

BOARD OF TRUSTEES MEETING MINUTES – January 7, 2019

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

John J. Valdini	Mayor
Thomas Zepf	Trustee
Michael Dopsovic	Trustee
Patrick Fawcett	Trustee
Mary Del Vecchio	Trustee
Nicole Rhodes	Clerk – Treasurer
Charles Casolaro	Village Attorney
Carol Posimato	Deputy Clerk
John Catania	DPW Foreman
Bob O'Shea	Building Inspector
Anthony Rambazis	Code Supervisor

At 7:30 pm, Mayor Valdini called the meeting to order followed by a salute to the flag and a moment of silence for those serving in the military.

Approval of the Minutes from the Board meetings of November 19, 2018 and December 3, 2018.

Motion: Mayor Valdini Second: Trustee Fawcett

Vote: 5 ayes 0 nays

Officer John Wright and Officer Pete Rivera from Suffolk County Police Cope Unit reported that it was a very quiet month. There were a few petite larceny's, items being stolen from vehicles and a package being stolen from a front property. Be aware, lock your car doors, check with your neighbors and don't be afraid to call. The Mayor advised that the Police and Village are getting a system down to work better together, specifically with parties and loud noise late at night. Officer Wright noted that if they know about the party in advance it is a lot easier to speak with the property owner before the party starts to give them the opportunity to follow the rules.

Mayor's Report – Mayor Valdini:

- The Mayor wished everyone a Happy New Year. December was a busy month as far as events go. There were Christmas and Hanukah events along with Night the Light where the village assisted the Bay Shore Beautification with this event. We sold over 80 kits.
- The gazebos at the top of the canal need to be maintained. Looking to trim the hedges around them.
- Village website will be live in a couple of weeks.
- Encourage residents to sign up for emails. During the first 6 months of the Mayors term in office almost 90 emails were sent out.
- Great Bay Communications is continuing to work on the Village's Capital Plan and will be completed very soon.
- The Mayor and Clerk has a meeting with the Inspector from the Police Dept. next week.
- The handicap door was installed and that was the final piece from the funds we received from the Justice Court Assistance Program. The Handicap ramp will follow and is under the Town of Islip Community Development grant.
- We have a contract with an ice breaking company to help prevent the canal from freezing up.
- The next projects coming up will be the Northwest Corner, Cabin, Highway Building and Bridges at the lakes.

Trustee Fawcett – Special Projects

- In the Spring of 2019, the village will continue the work on the Revitalization of the downtown Northwest Corner and the extensions to follow. Trustee Fawcett is looking into a corner stone wall/barrier that will say welcome to Brightwaters Business District.
- Looking at our Parking Codes and coming to a formal agreement on utilizing private property for village parking.
- Gazebos at the head of the canal are in need of repair. There is vandalism down there and need to be upkept.
- Lakes and Bridges, especially near the North Lake are in need of maintenance and repair. Met with the DEC to gather information on the appropriate permits required and will try to find grant opportunities specifically for these projects.

Trustee Dopsovic – Highway

- Finished fall cleanup with an extra landscape pick up from Alpha Carting which was a big help.
- It's pothole season. DPW will be hot patching. If you see a pothole let the office know.
- Replaced all speed signs to 25 mph.
- Decorated throughout the village for the holidays.
- Continued everyday cleanup throughout the village.
- Purchased a new dump truck with plow which will replace the 1988.

Trustee Del Vecchio – Celebrations/Events

- Trustee Del Vecchio is the Village's liaison for summit council at the Bay Shore High School and will be attending all of their meetings.
- Gearing up for the Spring and Summer Events. We have a new event this Spring on May 19th around the lakes. The roads will be closed to traffic for 4 hours. The residents around the lakes can do something in front of their homes. Light music will be provided as well.

Trustee Zepf – Code Enforcement

- All Code shifts are now being covered.
- The Code Supervisor has a phone that goes directly to him for improving communication. Office hours are also being added to the supervisor's role.
- The Village received a grant for walkability/traffic study for the Downtown area. Our biggest concern is the 4 corners. We will keep residents informed.
- New Code Car is almost ready for decaling.

Fire Marshall'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.

Inspections of commercial occupancies continue in the Village of Brightwaters with re-inspections having also been conducted to insure that all violations have since been removed.

During the past month, the Bay Shore Fire Department requested my response to investigate a hazardous incident at 6 Richland Blvd., Unit 16 on the first floor. Upon arrival, it was discovered that a pet dog, maintained in Unit 17 of the second floor had chewed through the toilet bowl water supply line, causing a flooding condition. The flooding condition subsequently compromised the automatic fire alarm system in the unit below. Building management was contacted to respond. The dog was secured, flooding was mitigated, the leak was repaired, and the damaged components of the automatic fire alarm system were promptly replaced.

I would like to take this time to wish the Mayor, Board of Trustees and the entire Staff at the Village of Brightwaters a Healthy and Happy Fire Safe New Year.

Sincerely,

Matthew Brennan

Matthew Brennan, Fire Marshal
Village of Brightwaters

Public Hearing to on Local Law 1-2019 to amend Chapter 128-18 – Off-Street Parking.

