

## **BOARD OF TRUSTEES MEETING MINUTES – July 6, 2015**

The monthly meeting of the Board of Trustees of the Inc. Village of Brightwaters held on Monday, July 6, 2015 at 8:00 p.m. at Village Hall, 40 Seneca Drive, Brightwaters, NY, with the following officers present:

Joseph McDermott  
Diane Urso  
Bernadette Whitwell  
Laurie Elliott  
Christian Sullivan  
Donna M. Barnett  
Charles J. Casolaro

Mayor  
Deputy Mayor  
Trustee  
Trustee  
Trustee  
Clerk-Treasurer  
Village Attorney

Also:

John Catania  
Alexander Dumala  
Robert O'Shea

DPW Foreman  
Code Enforcement Supervisor  
Building Inspector

At 8:00 pm, Mayor McDermott called the meeting to order followed by a salute to the flag and a moment of silence for our troops.

Mayor McDermott proceeded to officially swear in the newly elected trustees: Trustee Christian Sullivan, Trustee Bernadette Whitwell, and Trustee Laurie Elliott.

Approval of the Minutes from the Board Meetings of June 1, 2015 and June 17, 2015:

Motion: Trustee Urso

Second: Trustee Elliott

Vote: 5 ayes                      0 nays

SCPD Police Report: No Officer present.

### Mayor's Report:

The beetle situation update at Wohseepee Park and possibly in other parts for the Village. We had to remove some trees at the park that were infected and dying. There are photos and a map of where the trees were that were taken down and which trees are infected. The Village is very proud of the tree heritage and does not take this lightly. If there are any questions, please bring them up at the open part of the meeting or after the meeting.

For the movie night, we put up cones up on the properties around the park with "no parking - special event" signs to keep the cars off of the neighbor's lawns. This was effective for the size of the crowd and will be utilized in the future.

### Highway Report – Trustee Whitwell:

Summer season – flowers are planted, trees are trimmed and grass is being cut

Walker Beach – excellent feedback from beachgoers about the new amenities including the showers, volleyball court, lower basketball hoop, geese control. Thanks to John Catania and his crew for their hard work.

Movie night – huge success thanks to the parks committee, Chris Pace and his Snapple contributions, Reggie for manning the popcorn, Mario Fiore for the line dancing. We will hopefully have another one in the Fall.

### Code Enforcement – Trustee Sullivan:

SCPD – there were 68 calls, 4 were aided cases, some are responses to empty properties, 13 commercial alarms, and 16 residential alarms. Most were false alarms. There were 21 domestic calls/disturbances, the smell of gas was reported, dirt bikes, bonfires, suspicious persons. If you see someone that looks suspicious, please call the police. DPW secured the property at the end of Concourse West and it is now up for sale with lots of interest. 86 summonses were issued mostly in the evening, 9 violations and 16 complaints. Wanted to commend Bob O'Shea, the building inspector, for all the hard work he does. He is always available to us. He met with the attorney and an owner of a property on Orinoco Drive. The building inspector and the fire marshal will be scheduling regular inspections of commercial properties.

Administration – Trustee Elliott:

Collection of taxes has been completed and there are some outstanding. Letters went out about volcano mulching.

Fire marshal'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.

Commercial Occupancy Fire inspections have continued in the Village of Brightwaters since my last report, with subsequent re-inspections having also been conducted to insure that all violations have since been removed.

Positive progress regarding the *Jon Thomas Inne* has evolved pertaining to the acceptance testing and inspection of life safety & fire protection systems. After multiple meetings and inspections with property and business owners in addition to the many contractors, the Jon Thomas Inne is due to open by this month's end. An Inspection and acceptance test of the New Automatic Fire Sprinkler System, New Automatic Fire Alarm and New Automatic Extinguishing System for the kitchen has been completed. I will be completing additional inspections of the remaining life safety systems in the coming weeks to insure the safety of all and insure complete compliance with the New York State Fire Code.

During the past month there was no request for investigations of fire activity within the Village of Brightwaters.

Sincerely,  
Matthew Brennan, Fire Marshal  
Village Of Brightwaters

Lakes and Parks – Trustee Urso:

Thanks to Bernadette Whitwell for the hard work of the movie night/block party. It was her entire movement to start movie night and the block party. Today was the start of day camp with 52 campers and will run through July 31. This Wednesday night is the first Walker Beach family night and traditionally red, white and blue bike night and officially Chris Pace night. The last Wednesday of the month, August 29<sup>th</sup>, is the Jimmy Buffett night with food from Milk & Sugar and drinks from Chris Pace and Snapple. Cross Bay swim is Friday, July 17<sup>th</sup> with swimmers arriving around 9 AM. On August 8<sup>th</sup>, the Ice Cream Social with the Black Tie Affair Orchestra, a different band from prior years. Thursday, August 20<sup>th</sup> is the snapper tournament. We have volunteers but are looking for someone to spear-head the event. Please call Village Hall if you are interested.

