

## **BOARD OF TRUSTEES MEETING MINUTES – September 13, 2021**

The monthly meeting of the Board of Trustees of the Inc. Village of Brightwaters held on Monday, September 13, 2021 at 7:30 p.m. at Village Hall, 40 Seneca Drive, Brightwaters, NY, conducted in person as well as Facebook live with the following officers present:

John J. Valdin  
Thomas Zepf  
Michael Dopsovic  
Mary Del Vecchio  
Patrick Fawcett  
Nicole Rhodes  
Charles Casolaro  
John Catania  
Bob O'Shea  
Anthony Rambazis

Mayor  
Deputy Mayor  
Trustee  
Trustee  
Trustee  
Clerk – Treasurer  
Village Attorney  
DPW Foreman  
Building Inspector  
Code Supervisor

At 7:30 pm, Mayor John J. 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 August 2, 2021

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

### **Mayor's Report – Mayor Valdin:**

- Received \$210,000 from FEMA with regards to Storm Isaias from last summer.
- Will be paving Wohseepee Park Driveway and adding extra parking spaces.
- Working with Skinnon and Faber on the 2020-2021 Fiscal year audit.

### **Trustee Fawcett – Special Projects**

- We continue to work with Solitude Lake Management to address the issues with the lakes. They sprayed the lily pads which seems to be working pretty well now. Will be working with them on other species of invasive plants that require different DEC permits.
- Looking at projects around the village and some for maintenance. Working with DPW to address some issues so that we retain some of the aesthetics around the lakes.
- Will be installing a new walk pathway from Windsor to Lawrence Drive to help with safety and pedestrian traffic.

### **Trustee Del Vecchio – Celebrations/Events**

- 10/2 Garage sale
- 10/10 Block party
- 10/23 Pumpkin run
- 10/30 Tentative witches paddle
- 10/31 Halloween parade

### **Deputy Mayor Zepf – Code Enforcement**

- Drivers slow down. People are out of control with driving.
- Lock your car doors, prevents a lot of crime.

- Fishing poles taken off boats. Do not leave anything on your boat. No one is there 24 hours a day to enforce. Be diligent.
- Graduation parties. Have patience with your neighbors but call code if any issues and be respectful to your neighbors.

### **Fire Marshal Report**

All Public Assembly and Multiple Dwelling occupancies within the Village of Brightwaters are currently valid and up to date. Processing has begun with several additional occupancies that will require renewals in the coming months. Most recently, a Public Assembly Permit Renewal for Henley's Village Tavern at 184 Orinoco Dr. has begun, with two completed renewals as noted below;

- Mustang Sally's – 186 Howell's Rd.
- Brightwaters Inn – 200 Orinoco Dr.

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

There was one investigation of fire requested by the Bay Shore Fire Department during the past month, of which was at 7AM on August 7<sup>th</sup>, while I was out of town at a wedding. The dispatcher advised that there was an "extinguished" minor fire originating from construction being done on the premises of 420 Manatuck Blvd. It was reported later, that Building Inspector Robert O'Shea was subsequently called as was P.S.E. & G. to disconnect the electrical service. After speaking with Robert O'Shea of the specifics, no further action was required by myself.

Additionally, as requested by the Mayor on 9/2/2021, whom was advised by a member of the Bay Shore Fire Department, an investigation of multiple automatic fire alarms was conducted at the "Group Home" located at 556 Mattituck. As of my investigation the problem had been rectified by the fire alarm contractor. Incidentally, The New York State Office of Fire Prevention & Control had conducted their annual inspection a week prior.

Sincerely,

**Matthew Brennan, Fire Marshal**  
**Village of Brightwaters**

Open Public Hearing on Local Law #4-2021 Law pursuant to Cannabis Law 131 Opting Out of Licensing and Establishing Retail Cannabis Dispensaries and/or On-site Cannabis Consumption Establishments within the Inc Village of Brightwaters.

