

BOARD OF TRUSTEES MEETING MINUTES – October 7, 2019

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

John J. Valdinì	Mayor
Thomas Zepf	Deputy Mayor
Michael Dopsovic	Trustee
Patrick Fawcett	Trustee
Mary DelVecchio	Trustee
Charles J. Casolaro	Village Attorney
Nicole Rhodes	Clerk – Treasurer
John Catania	DPW Foreman
Anthony Rambazis	Code Supervisor

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

Approve minutes of September 3rd and September 16th 2019

Motion: Mayor Valdinì Second: Trustee DelVecchio

Vote: 5 ayes 0 nays

Bay Shore/Brightwaters Ambulance: Charlie Flood representative of the BSBW Ambulance came down to let everyone know what was going on in the community with the amount of calls in Brightwaters from the Ambulance. Going back last year 2018 there were 218 calls in the Village of Brightwaters. Now in the first 10 months of 2019 there have been 93 calls to date. They will provide the village with a monthly report going forward. Village of Brightwaters residents are paying \$80-\$90 per year per household for the Ambulance. Mr. Flood said he can breakdown what Bay Shore pays per house. Trustee Fawcett said when we start looking The BSBW Ambulance would like to get involved in the Ragamuffin parade going forward. Mayor asked them to also help the village out with the Block Party.

Suffolk County Police Department: An Officer came from the SCPD. The only crime was larceny from unlocked vehicles. The Mayor asked him to coordinate with the village for safety precautions for Halloween night and to look into getting more man power from the Police Department.

Mayor's Report – Mayor Valdinì:

- Saturday was the Garage Sale. 65 spots were sold. Turned out to be a nice day. Resident Sharon Cimino had a table set up to raise money for Little Shelter and she said this year was the best year they had at the garage sale.
- Contractors have been over to the lakes to give pricing on the bridges. Large pieces of the bridges are falling off into the lakes. Something has to be done soon.
- Block Party is on Sunday. The roads will be closed around the downtown from 11-5:30pm. Lots of free things for the kids to do.
- Pumpkin Run is this month. Stefan and Jenny Hespeler partnered with Kevin Niles this year and will take over running the Pumpkin Run. All residents should've received a flyer for registration in the mail. This is the 19th annual Pumpkin Run and this year will be more

family focused with crafts, face painter and events. There will also be a 1k fun run for the kids and a costume contest.

- The building on the Southeast corner is being fixed and has a new contractor doing the work. Hopefully we can get it cleaned up soon. They have done extensive damage to our sidewalk which the owner will pay for.
- 103 Orinoco was the site where the trucks were starting at 3:00am. The trucks are gone. There are still some debris that needs to be removed but the noise is gone. We've documented the entire property and will be aggressive with the owner of the property to remedy.
- The donor plaque for the cabin is being worked on and should be ready soon.
- Night the Light kits will be sold at the village off again this year.

Trustee Fawcett – Special Projects:

- Have met with the DEC several times regarding the lakes. Trustee Fawcett has personally been in the lakes pulling weeds out. Met with Joe from the Pond Guy who was approved and recommended by the DEC. The grass is invasive and the lily pads are taking over the lakes. The weeds in the pond is a major problem we need to get ahead of now. We are applying for a permit with the DEC to treat the phragmites, lily pads and grass in the lakes. The Board has a long-term plan and it will be done in phases. The goal is to increase better oxygen and airflow in the lakes and stock the pond with certain fish to help maintain the lakes balance. In 5 to 10 years we will get the lakes where they need to be. The Highway Department has already cut the overgrowth in the right of ways. Mayor added that everything must be documented and it is a process.

Trustee Dopsovic – Highway

- The Highway Department spent this month cutting around the lakes. They painted the cascades but they are still in need of repair. They closed up the beaches and are now getting ready for the winter by servicing the sanders and plows.

Trustee DelVecchio – Celebrations/Events

- A lot of events in October. Last week an email was sent requesting junior volunteers between the ages of 13-18. If you know kids in the neighborhood, we will need them for the Block Party and Pumpkin Run.

Deputy Mayor Zepf – Code Enforcement

- Lock it or Lose it. Lock your cars during the day as well as night.
- Coordinating with SCPD for Halloween.
- We've had an issue with someone drinking adult beverages in Wohseepee Park. We've identified the person and have taken care of the situation.