**Public Hearing** on permission for a 2 story structure on 59 Orinoco.

Mayor's Comments: this is a mini-storage unit seeking permissions now for quite some time. They cleared the ZBA with use permission. Bob O'Shea reviewed the plans and the Planning Board has reviewed them as well.

**Open Public Hearing on 59 Orinoco Drive: permission to build a two story structure occupying 50% of the lot**

Motion: Trustee Sullivan

Second: Trustee Elliott

Vote: 5 ayes

0 nays

Representing the owner: Raymond Giusto, Attorney for Jim Petrocelli, Owner:

The property currently is an eye sore and a two story structure, it is abandoned, lighting is poor, no fencing. A storage unit is benign, no noise, no nuisance, and most importantly one of the most non-offensive in the terms of traffic flow. The issue to be determined is the height of the building. The Planning Board made certain recommendations in a letter dated April 8, 2013. Every item in the letter has been incorporated and agreed upon. The building requires 28 feet and 35 feet is allowed by code. The Institute of Transportation Engineers has a manual describing various uses and the rates of traffic flows. Under the industrial category, mini-warehouse has trips per unit per square foot. The facility will be 30,000 square feet and will generate 8 trips per hour at peak time representing trips in and out. Presented a comparison of mini-storage versus other uses. For example, a 30,000 square foot office building would generate 107 trips per peak hours versus 8 for mini-storage. The owner hired Savik & Murray engineers to do a study. They used the same manual and rates they agree and they say .26 trips per thousand square feet is accurate. They reviewed if the number of units makes a difference and it was determined that with 428 units it works out to 9 trips per peak hour. If calculated by acreage, it is 3 trips per hour. There will be 14 parking spaces but only 8 are required. Facility will be gated, fully lighted with security cameras. Mr. Petrocelli's firm has built the Duck's stadium and the Aquarium.

Comments:

- ZBA granted a variance for use as a storage facility, which was the only action that the ZBA was asked to review. It is up to the Board of Trustees to grant a two story provision and the 50% is no longer an issue as it complies with the code. The ZBA also approved the operating hours of 6 AM to 9 PM.S
- Facility will be staffed from 9 AM to 5 PM with access card entry from 6 AM to 9PM. No access outside of these hours.
- The entire site will be monitored by cameras on a DVR loop. If there is an occurrence, the recording will be reviewed. Any concerns will be addressed by the owner.
- Tenants have to certify what they are storing and have to carry insurance
- The size of the units will be a mix of sizes, with the larger ones on the ground floor.
- Units are prefabricated and cannot be adjusted without major construction, If they have to be modified, a building permit would have to be filed.
- Lighting: will the Village enforce the lighting so it isn't invasive?
- Village should bond, buy the lot and make it a catch basin to alleviate flooding
- Will everyone be out at 9 PM? People may try to live in the place.
- Traffic on Lombardy: used as a thoroughfare for PSE&G trucks. Builder will advise construction trucks to use Fifth Avenue to Orinoco.

- Dark sky compliant lighting will be used, not flood lighting, will use lighting similar to the downtown revitalization.
- Copies of the plans have been available in Village Hall for the last several weeks, including elevations and a landscape plan. Final site plan review will be subject to Planning Board approval.
- Does this use really serve the Village residents? The Mayor spoke with the employees of Bob's Storage and measured the aisles. The employee said people don't come to visit their belongings. The Village has the responsibility to follow up on any complaints that might arise.
- Build time should be 6 months.

**Close Public Hearing** on 59 Orinoco Drive two story structure:

Motion: Trustee Elliott

Second: Trustee Urso

Vote: 5 ayes

0 nays

**Approve application** for 59 Orinoco Drive to build a two story structure and occupy less than 50% of the lot as a mini-storage unit. Motion: Trustee Urso Second: Trustee Elliott

Vote: 5 ayes

0 nays

**Adopt Fund Balance Policy**

Inc. Village of Brightwaters  
Fund Balance Policy  
Developed for GASB 54

***Purpose***

The Board recognizes that the maintenance of a fund balance is essential to the preservation of the financial integrity of the Village and is fiscally advantageous for both the Village and the taxpayer. This policy will ensure that the Village maintains adequate fund balances and reserves in order to:

- Provide sufficient cash flow for daily financial needs,
- Secure and maintain investment grade bond ratings (if necessary),
- Offset significant economic downturns or revenue shortfalls, and
- Provide funds for unforeseen expenditures related to emergencies.

***Definitions***

Fund balance is a measurement of available financial resources and is the difference between total assets and total liabilities in each fund. The following definitions will be used in reporting activity in governmental funds. The Village may or may not report all fund types in any given reporting period based on actual circumstances and activity.