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

Attorney Charles Casolaro announced that back in March Governor Cuomo signed into law the Marijuana Regulation and Taxation Act. That allows for the establishment of retail dispensaries and on-site consumption of marijuana in places of business within the State of New York. Also, in the law there was a provision that allows Towns and Villages to pass legislation to prohibit within their borders the onsite consumption and sale of marijuana. Before this Board is

legislation that would opt the Village out of Licensing and Establishing Retail Cannabis Dispensaries and/or On-site Cannabis Consumption Establishments within the Inc Village of Brightwaters. It's a very complicated law. It is subject to a permissive referendum which means that if it's passed the Village Clerk and Attorney will publish and post legal notices throughout the Village that state if 20% of registered voters in Brightwaters submit a petition to the Village Clerk that they would like to ballot the local law it would become a referendum and the Village would have to hold a Special Election within 60 days from adoption. The Cannabis Control and Regulatory Board in New York State will control the licensing, issuing of permits and other controls much like the State Liquor Authority but this will be the Cannabis Authority. It was supposed to be established by September 30<sup>th</sup> but because of the transitioning of the new Governor it will not be established this year. They are talking about at least another 6-7 months because of the inconsistency in Albany. If the Village did nothing and opt in the Village would receive 4% of sales. The only control the Village would have would be the zoning codes that they would have to follow. There are large opt out efforts across the state mostly because of all the unknowns. If you opt in you can not opt out. If we opt out we could always opt in at a later date if needed.

Public Comments:

- Peter Rising of Concourse E – Opt Out
- John Clark of Hiawatha Dr – Opt Out
- Joan Manahan of Ackerson Blvd. – Opt Out
- Leslie Owen of Pine Acres Blvd – Opt Out
- Asher Provda of South Bay – Can we regulate to different areas in the Village?

The Board will vote at the next Board of Trustees Meeting on October 4<sup>th</sup> but we will be accepting comments by email until then.

Close the Public Hearing.

Motion: Mayor Valdin                      Second: Trustee Dopsovic

Vote: 5 ayes                      0 nays

**Approve** Local Law 3-2021 to amend Chapter 119, Article 4

§119-4 Stop Intersections Designated

- Hiawatha Drive and Ackerson Blvd. Add a stop sign for traffic eastbound and westbound on Hiawatha Drive.

Motion: Mayor Valdin                      Second: Trustee Dopsovic

Vote: 4 ayes                      0 nays Abstain: Trustee Fawcett

**Approve** Payment to Welsbach in the amount of \$7,725 for installing a new light pole at 160 Howells Rd (damaged from vehicle/received reimbursement from insurance)

Motion: Mayor Valdin                      Second: Deputy Mayor Zepf

Vote: 5 ayes                      0 nays

**Approve** Payment to Brightwaters Hardware in the amount of \$3,687.08 for the quantity of 300 PVC 1 ¼' Conduit for work on the east side of the canal. Paid for by the 1.5M Bond.

Motion: Mayor Valdin                      Second: Deputy Mayor Zepf

Vote: 5 ayes                      0 nays

09/13/2021 – Board of Trustees Meeting

**Approve** Payment to L&A Bubbas BBQ Catering LLC in the amount of \$6,400 for Food and Service at the Gazebo Cocktail Fundraiser.

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

**Approve** Payment to Salerno Insurance in the amount of \$81,906.32. (Package Policy Renewal \$77,377.32 & Public Officials Liability Renewal \$4,529)

Motion: Mayor Valdini                      Second: Trustee Del Vecchio  
Vote: 5 ayes                      0 nays

**Approve** Resolution 12-2021 Limited Permission for Alcohol Consumption at the Village Block Party at the Village Square – 4 Corners on October 10, 2021

**RESOLUTION 12-2021**

**LIMITED PERMISSION FOR ALCOHOL CONSUMPTION AT THE VILLAGE  
BLOCK PARTY AT THE VILLAGE SQUARE-4 CORNERS  
ON OCTOBER 10, 2021**

**WHEREAS**, the Mayor and Board of Trustees are co-hosting a Block Party at the Village Square-4 Corners, on October 10, 2021 from 12:00pm to 5:00pm;

**NOW THEREFORE, BE IT RESOLVED** by this Resolution the Board of Trustees does grant limited permission for the consumption of Alcoholic beverages at the Block Party at the Village Square-4 Corners on October 10, 2021 from the hours of 12:00pm to 5:00pm, to be extended by the Mayor, at his discretion.