Fire Marshal's report:

All Public Assembly and Multiple Dwelling occupancies within the Village of Brightwaters are currently valid and up to date. During the past month, public assembly renewal permits have been processed and issued as is noted below;

- Brightwaters Inn – 200 Orinoco Drive
- Mustang Sally's – 186 Howell's Rd.
- Sea Levels Restaurant – 391 North Windsor
- Peter Pan Diner – 999 Sunrise Hwy.

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

On Monday, 9/9/19 at 9:04PM, I was notified and requested by the Bay Shore Fire Department to respond to 91 Howell's Rd. formerly occupied as the *Jon Thomas Inn*. My response was prompted by a "passer-by" who saw flashing lights inside the former restaurant and subsequently notified the fire department. Upon my arrival, it was learned that the Automatic Fire Alarm system had been activated due to a faulty Duct Detector with no fire or smoke condition present. Additionally, it was found that the fire alarm system had been disconnected from its central station monitoring which is why there was no automatic notification to the fire department. As a result of these findings, I contacted Mr. Brian Davis, representative and manager of Davis Main Street, LLC, whom is the current owner of the property. Mr. Davis was advised of the necessary and "required" action needed to rectify all issues of non-compliance. As of this report, all matters have been corrected.

Sincerely,

Matthew Brennan

Matthew Brennan, Fire Marshal
Village of Brightwaters

Public Hearing on Local Law 4-2019 (Landscapers required to be licensed in the Village)

The Mayor said this legislation has been talked about for 10 years now. All the surrounding villages have these laws in place. Trustee Dopsovic added that the Landscapers around here are used to this and need a license to do work in the Village of Babylon and stressed it was not a money grab but just to keep everything orderly and to protect our residents. This law will not apply to any kid looking to cut a lawn.

Open the Public Hearing

Motion: Mayor Valdin Second: Trustee DeVecchio

Vote: 5 ayes 0 nays

Resident Rich Dayhab asked if the license can be removed based on violations? Village Attorney Charles Casolaro advised that the Village Clerk does have the right to withdraw a license. He also added that anyone working without a permit will receive a summons and minimum fine of \$250. Resident Dayhab also added that Landscapers currently violate the No Parking/No Standing at the lakes and should receive parking tickets. He was advised by the Board to call Code when he sees this happening but that there is really nowhere else for the Landscapers to park. Resident Mark Mulvey added where are they supposed to park then and Resident Dayhab responded in the resident's driveways.

Resident Linda Maerki asked what about other service providers? Will they have to get a permit? Village Attorney Charles Casolaro answered that there is a section called Licensed Provisions and License Occupations. Opening a pool is considered a service call that does not require a license. Certain things require licensing.

10/07/2019 - Board of Trustees Meeting

Close Public Hearing

Motion: Mayor Valdin Second: Deputy Mayor Zepf

Vote: 5 ayes 0 nays

Adopt Local Law 4-2019 "Licensed Occupations" Landscaping

Motion: Mayor Valdin Second: Trustee Dopsovic

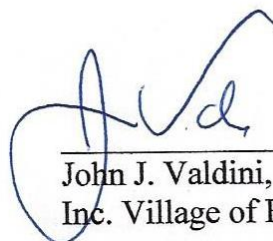
Vote: 5 ayes 0 nays

Message of Necessity – Approve Limited Permission for Alcohol Consumption at the "four corners" in the downtown for the village's annual Block Party to be held on October 13, 2019 from 12pm to 5pm.

INCORPORATED VILLAGE OF BRIGHTWATERS

MESSAGE OF NECESSITY

Pursuant to Municipal Home Rule Law §20(4), I, as the duly elected Mayor of the Incorporated Village of Brightwaters, have determined and declare the existence of the urgency and immediate need for the consideration and passage, subject to approval by a majority vote of the Board of Trustees, of the local law 5-2019 permitting the public consumption of alcohol at the Block Party at the "four corners" in the downtown district on October 13, 2019 between the hours of 12:00pm and 5:00pm, and therefore directs the Village Attorney to dispense with the "Aging" requirement associated with the passage of local legislation and directs the presentation of said legislation at the noticed October 7, 2019 meeting of the Board of Trustees.



John J. Valdin, Mayor
Inc. Village of Brightwaters

Adopt Local Law 5-2019 for limited permission for Alcohol Consumption in the Downtown District / "4 Corners" for the Village's Block Party on October 13, 2019 from 12pm-5pm.

