

BOARD OF TRUSTEES MEETING MINUTES – March 6, 2017

The regular meeting of the Board of Trustees of the Inc. Village of Brightwaters was held on Monday, March 6th, 2017 at 8:00 p.m. at Village Hall, 40 Seneca Dr., Brightwaters, NY, with the following officers present:

Joseph McDermott	Mayor
Christian Sullivan	Trustee
Bernadette Whitwell	Trustee
Carmine Chiappetta	Trustee
Charles Casolaro	Village Attorney

Absent:	
Laurie Elliott	Trustee

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 Armed Forces.

Approval of the Minutes from the Board meetings of February 6, 2017 and February, 2017.

Motion: Trustee Whitwell Second: Trustee Sullivan

Vote: 4 ayes 1 absent 0 nays

Suffolk County Police Department 3rd Precinct – Officer from the 3^d Precinct. Trustee Whitwell reports that several neighbors have had their autos rifled through and the items not wanted were thrown outside at the end of the canal. None of the incidents have been reported to the police. The officer stressed again that they need to be reported. There is quite a bit of it going on in West Islip. The officer stated that they are most likely looking for drugs and cash. Another question came up regarding menacing dogs. The Islip dog warden should be called. The resident should call either Village Hall, the code enforcement or SCPD and the dog warden will be notified.

Mayor's Report:

- Canal work is going well. The DPW will install conduit for electric for the poles and replace the water lines that were removed for construction

DPW – Trustee Sullivan

- Regular DPW maintenance has been going on. They have started to service landscape equipment
- They have been repairing grass and stone areas that were damaged due to snow cleanup
- The workers have removed wood and dirt around the Sycamore trees in the downtown area as per the instructions of the arborist. This is the start of the process to allow the trees to have more water
- Walker beach – there has been a lot of cleanup in that area and we are looking at drainage issues at the beach
- The DPW has been repairing split rail fences around the Village
- The drainage issue on Peters Blvd. has been fixed and a new basin was installed

Code Enforcement – Trustee Chiappetta

- Monthly report shows that there has been a small amount of reported cases and incidents

- Will be meeting with Ernie Kozee this Friday to go over some issues around the Village
- There are shifts available if anyone knows someone that would be interested

Administration – Trustee Elliott (Absent)

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.

Fire inspections continue in the Village of Brightwaters. Re-inspections have also been conducted to insure that all violations have since been removed.

Fire Alarm Plans were submitted, examined and approved for 184 Orinoco Dr., previously occupied as “Henley’s Tavern”. In additions to renovation will be the installation of required fire protection equipment in the kitchen in addition to an automatic fire alarm system. All required fees will or have been forwarded to the Deputy Village Clerk for processing.

During the past month, there were no request for investigations of fire from the Bay Shore Fire Department.

Sincerely,

Matthew Brennan

Matthew Brennan, Fire Marshal
Village of Brightwaters

Lakes and Parks– Trustee Whitwell

- Walker beach has been the focus in this nice weather. Signage has been reduced and a bench will be added in the shower area. Split rail fencing has been installed in front of the play areas for safety reasons
- Gilbert Park: there will be more enforcement of the Resident’s Only policy for dog owners and visitors
- Upcoming events: St. Patrick’s parade is on Saturday at 2 PM and the Trustees will be marching and there will be a 5k run before the parade so look for road closures
- April 2nd – the B.I.G. will be hosting a Polar Plunge fund raiser for a special needs swing and a dedication ceremony for the playground
- Easter Sunday: the Lions club will be hosting the Easter egg hunt
- April 22nd: shredding event
- April 29th: Park appreciation day at Wohseepee Park and Arbor Day ceremony

Open Public Hearing on Local Law 3-2017 to expand the Board of Trustees special use permit jurisdiction to include restaurants that seek permission for outdoor dining.

Motion: Trustee Sullivan Second: Trustee Whitwell

Vote: 4 ayes 1 absent 0 nays

- Will the Board prohibit outdoor music with the outdoor seating? If so will it be regulated?
- Has the Village looked into other Village ordinances? Is there a specific distance the seating can go out to? The Board will be able to dictate all restrictions

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- Have guidelines been set up for these restrictions? There are some restrictions in the code already and will be updated as we start receiving applications. It will be determined on a case by case basis

Close Public Hearing on Local Law 3-2017

Motion: Trustee Whitwell

Second: Trustee Sullivan

Vote: 4 ayes

1 absent

0 nays

Adopt Local Law 3-2017:

LOCAL LAW NO. 3- 2017

TITLE: “A Local Law to Amend Chapter 128 Article V – Business Districts of the Code of the Inc. Village of Brightwaters – Special Permits”

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

FIRST: Amendment to Chapter 128-14. - Special Permits

§128-14. Special Permits (to be added to the existing law)

A) For any restaurant or food establishment that serves and consumes food on the premises, located within any Village business district, a special permit, as defined under village code, shall be required for the operation of outside dining.

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.

Motion: Trustee Chiappetta

Second: Trustee Sullivan

Vote: 4 ayes

1 absent

0 nays

Open Public Hearing on Local Law 2-2017 to amend Article IV section 61-22 Appeals Board regarding Flood Damage Prevention.

