

BOARD OF TRUSTEES MEETING MINUTES – January 4, 2021

The monthly meeting of the Board of Trustees of the Inc. Village of Brightwaters held on Monday, January 4, 2021 at 7:30 p.m. conducted via Zoom Video Conferencing following officers present:

John J. Valdin
Thomas Zepf
Mary Del Vecchio
Patrick Fawcett
Charles J. Casolaro
Nicole Rhodes
Bob O'Shea

Mayor
Deputy Mayor
Trustee
Trustee
Village Attorney
Clerk – Treasurer
Building Inspector

Absent: Trustee Michael Dopsovic

At 7:30 pm, Mayor, John J Valdin called the meeting to order followed by a salute to the flag.

Approve minutes of December 7, 2020.

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

Suffolk County Police Department:

Police Report for December only had 2 incidents on Lombardy. TV stolen at Brightwaters Inn. If you have anything to report please contact the Police Department then Code Enforcement.

Mayor's Report – Mayor Valdin:

- We will be discussing the repair of the Concourse E Bulkhead later on with a presentation from Dave Tanner from Liberty Capital.
- Cleaning up and redoing the gazebos will be completed through fundraisers. Carpentry, stucco, plaster, paint and electric need to be updated.
- Looking to get Pine Drive paved in the Spring. We have a list of roads and the years they were done on the Village's Website.
- Bay Shore St Patrick's Parade is cancelled due to COVID.
- Department of Public Works did a terrific job with snow storm we had. They went out early and worked through the night. Now that we have the right equipment you can see the difference. We do need to improve working with the businesses in town to shovel the sidewalks better.

Trustee Fawcett – Special Projects

- Mediating our Lakes and looking at ways to securing the banks around our lakes. We have infrastructure projects we need to address such as Canal, cascades, bridges, gazebos and banks around our lakes. The Village has long term plans to mitigate the lilly pads in our lakes.
- Please wear reflective gear when out walking at night and remember to bring your vehicles in off the streets.

Trustee Del Vecchio – Celebrations/Events

- Garden Club is being organized. It has been put on hold a bit due to Covid numbers on rise.
- Light the Night was held on New Year's Eve and if you drove around the Village you would see that everything looked wonderful. The Bay Shore Beautification Society benefited from the Villages participation in the event.
- The Village's Holiday Home Decorating Contest winners will be announced soon. Thank you to everyone who participated and voted.

Deputy Mayor Zepf – Code Enforcement

- The Village is dealing with some staffing issues due to Covid. Supervisor Rambasis is working to get all Code shifts covered.
- If we have a snow storm bring your cars in from off the street for plowing.
- Watch putting out the trash to early and drive safe.

Adopt Resolution 1-2021 Bond Resolution for Bulkhead Replacement and reconstruction of the East side of the Canal.

EXTRACT OF MINUTES

Meeting of the Board of Trustees of the

Village of Brightwaters, in the

County of Suffolk, New York

January 4, 2021

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A regular meeting of the Board of Trustees of the Village of Brightwaters, in the County of Suffolk, New York, was held at the Village Hall, 40 Seneca Drive, New York, on January 4, 2021.

There were present: Hon. John J. Valdin, Mayor; and
Trustees: Thomas Zepf; Mary Del Vecchio; Patrick Fawcett, and

There were absent: Michael Dopsovic

Also present: Nicole Rhodes, Village Clerk-Treasurer
Charles J. Casolaro, Village Attorney

* * *

Mayor John Valdin offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF BRIGHTWATERS, NEW YORK, ADOPTED JANUARY 4, 2021, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE EAST SIDE OF THE VILLAGE'S CANAL, CONSISTING OF BULKHEAD REPLACEMENT AND RECONSTRUCTION, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,000,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$2,000,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF BRIGHTWATERS, IN THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Brightwaters, in the County of Suffolk, New York (herein called the "Village"), is hereby authorized to construct improvements to the east side of the Village's canal, consisting of bulkhead replacement and reconstruction and any ancillary or related work in connection therewith. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,000,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$2,000,000 bonds of the Village to finance said appropriation and the levy and collection of taxes upon all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$2,000,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the “Law”), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 22 of the Law, is twenty (20) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made

annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.
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Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption hereof, to cause to be published, in full, in "*The Islip Bulletin*," a newspaper having general circulation in said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF BRIGHTWATERS, NEW YORK

