at night accusing Trustee Patrick Fawcett of misusing his village email account to send emails regarding the election and to vote. Immediately the Mayor called Trustee Fawcett to confirm this accusation and Trustee Fawcett advised that he did send out emails from his Village account and wasn't aware he was not allowed to do that. Mayor asked him to stop sending anymore emails from his village email account. After further discussion with Trustee Fawcett, it was determined that he sent out emails to go and vote to 29 of his friends basically saying to go out and vote. Tuesday morning the Mayor called the Village Attorney to look into it and investigate further. During the election at 6pm, there was a complaint made to Clerk, Nicole Rhodes by former Mayor, Joseph McDermott regarding the Poll Watcher, Joan Manahan and her touching the election materials inappropriately. Ms. Manahan has been a poll watcher for over 20 years. As a Poll Watcher you are able to sit by the table where the Election Inspectors are and view the process. Clerk Rhodes immediately spoke with the Election Inspectors to find out what had happened and they advised that since they were short an election inspector, the voting line started to get backed up and Ms. Manahan innocently handed some of the voters a ballot and privacy screen. They confirmed that she was not telling voters who to vote for and thought she was just trying to be helpful. Normally, the village has 3 Election Inspectors but 1 cancelled that same day. Ms. Manahan was told by Clerk Rhodes that it is unacceptable to touch any of the election materials and asked her not to do that going forward and was moved a little further from the Election Inspector's table. Mr. McDermott and Mr. Ligonde separately requested that Ms. Manahan be removed as Poll Watcher but Clerk Rhodes and Attorney Casolaro did not feel it

was justified. On Wednesday, the day after the Election, the Village Attorney Charles Casolaro concluded that Trustee Fawcett did violate the ethics code but there was no mal intent. Attorney Charles Casolaro added that he did investigate the code and did determine that it was a violation of the code however, after speaking with Trustee Fawcett he determined that it was not an intentional violation and was unaware that he was not able to use his village email account to send out election emails. Attorney Casolaro made a recommendation to the Board that a letter of admonishment would be the proper penalty and the Mayor & Board accepted that recommendation. He also suggested that Trustee Fawcett, the Board of Trustees and Personnel review the ethics code again to make sure nothing like that happens again.

Adopt Resolution 7-2019 – Ratification of Letter to Trustee Patrick Fawcett

Motion: Mayor Valdini

Second: Trustee Del Vecchio

Vote: 4 ayes

0 nays Recused from vote: Trustee Fawcett

RESOLUTION ⁷~~4~~-2019

RATIFICATION OF LETTER TO TRUSTEE PATRICK FAWCETT

WHEREAS, and in an effort to maintain the highest level of transparency, integrity and government accountability, the Board of Trustees therefore, does hereby **RESOLVE**:

NOW, THEREFORE, BE IT RESOLVED, that the letter of admonishment issued to Trustee Patrick Fawcett, dated June 20, 2019, is hereby ratified and endorsed by the Board of Trustees.

WHEREFOR, this **RESOLUTION**, is hereby adopted by unanimous vote on July 1, 2019, before a duly constituted meeting of the Board of Trustees, shall be promptly recorded in the Office of the Village Clerk, and made part of the public record.

S/John Valdini
JOHN J. VALDINI, Mayor
Incorporated Village of Brightwaters

*Motion by
Mayor Valdini*

Seconded by Trustee Delvecchio

*APPROVED BY TRUSTEE ZEPF
TRUSTEE DOPSOVIC
TRUSTEE Del Vecchio
MAYOR VALDINI*

w/ TRUSTEE Fawcett Recusing From His Vote.

RECEIVED
JUL 01 2019
[Signature]
Village of Brightwaters

Mayor's Report – Mayor Valdin:

- It's the second week of volleyball. Last Monday, there were about 70 adults and 40-50 kids. We have 6 teams this year and everyone seems to be happy with what the village is providing.
- Our Grant Writer is applying for grants for the Canal, Bridges and Lakes and handicap bathrooms down at Walker Beach. We are in contact with NYS to see if we are going to get additional funds for our Highway Building as the budget for this has changed. We will be starting the northwest corner work in two weeks. The Suffolk County Downtown Revitalization Round 16 grant was awarded to us in 2018 and we are just able to start. We have many grants with Suffolk County which take a long time for contracts and reimbursements to come through. Dealing with the grants are a very slow-moving process.
- Final cleanup at the cabin is happening. The Camp Director has started to move stuff in for camp and we will be handing it over to her to run camp.

