

BOARD OF TRUSTEES MEETING MINUTES – August 20, 2019

The mid-month meeting of the Board of Trustees of the Inc. Village of Brightwaters was held on Tuesday, August 20, 2019 at 7:30 p.m. at Village Hall, 40 Seneca Dr., Brightwaters, NY, with the following officers present:

John J. Valdini
Thomas Zepf
Michael Dopsovic
Patrick Fawcett
Mary Del Vecchio
Nicole Rhodes
Charles Casolaro
Anthony Rambazis

Mayor
Trustee
Trustee
Trustee
Trustee
Clerk-Treasurer
Village Attorney
Code Supervisor

Mark Sagliocca

Planning Board Member

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

Permission to pay DeAl Concrete Corp. \$41,494.05 for concrete and brick work completed at the Northwest Corner in the Downtown. (Came in \$8,633.45 less than originally quoted)

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

Permission to purchase two (2) 2020 Ford F250 pick-up trucks off the NYS Mini Bid in the total amount of \$59,408.80 (To replace the 1999 Dodge Ram pickup & 2004 Dodge Ram 2500 that broke down and are unrepairable)

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

Approve 2019-2020 Budget Modifications as follows:

- Modify Income: CHIPS (A3501) from \$121,083.92 to: \$165,000
- Modify Income: Appropriated Fund Balance (A599N) from \$170,000 to: \$175,526.64
- Modify Expense: Central Garage-Summer Hires (A1640.110) from \$10,000 to: \$0
- Modify Expense: Central Garage-Equipment (A1640.200) from \$47,140 to: \$106,548.80

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

Appoint Jack Fawcett as Lifeguard (new) at a rate of \$10.50 an hour.

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

Village Attorney Charles Casolaro, received a letter from a Law Firm in Dallas Texas who represents Aptive Environmental, a nationwide pest control service. The way they make money

is soliciting door to door. A lot of villages on Long Island, like ours have anti-solicitation codes. The Federal Courts have ruled those codes unconstitutional because they are prohibition and an infringement of free speech. The law firm that represents Aptive, has sued a number of villages on Long Island and has won significant monetary damages as well as getting those codes vacated. We've drafted an interim agreement as well as many other villages on Long Island, stating the village will not enforce our non-solicitation ban code provisions for 6 months and allow us to rewrite our law. If this company choses to solicit in the village they may do so.

Permission to enter into an Interim Agreement between Aptive Environmental and the Village of Brightwaters.

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

Discussion of Proposed Lease Agreement between the Storage Vault and Brightwaters:

Village Attorney, Charles Casolaro advised that the Storage Vault has asked to lease the village's property on the dead-end street next to their business for a term of 15 years with two (2) ten-year extensions. Their Attorney indicated they will be spending a substantial amount of money on renovating and bringing up to code so they would like a 15-year term for a better investment. They would rent \$150 a month with a 3% increase each year in rent. They would put an access control rolling entry gate matching the estate style fencing of the storage facility. The fence would be 6ft high and screened to prevent the view of the parking lot from the street. They would also put a chain link fence at least 6ft high surrounding the parcel. They will maintain the street, put sidewalks, curbing and driveway and bring it up to code and village standards. The lease is subject to coming before the planning board for site plan approval. The use of it would be for an outdoor storage of registered non-commercial vehicles. The village would have the right to inspect it at any time. Currently this is a paper road that is not maintained and it would be an opportunity to have it maintained at no cost to the village. The lease has been sent to the Planning Board.

Mark Sagliocca Planning Board member advised that Planning Board wants to take baby steps. He stated the income from it isn't substantial. The Planning Board is looking down the road and suggested that the property could be of better use to the village now or in the future. The Planning Board will need to see a detailed site plan before the lease is approved. They definitely do not want to see RV's, Tractor Trailers, Landscape Trucks, Boats, there and would need to add those restrictions in the lease. Also, the time frame of the lease he would like to see lowered to more like 5-10 years. The Village might be able to use it for something in the future, ie: DPW Storage or more parking, etc.

Village Attorney stated that this is just their proposal. He recommended they come in and have a preliminary meeting with the Building Inspector and then prepare a site plan and come before the Planning Board to present. Village Attorney will continue discussion with their attorney.

Other Topics:

1. Lakes: Met with the DEC representative today to discuss the overgrowth around the lakes. He will be preparing a summary of what can and can not be done without a permit. If a plant, shrub or bush is cut back and in effect dies from the cutting we would be in violation with the DEC. In order to prevent that from happening, we will come up with a plan and reach out to an expert to assist our DPW department with the clean-up.
2. Sexual Harassment/Workplace Violence Training: The Village is having a Sexual Harassment/Workplace Violence Training as required by NYS and the deadline is

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October 9th. Clerk Rhodes advised that they are looking to do this most likely on a Wednesday and aiming for October 2nd from 1pm-4pm when the office is closed to the public.

3. Garage Sale: The Block Party is on October 5th with a rain date of October 6th. The fee will be raised to \$35 and the other homes having tag sales on that same day will have to also pay the \$35 fee.

Motion: Mayor Valdin Second: Trustee Del Vecchio

Vote: 5 ayes 0 nays

4. Block Party: October 13th rain or shine.
5. Recap of summer events, cancelling the Back to School event.
6. 103 Orinoco Update.

Adjourn: Motion: Mayor Valdin Second: Trustee Del Vecchio

Vote: 5 ayes 0 nays

Meeting adjourned 8:38 PM