The general fund is used to account for all financial resources not accounted for and reported in another fund.

Debt service funds are used to account for all financial resources restricted, committed or assigned to expenditure for principal and interest.

Capital projects funds are used to account for all financial resources restricted, committed or assigned to expenditure for the acquisition or construction of capital assets.

GASB Statement 54 distinguishes fund balance classified based on the relative strength of the constraints that control the purposes for which specified amounts can be spent. Beginning with the most restrictive constraints, fund balance amounts will be reported in the following categories:

- 1) **Nonspendable fund balance** – amounts that are not in a spendable form (e.g., inventory) or are legally or contractually required to be maintained intact (e.g., permanent fund principal).
- 2) **Restricted fund balance** – amounts that can be spent only for the specific purposes stipulated by external parties either constitutionally or through enabling legislation (e.g., grants or donations).
- 3) **Committed fund balance** – amounts that can be used only for the specific purposes determined by a formal action of the Board of Trustees. Commitments may be changed or lifted only by referring to the formal action that imposed the constraint originally (e.g., the board's commitment in connection with future construction projects).
- 4) **Assigned fund balance** – amounts *intended* to be used by the government for specific purposes. Intent can be expressed by the Board of Trustees or by a designee to whom the governing body delegates the authority. In governmental funds other than the general fund, assigned fund balance represents the amount that is not restricted or committed. This indicates that resources in other governmental funds are, at a minimum, intended to be used for the purpose of that fund.
- 5) **Unassigned fund balance** – includes all amounts not contained in other classifications and is the residual classification of the general fund only. Unassigned amounts are available for any legal purpose.

### ***Policy***

The responsibility for designating funds to specific classifications shall be as follows:

**Committed Fund Balance** – The Board of Trustees is the Village's highest level of decision-making authority, and the formal action that is required to be taken to establish, modify, or rescind a fund balance commitment is a resolution approved by the Board.

**Assigned Fund Balance** – The Board of Trustees has authorized the Mayor and the Clerk-Treasurer as officials authorized to assign fund balance to a specific purpose as approved by this fund balance policy.

### ***Minimum Unassigned Fund Balance***

It is the goal of the Village to achieve and maintain an unassigned fund balance in the general fund at fiscal year end of not less than 6% and not more than 20% of budgeted expenditures. If the unassigned fund balance at fiscal year end falls below the goal, the Village shall develop a restoration plan to achieve and maintain the minimum fund balance. Should unassigned fund balance of the general fund ever exceed the maximum (20%) range, the Village will consider such fund balance surpluses for one-time expenditures that are non-recurring in nature and which will not require additional expense outlays for maintenance, additional staffing or other recurring expenditures.

### ***Order of Expenditure of Funds***

When multiple categories of fund balance are available for expenditure (e.g., a project is being funded partly by a grant, funds set aside by the Board, and unassigned fund balance), the Village will start with the most restricted category and spend those funds first before moving down to the next category with available funds.

Motion: Trustee Elliott                      Second: Trustee Urso  
Vote: 5 ayes                      0 nays

**Permission to surplus** two (2) GEM vehicles (golf carts)

Motion: Trustee Elliott                      Second: Trustee Whitwell  
Vote: 5 ayes                      0 nays

**Approval** of refund of camp fee due to economic hardship.

Motion: Trustee Urso                      Second: Trustee Sullivan  
Vote: 5 ayes                      0 nays

**Appointments** of additional Summer Hires:

Eileen Cox	Day Camp Director	\$ 30.00
	Asst. Day Camp	
Tim Cox	Director	\$ 18.75
Courtney Cox	Counselor	\$ 10.00
Carley Cox	Counselor	\$ 9.00
Marc Barreda	Counselor	\$ 9.00
Jordyn Pellman	Counselor	\$ 8.00
Thomas Glynn	Counselor	\$ 9.00
Matt Ilchuck	Counselor	\$ 7.25
Emmett Glynn	Counselor	\$ 7.25
Maggie Colbert	Counselor	\$ 7.25
Caroline Fallon	Lifeguard	\$ 8.75
Emma Simms	Lifeguard	\$ 8.75

Motion: Trustee Sullivan                      Second: Trustee Elliott  
Vote: 5 ayes                      0 nays

**Permission** to contract with **Allied Insurance** for general liability insurance at a cost of \$73,970 (budgeted \$86,000)

Motion: Trustee Elliott                      Second: Trustee Urso  
Vote: 5 ayes                      0 nays