Trustee Fawcett – Special Projects:

- We are focused on cleaning out the lakes. The first time down there we had 20 volunteers. The issue is that the grass is growing from the banks and making its way into the waterways, slowing down the flow of the water. Other weeds and plants are starting to take over the water as well. We need to create water flow in the lakes. The DEC recommended us to do it by hand pulling and not to disturb the soil with machines as it would be very costly. The Village Engineer, Dan Falasco met with Trustee Fawcett, Mayor, DPW Foreman, Clerk and Building Inspector at the bridges and went over the disrepair of them. We will be working on obtaining grants to fix these issues. The valve in the lakes also needs repair.
- Mayor Valdin added that last year we had documented the lily pads in the lakes by using a drone to take pictures and that we will have the same thing done in a few weeks to see how much it's grown.

Trustee Dopsovic – Highway Department:

- Trustee Dopsovic thanked John Catania and Mike Gralton for their hard work and great job with cleaning up after the storm. The DPW crew can not touch any trees or branches hanging on the wires. This 20-minute storm and took down about 2 dozen trees. The crew cleared the roads immediately for emergency vehicles. The larger trees that need to be taken apart we are waiting on the tree company Manilla to help us out.

Trustee Del Vecchio – Celebrations/Events

- Summer events that are happening at the Beach will be on Wednesday nights beginning on July 10th at 6pm. The first event is BINGO night, then the Red Wagon sidewalk sale and then Majority Rules Game Show. A lot go residents attend the Bayshore/Brightwaters symphonic band concerts which start at 7:30pm and our events will be over before that time. Mayor Valdin added that the summer Wednesday Family night events are run by family volunteers in the village. The last Wednesday in July in our Beach party and this year we are giving Lenny and Gina from Bubba's Big BBQ a stipend as they feed about 300 people. We are also doing a paint night in the cabin this year, the Ice Cream Social, Snapper Tournament and Back to School party in the Park.

Deputy Mayor Zepf – Code Enforcement

- The second Code Vehicle is back in service.
- Trustee Zepf thanked Code Officer Dennis Gartland for making the appropriate phone calls to the Bayshore Fire Department and the police to find out the hot spots in the village.

- Cameras are in full effect at the cabin. We've already seen some local kids at night at the park.
- Let the Code Officers know if you need to leave a vehicle overnight on the street.
- Maggie Fischer is a great event in which Trustee Zepf will be participating in. He encouraged residents to attend to cheer the swimmers on.

Fire marshal's report:

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.

Commercial occupancy fire inspections continue in the Village of Brightwaters with subsequent re-inspections having also been conducted to insure that all violations have since been removed.

There were no request for investigation of fire by the Bay Shore Fire Department during the past month.

Sincerely,

Matthew Brennan

Matthew Brennan, Fire Marshal
Village of Brightwaters

Appoint the following Summer Hires: (Mayor advised that we are aiming to pay minimum wage next year but seasonal positions are not required to be minimum wage)

Lifeguard (1st year) at a rate of \$10.50

Stefan Pallotta

Camp Counselors (1st year) at a rate of \$10.00 an hour

Reece DeGraff, Malia Fowler, Natalie Fox, Mia DeSimone, Sabrina Simonetti, Katie Cameron, Jack Gartland, Kymberly Rambazis, Paige Gillespie & Stefan Pallotta

Camp Counselors (returning) at a rate of \$10.50 an hour

Grace PirkI

Head Camp Counselor at a rate of \$15.00 an hour

Thomas Glynn

Motion: Mayor Valdini

Second: Deputy Mayor Zepf

Vote: 5 ayes

0 nays

Approve Abstracts and Treasurer's report

Motion: Mayor Valdinì Second: Deputy Mayor Zepf

Vote: 5 ayes 0 nays

VILLAGE OF BRIGHTWATERS

ABSTRACT REPORT FOR BOT July 1, 2019

Seeking to approve payment on:

Abstracts #4171 - #4176	vouchers	\$157,905.05
-------------------------	----------	--------------