To open the Public Hearing:

Motion: Mayor Valdin Second: Trustee Fawcett
Vote: 5 ayes 0 nays

The Off-Street Parking Code has been long under discussion. The Building Inspector and Planning Board Chairman are behind establishing this code. It's an attempt to regulate and control parking and enhance the Business District.

To close the Public Hearing:

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

To adopt Local Law 1-2019 to amend Chapter 128-18 – Off-Street Parking.

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

LOCAL LAW NO. 1- 2019

TITLE: "A Local Law to Amend Chapter 128 - ZONING "

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

Preamble: This section of the Code shall be applicable to Single Family Residential Dwellings, Residential Apartments and Commercial Establishments.

Legislative Intent: The Board of Trustees of the Village of Brightwaters hereby finds that it is in the best interest of the Village to promulgate parking requirements to help control overcrowding and development, but also to foster a vibrant economic downtown.

FIRST: Amends the current law §128-18. – OFF-STREET PARKING:

This new section replaces the current paragraph 128-18, as follows:

- A. All plans for a new building, expansion of an existing building or change of use for an existing building shall include provisions for off-street parking in accordance with the table found in section 128 Attachment 5 of this Code, annexed herewith.
- B. Modifications to off-street parking requirements may be granted by the Board of Appeals upon application and public hearing.

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.

THIRD: Effective Date.

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

128 attachment 5

Table of Minimum Required Parking Spaces

	Use or Use Category	Unit or Measurement	Additional Requirement
1	One Family Dwelling	2	
2	Apartment Houses or Garden apartments	1.75 per dwelling unit	Plus 1 additional for each bedroom above 2 in each unit
3	Professional Office in a dwelling unit	1 per 200 square feet of UFA	Not less than 4 spaces
4	Doctor, Dentist or Chiropractor in a dwelling unit	4 for each practitioner	Plus 1 for each employee

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5	Home Occupations (except as noted in #3 and 4)	1 per 200 square feet of UFA	Not less than 2 spaces
6	Professional Offices and Office Buildings	1 per 200 square feet of GFA	Not less than 6 spaces
7	Medical Office Buildings	1 per 150 square feet of GFA	Not less than 6 spaces
8	Churches, Temples, Auditoriums, Gymnasiums, Arenas, Theaters or Places of Assembly	1 per 4 seats or 1 per 4 persons legally accomodated	Plus one for each employee
9	Retail Establishments, unattached	1 per 150 square feet of GFA	Not less than 5 spaces
10	Shopping Centers Not more than 25,000 square feet	1 per 150 square feet of GFA	
11	Shopping Centers more than 25,000 square feet	1 per 175 square feet of GFA	
12	Manufacturing, Industrial, Warehouse or Wholesale Distribution Establishment	1 per 600 square feet of GFA	15% of GFA must be computed as office space at 1 per 200 square feet
13	Mortuaries or Funeral Homes	1 per 200 square feet of GFA or 11 spaces per viewing room, whichever is greater	Not less than 20 spaces
14	Indoor Tennis, Basketball, Badminton, Volleyball or similar uses not classified	1 per 500 square feet of GFA	
15	Bowling Allies	4 per alley	Plus 1 for each employee on the maxlimum shift
16	Libraries, Art Galleries, Museums, Community Centers	1 per 300 square feet of GFA over 2,000 square feet	Not less than 20 spaces

17	Carry-out Restaurants	3.5 per 100 square feet of GFA	
18	Restaurants, Taverns, Bars or Nightclubs which serve food and drink for on-premises consumption	1 per 2 permanent seats or 1 per 100 square feet of GFA or 1 per 4 persons legally accommodated (whichever is greater)	Plus 1 for each 12 square feet of standing room at bar area
19	Filling Stations, Repair Garages	1 per 200 square feet of GFA	Plus 5 spaces
20	Private Clubs, Fraternity Lodges	1 per Individual member	
21	Banks, Savings and Loan Establishments	1 per 100 square feet of GFA	Plus reservoir space within the site to store a queue of 12 cars lined up at the drive-in window(s)
22	Nonretail General Service or Repair Establishments	3 per 4 employees	
23	Nursery Schools or Day Camps	1 per classroom	Not less than 10 spaces
24	Day Care Centers	1 per 200 square feet of GFA	
25	Gyms, Fitness Centers or Health Clubs	1 per 200 square feet of GFA	
26	Convenience Markets	1 per 100 square feet of GFA	
27	ANY PERMITTED USE NOT LISTED ABOVE	AS THE PLANNING BOARD SHALL DEEM ADEQUATE	

Open Discussion on the Tree Preservation Program

The Mayor explained that a Tree Preservation Program is in the works and will go into effect shortly. There would be a permit process to take down a Village Tree and the village is also looking into it for private trees as well. Trustee Fawcett added that this is to protect the look of our community. Some contractors come into the village to flip houses and end up clear cutting entire properties and we want to prevent this from happening. Trustee Dopsovic added that replacement trees would also be required and that would help. Trustee Zepf added that the Board is sensitive to trees on private property and asked residents for their input.