**WHEREFORE**, this **RESOLUTION**, hereby adopted by unanimous vote on September 13, 2021, 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.

  
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**JOHN VALDINI**, Mayor  
Incorporated Village of Brightwaters

Motion by: *MAYOR VALDINI*

Seconded by: *TRUSTEE DOPSOVIC*

*MAYOR VALDINI AYE*

*TRUSTEE ZEPPE AYE*

*TRUSTEE DELVECCHIO AYE*

*TRUSTEE FAWCETT AYE*

*TRUSTEE DOPSOVIC AYE*

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

**Approve Budget Modifications 2020 – 2021**

Modify Income: Fed Aid Disasters (A3410.408) from \$0 to: \$210,088.88

Modify Expense: Transfer to Capital Fund (A9550.9550000) from \$103,000 to: \$313,088.88

Motion: Mayor Valdini                      Second: Deputy Mayor Zepf

Vote: 5 ayes                      0 nays

**Approve** New Capital Projects to include: Construct a Sidewalk and Handicap Ramp on Windsor Avenue heading South to Lawrence Dr. (\$11,146 DeAl Concrete Corp.), Installation of blacktop Parking area and driveway at Wohseepee Park (\$29,000 Fifth Avenue Paving) & Paving Plymouth Avenue from Union Blvd. to Lakeview N. (\$140,172 Rosemar). Balance of \$29,770.88 to be applied towards other Capital Improvements projects.

Motion: Mayor Valdini                      Second: Trustee Fawcett

Vote: 5 ayes                      0 nays

**Approve Treasurer's Report and Abstracts**

**VILLAGE OF BRIGHTWATERS**

**ABSTRACT REPORT FOR BOT September 13, 2021**

Seeking to approve payment on:

Abstracts #4307-4313	vouchers	\$225,246.21
Expense		
Alpha Carting-Garbage August 2021	\$	36,036.00
NYS Employee Health Insurance-Sept & Oct 2021	\$	44,619.52
Salerno Brokerage Corp. - Renewal Insurance	\$	81,906.32
L&A Bubbas BBQ Catering-Gazebo Fundraiser Food & Service	\$	6,400.00
Welsbach Electric - Street light repair, replace & maintenance	\$	10,861.95

Income for Period: 8/31/2021-9/13/2021	\$228,512.29
Gross Receipts (Verizon & CSC Holdings)	\$20,621.16
Building/Plumbing Permits & ZBA Fees	\$3,750.00
Event Income	\$38,274.00
NYS Comptroller (1st half Coronavirus Funds)	\$156,871.33

**Treasurer's Report**

Cash on Hand as of 9/13/2021

General Fund - BNB	138,639
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General Money Market - BNB	50
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CLASS General	2,330,952
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Total Cash on Hand - General	<b>2,469,641</b>
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Capital Fund	11,892
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CLASS Capital fund	13,961
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Total Cash on Hand - Capital	<b>25,853</b>
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09/13/2021 – Board of Trustees Meeting

Canal Enterprise Fund - BNB	335,328
Canal Savings Fund - BNB	<u>299,406</u>
	<b>634,733</b>

Motion: Mayor Valdin                      Second: Trustee Del Vecchio  
Vote: 5 ayes                      0 nays

**Public Comments**

- John & Mark Kennedy of Concourse W – Linwood & Concourse Boating Parking Signs
- Christian Martin of Concourse W – Linwood & Concourse Boating Parking Signs
- Denise Gibson of Concourse W – Boating Parking Signs
- Marc Mulvey of South Bay – Boating Parking Signs

**Adjourn** the meeting:

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

Meeting adjourned at 8:56 PM.