Alpha Carting - June 2019	\$	27,454.33
PERMA - Workers Comp. Ins. Renewal 2019-20	\$	46,399.00
Town of Islip - May 2017 Street Sweeping	\$	12,500.00
NYS Employees Health Insurance - July 2019	\$	21,729.91

Treasurer's Report

Cash on Hand as of 7/1/2019

General Fund - BNB	597,374
--------------------	---------

General Money Market - BNB	50
----------------------------	----

CLASS General	1,912,143
---------------	-----------

Total Cash on Hand - General	2,509,566
------------------------------	------------------

Capital Fund	69,713
--------------	--------

CLASS Capital fund	13,754
--------------------	--------

Total Cash on Hand - Capital	83,467
------------------------------	---------------

Canal Enterprise Fund - BNB	204,329
-----------------------------	----------------

Charitable Reserve Fund for Cabin Restoration - BNB	927
-----------------------------------------------------	------------

Public Comments

- Stefan Hespeler of Pine Acres Blvd. thanked everyone that supported the run that Mission 22 hosted on June 8th at Gardiner Park. Mayor Valdinì added that Stefan and Jenny Hespeler will be taking over running the pumpkin run. Kevin Niles is moving and handed it over to them
- Carmine Chiapetta of Pine Acres Blvd. stated that after speaking with an Attorney in Albany that works for a State Legislator, he determined that in order for a municipality to change the speed limit to 25mph village wide a bill must be presented to the State Senate and State Assembly and it has to be passed by both houses. He continued to say that the initial Board's vote was flawed. He said the Board should have never said it

was approved when it was filed. Village Attorney Charles Casolaro said the village reduced it down to some streets within the village. Mr. Chiapetta also asked for the status of 103 Orinoco as resident Jason Ruggiere could not attend tonight's meeting and asked him to follow-up. Village Attorney, Charles Casolaro responded that they were in landlord tenant court and the owner of the property obtained a warrant of eviction from the Judge. The Warrant of Eviction is in the process and if they do not get out in the amount of time posted in the Notice to Vacate by the Sheriff then they can force them to remove. This should take a few weeks. This has nothing to do with the village and is not in the village's hands. We've done everything we can do with summonses and Mr. Ruggiere is well aware of what is going on. The landlord worked with the tenant to find an alternate site to move them to.

- Charles Kaczorek of Potter Blvd. thanked the Village and Highway Department for the cleanup after the storm. He asked if the Village would look into banning gas blowers at least from May through September and said there is no need for them. The Town of North Hempstead just passed a similar law banning gas blowers.
- Joseph McDermott of Potter Blvd. stated that there are strong oppositions on constructing an outside bathroom at Wohseepee Park. There are about 15-20 families around the park that signed a petition in opposition of this bathroom being built and those families are getting together to have meetings regarding this. The Mayor added that there is also a petition going around that is for the bathroom and that the bathroom would only be open from 10am-5pm during the Spring and Summer times. Trustee Thomas Zepf advised that he and other Board members have a meeting scheduled to meet with the families surrounding the park. The Board all agreed that they will be making a decision going forward based on what the people want. Mr. McDermott expressed that although he feels the park should be shared with people outside of the neighborhood, one of the main concerns is that it will become overcrowded and people will stay longer if they know a bathroom is there. He also added that Walker Beach is controlled and the rates for non-residents has been recently raised which is a way to limit people coming to the beach and using the bathrooms and Wohseepee Park does not have that control.
- Reginald Ligonde of Richland Blvd. read a letter to the Board with regards to the Village Election
- Ed Gabros of Ackerson Blvd. stated does not support live streaming the Board meetings. He feels the audience will be less likely to participate. He also asked the clerk what the NYCLASS Account was and what it stood for. The Clerk advised that idle fund monies are invested into the Class account from the general fund. It stands for New York Cooperative Liquid Assets Securities System.
- Peggy Arcuri of Richland Blvd. asked what exactly is going on at the old hardware store. The Mayor advised that they are constructing a basement in there and renovating the building. There is no business going in there as of yet and the village will notify the residents when we hear something. Ms. Arcuri added that there is still an issue with the parking over there.

Adjourn the meeting:

Motion: Mayor Valdini

Second: Deputy Mayor Zepf

Vote: 5 ayes

0 nays

Meeting adjourned at 8:40 PM.