Public Comment of Tree Preservation Program:

- Resident Rich Dayhab of Lakeview Ave N. said that it is a violation of people's rights to restrict them from taking trees down on their own property. He did suggest that if it was going to be put into place that a tree fund might be good to start up and the village can replant the trees wherever they want with the money from the fund.
- Resident Joan Manahan of Ackerson Blvd. suggested to monitor trees taken down on the front yard of a person's property but not the backyard.
- Resident Ed Gabros put on the record that he fully supports the tree program and preserving trees on private property.
- Resident Nick Del Vecchio suggested restricting the number of trees a person can take down per year on their property to help prevent clear cutting.

Wohseepee Park Cabin Kickoff

Mayor advised that the village has been receiving many monetary donations as well as labor and material donations for the renovation of Wohseepee Park Cabin. Many licensed plumbers and electricians have volunteered their services when the time comes. The end of March is the goal to start the demolition work and then renovation to follow in hopes to be complete by Memorial Day weekend. Once the Cabin is remodeled the village can rent it out at a higher fee and would most likely add a cleaning fee to the application. The events held at the cabin would not be late at night and the village will not allow DJ's. Resident Don Souhrada added that his he rented the cabin out 3 times and his insurance company insured it for the day of the event for \$50. The Mayor advised that the village will most likely keep the requirement of the resident taking out the insurance the day of the event.

Adopt Resolution 1-2019 Re-instatement of a 30MPH Speed Limit on Certain Village Roadways.

**RE-INSTATEMENT OF A 30 MPH SPEED LIMIT ON CERTAIN
VILLAGE ROADWAYS**

WHEREAS, the Village passed local law 4-2018 which established a Village Area Speed limit of 25 miles per hour, for the safety and protection of Village residents,

WHEREAS, section 1643 of the New York State Vehicle and Traffic Law prohibits a Village-wide speed limit of 25 PMPH, and therefore the Board of Trustees does hereby **RESOLVE**:

RESOLVED, pursuant to the section 1643 of the New York State Vehicle and Traffic Law, the following roads shall be restored to a speed limit of 30 MPH, effective immediately upon the passage of this Resolution:

1. Windsor Court
2. Oaks Court
3. Pine Drive
4. Phelps Drive
5. East Shore Road
6. Bay Way Ave
7. Lagoon Court
8. Lagoon Drive
9. Marine Court
10. Neptune Court
11. Orchard Drive

12. West Shore Road, and,
13. South Bay Court.

WHEREFOR, this RESOLUTION, hereby adopted by vote of the Board of Trustees on January 7, 2019, shall be promptly recorded in the Office of the Village Clerk, and made part of the public record.

Motion: Mayor Valdinì Second: Trustee Dopsovic
Vote: 5 Ayes 0 Nays

Approve payment to Fifth Avenue Paving in the amount of \$6,500 for enhanced work that was performed at 231 Orinoco Ct.

Motion: Mayor Valdinì Second: Trustee Zepf
Vote: 5 Ayes 0 Nays

Authorization to purchase materials for handicap ramp from Riverhead Building Supply in the amount of \$17,961.74 (\$15,000 to be reimbursed by the Town of Islip Community Development Agency).

Motion: Mayor Valdinì Second: Trustee Dopsovic
Vote: 5 Ayes 0 Nays

Approve Treasurer's report & abstracts.

VILLAGE OF BRIGHTWATERS

ABSTRACT REPORT FOR BOT January 7, 2019

Seeking to approve payment on:

Abstracts #4136 - #4143	vouchers	\$158,429.00
Alpha Carting -December 2018		\$ 27,454.33
Employee Benefits Division - Health Insurance Jan 2019		\$ 18,937.52
KS Statebank for 2019 Kenworth Dump truck for DPW		\$ 44,639.99
BS/BW Rescue Ambulance 1 of 2 payments for 2019		\$ 25,000.00

Treasurer's Report

Cash on Hand as of 1/7/2019	
General Fund - BNB	187,864
General Money Market - BNB	50
CLASS General	1,100,388
Total Cash on Hand - General	1,288,302

Capital Fund	22,023
CLASS Capital fund	13,605
Total Cash on Hand - Capital	35,628

Canal Enterprise Fund	83,529
Canal Savings	-

Motion: Mayor Valdinì Second: Trustee Fawcett
Vote: 5 Ayes 0 Nays

Public Comment:

- Resident Jason Ruggiere advised that there are tractor trailers making all sorts of loud noises throughout the night at 103 Orinoco Drive. Attorney Casolaro explained that the Defendant will be in court this coming Wednesday and the resident is welcomed to attend. It is underway and the village knows the problem exists and it is not being ignored. It is not an easy solution as it is a functioning business but we the village is addressing the issues.
- Resident Rich Dayhab advised the Board that there are people in the village that own goats and chickens and the law should either be enforced or taking out.
- Resident Walter Whitlocked thanked the DPW Dept. for taking down his tree this past Friday.

Adjourn: Motion: Mayor Valdin

Second: Trustee Dopsovic

Vote: 5 ayes

0 nays

Meeting adjourned 8:55 PM