Motion: Trustee Sullivan

Second: Trustee Whitwell

Vote: 4 ayes

1 absent

0 nays

Close Public Hearing on Local Law 2-2017

Motion: Trustee Sullivan

Second: Trustee Whitwell

Vote: 4 ayes

1 absent

0 nays

Adopt Local Law 2-2017:

LOCAL LAW NO. 2- 2017

TITLE: “A Local Law to Amend Chapter 61-22 of the Code of the Inc. Village of Brightwaters – Article VI – Variance Procedures”

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

FIRST: Amendment to Chapter 61-22, Article VI, Variance Procedures.

§61-22(D 1-12) (E)(F)- Variance Procedures

This section shall be **deleted and removed** from the Village Code, as follows:

§61-22 Appeals Board.

Subsection Paragraph D, subsections 1 thru 12

Subsection Paragraph E

Subsection Paragraph F

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.

Motion: Trustee Sullivan

Second: Trustee Whitwell

Vote: 4 ayes

1 absent

0 nays

Permission to contract with Skinnon & Faber, CPAs to perform the 2016-17 audit and filing of the New York State AUD report at a cost not to exceed \$13,250 to include Canal Enterprise fund, Capital fund and General fund.

Motion: Trustee Chiappetta

Second: Trustee Sullivan

Vote: 4 ayes 1 absent 0 nays

Permission to pay Quintal Contracting Corporation \$199,749.60 for first payment on canal restoration. Funds to come from \$1.6M bond issue.

Motion: Trustee Whitwell Second: Trustee Sullivan
Vote: 4 ayes 1 absent 0 nays

Approve Bay Shore Brightwaters Little League use of Wohseepee Park and Penataquit Drive for opening day parade on Saturday, April 1st from 8:30-9:30AM.

Motion: Trustee Sullivan Second: Trustee Whitwell
Vote: 4 ayes 1 absent 0 nays

Permission to surplus DPW truck #25 – 1999 Dodge 2500 and DPW truck #17 1983 F700 rack truck.

Motion: Trustee Sullivan Second: Trustee Whitwell
Vote: 4 ayes 1 absent 0 nays

Call for Public Hearing on April 3rd, 2017 for Local Law 4-2017 to override the NYS Tax Levy Limit for budget year 2017-18.

Motion: Trustee Sullivan Second: Trustee Whitwell
Vote: 4 ayes 1 absent 0 nays

Call for Public Hearing on April 3, 2017 on the 2017-18 Budget.

Motion: Trustee Chiappetta Second: Trustee Whitwell
Vote: 4 ayes 1 absent 0 nays

Adopt Resolution 2-2017 Authorize the start of the Downtown Revitalization of the southeast corner for a cost not to exceed \$133,000. Funds to come from Revitalization Grants, General Fund appropriations and unassigned Fund Balance.

Motion: Trustee Whitwell Second: Trustee Sullivan
Vote: 4 ayes 1 absent 0 nays

BOARD OF TRUSTEES – INC. VILLAGE OF BRIGHTWATERS
RESOLUTION 2-2017

DOWNTOWN REVITALIZATION PROJECT – PHASE 2: SE CORNER OF FOUR CORNERS

WHEREAS, for the beautification and economic interest of the southern business district located at the intersection of North Windsor Avenue and Orinoco Boulevard, also known as the Four Corners, the Board of Trustees has selected the southeast corner as Phase 2 of the downtown revitalization project; and therefore be it,

RESOLVED, that the “Phase 2: SE Corner of Four Corners” is hereby authorized by the Board of Trustees and shall be funded from a combination of the Suffolk County Downtown Revitalization Grant Round 12 and 13 funds, revitalization fees, General Fund appropriations and NYS DOT CHIPS funds. Phase 1 project costs are estimated at \$133,000 for the installation

Approve Hohwald Landscaping as the low bidder out of four bidders for the 2017/2018 Tree Removal and Maintenance Bid.

Motion: Trustee Chiappetta

Second: Trustee Whitwell

Vote: 4 ayes

1 absent

0 nays

Approve abstracts and Treasurer's report:

ABSTRACT REPORT FOR BOT March 6, 2017			
Seeking to approve payment on:			
Abstracts # 4015-4017	50 vouchers		\$64,900.95
Alpha Carting - January 2017		\$	26,147.00
Employee Benefits Division - Health Insurance		\$	16,141.61
Treasurer's Report			
Cash on Hand as of 3/2/2017			
General Fund - BNB			155,730
General Money Market - BNB			50
CLASS General			867,887
	Total Cash on Hand - General		1,023,667
Capital Fund			10,936
CLASS Capital fund			83,398
	Total Cash on Hand - Capital		94,334
Canal Enterprise Fund			1,723,788

Motion: Trustee Whitwell

Second: Trustee Sullivan

Vote: 4 ayes

1 absent

0 nays

Public Comments:

- Propose that meetings following school calendar
- Neighbor was running a chain saw all weekend long and will probably be doing construction all summer long. Would like to limit the time frame on weekends when residents can use power tools.
- The issue with the solid fence on Plymouth is currently in litigation
- Reinstall the code lock at Gilbert Park
- Trees that have fallen in the Lakes and have not been removed. Perhaps they could be trimmed more aggressively
- Remove or trim back the poison ivy on Lakeview Avenue West
- Would the DEC allow a fish ladder in the Lakes?

Adjourn: Motion: Trustee Sullivan

Second: Trustee Whitwell

Vote: 4 ayes

1 absent

0 nays

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Meeting adjourned 9:15 PM

Approximately 8 people in attendance.