LOCAL LAW NO. 5 - 2019

TITLE: "A Local Law to Amend Chapter 84 of the Code of the Inc. Village of Brightwaters – Officers and Employees"

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE INC. VILLAGE OF BRIGHTWATERS AS FOLLOWS:

FIRST: An addition to Chapter 84 of the Code.

PARKS –

§84.2.2.A. - Limited Permission for Alcohol Consumption in the Downtown District "Four Corners"

For the specific purpose of the celebration of the Block Party of the Incorporation of the Village of Brightwaters, there shall be permitted the consumption of alcoholic beverages in the Downtown District "Four Corners" on October 13, 2019 from the hours of 12:00pm to 5:00pm. This law is enacted for this specific purpose, for this specific day and shall be null and void without force and effect starting from October 14, 2019 forward.

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 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.

Motion: Mayor Valdin Second: Deputy Mayor Zepf
Vote: 5 ayes 0 nays

Establishment of a Tree Preservation Program

The Mayor announced that the Tree Preservation Program is still being worked on. The majority of villages on Long Island have a Tree Program already. Over the years more and more trees are being taken down. As developers buy homes and flip them, we are having issues with clear cutting of the trees. Nick Sassone of the Planning Board has spent a lot of time researching and developing a program for the village.

Resident Jenny Hespeler suggested putting a percentage on the allowance of trees to be cut. Trustee Fawcett added that it would be hard to track because with each event the percentage will be the same and eventually take more and more down.

Resident Carolyn Dayhab said that many years ago the village planted Norway Maples and Bradford Pears. They are now on the do not sell list as they are an invasive species. She added that if a resident wants to remove one of those trees, they should not have to be charged for it and the village should assist with taking them down.

Resident Rich Dayhab does not feel that they should be required to grind a tree stump in their own backyard and doesn't support the required replacement on their own personal property.

Resident Linda Maerki said the tree permit on private property should only be put into effect when there is new construction be done and should be added to that process.

Resident Leslie Owen walks the streets if Brightwaters everyday and sees a lot of dead trees with ivy on them. She will make a list of the dead trees on the right of way and submit to the village.

Mayor Valdini said all of the comments were valid and there were many good points. The Board will absorb all feedback and make adjustments to the Tree Preservation Program.

Approve payment to Welsbach Electric Corp. in the amount of \$14,156 for the installation of 4 street lights on the Northwest corner.

Motion: Mayor Valdini Second: Trustee Dopsovic

Vote: 5 ayes 0 nays

Approve Abstracts and Treasurer's report

Motion: Mayor Valdini Second: Trustee DelVecchio

Vote: 5 ayes 0 nays

VILLAGE OF BRIGHTWATERS

ABSTRACT REPORT FOR BOT October 7, 2019

Seeking to approve payment on:

Abstracts #4190 - #4197	vouchers	\$118,669.92
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Alpha Carting - September 2019	\$	27,454.33
NYS Employees Health Insurance - October 2019	\$	20,307.44
Bay Shore Fire Department 2019 Insurance	\$	25,638.00
Howald Landscaping - Tree Trimming & Removal	\$	4,195.00

Treasurer's Report

Cash on Hand as of 10/7/2019

General Fund - BNB	189,110
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10/07/2019 - Board of Trustees Meeting

General Money Market - BNB	50
CLASS General	1,621,892
Total Cash on Hand - General	1,811,053
Capital Fund	44,136
CLASS Capital fund	13,827
Total Cash on Hand - Capital	57,963
Canal Enterprise Fund - BNB	93,932
Charitable Reserve Fund for Cabin Restoration - BNB	201

Public Comments

- Resident Carolyn Dayhab inquired about her driveway permit and wanted to see if she can get her deposit back from the village. The Village Attorney will be preparing a Lease of Liability that the Dayhabs must sign off on.
- Resident Mark Mulvey asked for an update with the Construction on the building at the Southeast corner.
- Resident Brian Siegar asked if the garbage ally behind Lakeview Avenue East can be turned into a one-way street as it is too narrow for two cars to pass each other at the same time.

Adjourn the meeting:

Motion: Mayor Valdin Second: Trustee DelVecchio

Vote: 5 ayes 0 nays

Meeting adjourned at 9:28 PM.