PLEASE TAKE NOTICE that on January 4, 2021, the Board of Trustees of the Village of Brightwaters, in the County of Suffolk, New York, adopted the bond resolution entitled:

“Bond Resolution of the Village of Brightwaters, New York, adopted January 4, 2021, authorizing the construction of improvements to the east side of the Village’s canal, consisting of bulkhead replacement and reconstruction, stating the estimated maximum cost thereof is \$2,000,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$2,000,000 to finance said appropriation,”

an abstract of such bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Village of Brightwaters to construct improvements to the east side of the Village’s canal, consisting of bulkhead replacement and reconstruction, including any ancillary or related work in connection therewith; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,000,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of \$2,000,000 bonds of the Village to finance said appropriation, and the levy of taxes upon all the taxable real property within the Village to pay the principal of said bonds and the interest thereon;

SECOND: AUTHORIZING the issuance of \$2,000,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is twenty (20) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: January 4, 2021

NICOLE RHODES
Village Clerk

Section 8. The Village Clerk is hereby authorized and directed to cause a summary of this Bond Resolution to be published after this Bond Resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

* * *

The adoption of the foregoing resolution was seconded by **Trustee Zepf** and duly put to a vote on roll call, which resulted as follows:

AYES: **Trustee Fawcett**

Trustee Del Vecchio

Trustee Zepf

Mayor Valdini

NOES:

The resolution was declared adopted.

CERTIFICATE

I, NICOLE RHODES, Village Clerk of the Village of Brightwaters, in the County of Suffolk, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Board of Trustees of said Village of Brightwaters duly called and held on January 4, 2021, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Board of Trustees and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Village of Brightwaters this 4th day of January, 2021.

(SEAL)



A handwritten signature in black ink, appearing to read "Nicole Rhodes", is written over a horizontal line. Below the line, the text "Village Clerk" is printed.

RECEIVED

JAN 05 2021

Village of Brightwaters

Bond Discussion with Dave Tanner of Liberty Capital

**COMPLETE TRANSCRIPT ON FILE AT VILLAGE HALL AS WELL AS
INCLUDED WITH MINUTES ON VILLAGES WEBSITE AT
WWW.VILLAGEOFBRIGHTWATERS.COM**

Fire Marshal Report

All 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 ensure that all violations have since been removed. A meeting was held with the new owners of Lulu's Lobster & Wing Shack soon to open at 91 Howell's Road (formerly the Jon Thomas Inne). Discussed in detail was the certification requirements, regarding the Sprinkler System, Automatic Fire Alarm System and the Kitchen Fire Protection Systems.

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

Sincerely,
Matthew Brennan, Fire Marshal
Village of Brightwaters

Approve Treasurer's Report and Abstracts **VILLAGE OF BRIGHTWATERS**

ABSTRACT REPORT FOR BOT January 4, 2021

Seeking to approve payment on:

Abstracts #4265-4267	vouchers	\$76,859.14
Expense		
Alpha Carting -December 2020		\$ 34,936.00
NYS Employees Health Insurance - January 2021		\$ 22,985.60
Income for Period: 12/8/2020-1/3/2021	\$28,509.14	
Various Building, PLumbing Permits,licenses, etc.	\$2,375.00	
Suffolk County 3rd Q Mortgage Tax	\$25,362.63	

Treasurer's Report

Cash on Hand as of 1/3/2021

General Fund - BNB	141,872
General Money Market - BNB	50
CLASS General	1,233,587
Total Cash on Hand - General	1,375,509

Capital Fund	3,540
CLASS Capital fund	13,957
Total Cash on Hand - Capital	17,497

Canal Enterprise Fund - BNB	101,362
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Motion: Mayor Valdin Second: Trustee Fawcett
Vote: 4 ayes 0 nays Absent: 1

1/4/2021 – Board of Trustees Meeting

Adjourn the meeting:

Motion: Mayor Valdinì Second: Trustee Fawcett

Vote: 4 ayes 0 nays Absent: 1

Meeting adjourned at 9:05 PM.