**Approval** of Treasurer's report and abstracts

## 07/06/2015 - Board of Trustees Meeting

<b>ABSTRACT REPORT FOR BOT July 6, 2015</b>			
Seeking to approve payment on:			
Abstracts # 3944-3949	87 vouchers		\$172,482.87
<b>Large Payments</b>			
Alpha Carting - monthly garbage removal -June		\$	31,789.00
Bay Shore Brightwaters Rescue Ambulance		\$	30,000.00
Employee Benefits - Civil Service health insurance		\$	11,882.43
Bissett Equipment - Lawnmower		\$	9,700.00
Town of Islip DPW - street sweeping		\$	8,282.10
Suffolk County Water Authority - hydrant rental		\$	7,849.80
Adept Technology Consulting-server install		\$	3,450.00
<b>Treasurer's Report</b>			
Cash on Hand as of 7/6/2015			
General Fund - BNB		592,181	
General Money Market - BNB		1,400,015	
CLASS General		314,640	
Total Cash on Hand		<b>2,306,837</b>	

## Annual Organizational Meeting

### Appointments:

<u>Position</u>	<u>Term</u>	<u>Name</u>
DPW Foreman	One year	John Catania
Village Engineer	One year	Dan Falasco
Acting Village Justice	One year	Jason Fenley
Deputy clerk	One year	Carol Posimato
Registrar	One year	Donna Barnett
Assessor	One year	Donna Barnett
Village Historian	One year	Jane Arbeiter
Dockmaster	One year	Charlie Hayward

### Mayoral Appointment:

Deputy Mayor	One year	Diane Urso
--------------	----------	------------

Motion: Trustee Elliott  
Vote: 5 ayes

Second: Trustee Sullivan  
0 nays

### Resolutions:

RESOLVED that Mayor McDermott, or his designated successor, be authorized to approve the attendance by the Board of Trustees, Board of Appeals, Planning Board, Village Administrative staff, Highway Administrative foreman, and Code Enforcement officers to specific training schools and/or meetings with expenses reimbursed.

RESOLVED that the Islip Bulletin be and hereby is designated the official newspaper for the village.

RESOLVED that Bridgehampton National Bank be and hereby is designated as the depository for the village funds in the General, Payroll, Trust, Capital and all other funds, said bank to pledge suitable and sufficient collateral at all times for the protection of said funds and that the funds in these various accounts be made available upon the signature of any two officers.

RESOLVED that the Village establishes a Capital Project Fund with Bridgehampton National Bank for the purpose of maintaining the funds necessary to complete capital projects consisting of, but not limited to, road paving and reconstruction, canal reconstruction, building construction and maintenance, downtown revitalization projects and heavy duty vehicles for the DPW.

BE IT FURTHER RESOLVED that any two of the following officers of the municipality, to wit: Joseph McDermott, Mayor, Diane Urso, Trustee, or Donna M. Barnett, Village Clerk Treasurer alone, with the approval of the foregoing, are hereby authorized to make arrangements to borrow money to obtain credit for this municipality from Bridgehampton National Bank or such bank as may seem advisable to make and deliver notes, drafts, acceptances, advances, agreements and any other obligations of this municipality therefore in form satisfactory to said bank and to manage and transact bank matters or other business of any kind whatsoever with the bank or its officers. Also, the treasurer is empowered to invest idle fund monies of the village at her discretion and in the best interest of the village, with the approval of the Mayor.

RESOLVED that idle fund monies be invested in CLASS from the general fund, or Bridgehampton National Bank general fund money market and sufficient collateral be pledged for the protection of said funds.

RESOLVED that the village board meetings be held on the first Monday of each month excepting those falling on a holiday and then the meeting will be held on the day following the holiday. The village is authorized to notify by postings, newsletters or the news media of such meeting schedule.

RESOLVED that certain recurring charges such as postage, public utility bills, payroll salaries, petty cash and other usual expenses be paid in advance of audit of claims.

RESOLVED that the Board of Trustees shall approve reimbursement to officers and employees of the village who use their personal automobiles while performing their official duties on behalf of the village at a rate of 57.5 cents per mile.

RESOLVED that the Capitalization Policy will be recorded on capital assets (.2 equipment) which generally have a cost of \$1,000 or more at the date of acquisition and have an expected useful life of more than one year.

Motion: Trustee Elliott  
Votes: 5 ayes

Second: Trustee Sullivan  
0 nays

Public Session:

- There are no IRS implications for Fund Balance as we are not subject to Federal Tax laws



07/06/2015 - Board of Trustees Meeting

- The assessed value will increase on the 59 Orinoco property when it is completed and will add to the Village's tax roll
- The work being done at the PSE&G has been investigated by the building inspector and they have filed a building permit. The Mayor and Bob O'Shea met with PSE&G and reiterated the concern of trucks on Lombardy Blvd.

The Mayor invited the audience and Board to refreshments served outside and thanked John Valdini for setting it up.

**Adjourn** the meeting:

Motion: Trustee Elliott

Second: Trustee Urso

Vote: 5 ayes

0 nays

Meeting adjourned at 9:45PM.

Minutes approved at Board of Trustees meeting August 3, 2015.