

1/3/2011 - Board of Trustees Meeting

BOARD OF TRUSTEES MEETING MINUTES – JANUARY 3, 2011

The regular meeting of the Board of Trustees of the Inc. Village of Brightwaters was held on Monday, January 3, 2011 at 8:00 pm at Village Hall, 40 Seneca Dr., Brightwaters, NY, with the following officers present:

Joseph A. McNulty	Mayor
Charles Fischer	Deputy Mayor/Trustee
Mary Susan Belford	Trustee
Robert W. Fischer	Trustee
John Valdini	Trustee
John P. Finnerty, Esq.	<i>Village Attorney</i>
Christine O'Shea	<i>Village Clerk & Treasurer</i>

At 8:04 pm, Mayor McNulty called the meeting to order followed by a salute to the flag. After the Pledge of Allegiance, a motion to approve the minutes of 12/6/10 as written was offered by Tr. Charles Fischer, seconded by Tr. Robert Fischer and all approved 4/0.

Suffolk County Police Dept. Third Precinct

Police officer Rollman was here at this meeting. He reported there was no news to report. All is quiet.

Trustee Reports

Highway Dept.

Tr. Bob Fischer read his report for this meeting –

Completed Christmas decorations throughout the village.

The first snow of the season arrived on December 14th; we put down 26 cubic yards of salt. Replacement salt was ordered for future seasonal snow.

Rented a vac-all truck to clean out village drains.

Delgado Paving repaired trenches on Orinoco Drive & Peters Blvd and Seneca Drive & Potter Blvd. with asphalt.

The canal was cleaned of all ropes and hoses left behind.

The highway department in conjunction with DF Stone repaired the drainage problem at Village Gardens.

The Town of Islip brined the roads on Orinoco Drive from Pine Drive to Lombardy Blvd. and Windsor from Seneca Drive to Montauk Highway in preparation for snow.

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Tr. Robert Fischer added that the highway dept. did an amazing job snow plowing last weekend. They worked 20hrs straight due to high winds and drifting snow. Snow clean up ended on Wednesday.

He also stated that he had received a letter in regards to storm drains overflowing and we had rented a vac-all truck to clean drains which is part of our MS4 program requirements.

Also, when it snows, cars left out on the street become real problems. Homeowners, who hire contractors to plow their driveways, end up pushing snow into our streets causing problems.

Tr. Fischer also mentioned that when we plant trees in December after the first frost have a better chance of surviving. We only lost one last year. We loose a lot more trees planted in the spring due to the lack of residents watering them.

Administration

Tr. Charles Fischer moved to approve Abstract Report #3445 for accounts payable vouchers totaling \$125,414.74 - The primary drivers this month were the ambulance contract \$60,000., sanitation \$31,000., and tree planting \$12,675., - other wise business is as usual and Tr. Robt. Fischer seconded and abstract was approved for payment 4/0.

Trustee Mary Susan Belford arrives at 8:12p.m.

Code Enforcement

Tr. Valdini stated that again this month there were cars broken into and when asked if cars were locked the reply was “no”. So please remember to lock your cars.

He also stated that there is a ‘boat break in’ committee and they are to meet up soon.

And again we find graffiti on mail boxes around village and we will paint as soon as weather permits.

Lakes and Parks

Tr. Belford said she is looking into getting more plantings for Wohseepee Park and Walker Park.

“Lite the Nite” was a very nice evening around the village. At Wohseepee Cabin the business people put on a nice social event and the lights looked great around the park. Tr. Belford added that she is so looking forward to the spring.

Treasurer Report @ December 31, 2010

<i>Municipal checking:</i>		
General Fund	\$	12,585
Payroll Fund		241

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Trust & Agency Fund	162
Restoration Fund	4,070
<i>Investments:</i>	
CLA\$\$ General Fund	613,653
CLA\$\$ B.I.G. Fund	3,047

Public Hearing to Amend Section 128-100 to redefine the powers of the Planning Board

Tr. Charles Fischer read the following resolution aloud.

RESOLUTION

An act to amend section 128-100 of the Code of the Village of Brightwaters to redefine the Powers of the Planning Board.

Be it enacted by the Board of Trustees of the Village of Brightwaters that the above section of the Code of the Village of Brightwaters shall be, and hereby is, amended as follows:

128-100. Powers.

The Planning Board shall investigate and review such matters as [is] are referred to it by the Mayor or Board of Trustees, shall hold public hearings when and as required by law and in other matters as it sees fit and shall report to the Mayor and Board of Trustees thereon, including any and all recommendations. No subdivision of any parcel of land in the Village shall be approved unless the application therefor is referred by the Building Inspector[, following Board of Appeals approval if necessary,] to the Planning Board for its review and recommendations, and thereafter shall be referred by the Building Inspector to the Board of Appeals if required by the Code. The Planning Board has the right to recommend to the Board of Trustees covenants and restrictions which will run with the land in perpetuity unless otherwise altered or changed by the Board of Trustees. Once a covenant and restriction has been filed against a parcel of land, it may only be altered or removed by the Board of Trustees following Planning Board review of such proposed alteration or removal. Following Planning Board review of each subdivision application and its [report] recommendations to the Board of Trustees thereon, the subdivision must be approved by the Board of Trustees before it is to be effective. Additionally, every site plan submitted to the Building Inspector, every fence permit application, every demolition permit application, and building permit application submitted to the Building Inspector pursuant to an application for demolition, new construction or renovation construction on any parcel [in a Business Zone] must be

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submitted to the Planning Board for review and recommendations prior to the issuance of any [certificate of occupancy or certificate of compliance] permit pursuant to said application. Planning Board recommendations may include approval or disapproval of a plan or application and/or a request for further review or discussion and/or to conduct a public hearing and/or any other issues, including all Code requirements, deemed relevant by the Planning Board. In any matter where the Board of Trustees has determined that the recommendations of the Planning Board shall be requirements for the granting of any final approval, permit or certificate of occupancy or certificate of compliance , no such approval, permit or certificate shall be issued until those requirements have been met. Planning Board review of subdivisions and site plans shall include but not be limited to all parking, drainage, curb/sidewalk and shrubbery requirements and conformance with the stormwater standards set forth in Article XIV of this chapter, if applicable.

This local law has been adopted pursuant to section 10 of the Municipal Home Rule Law and supercedes section 7-706 of the Village Law.

EXPLANATION: Matter underscored is new; matter in the brackets is old law to be omitted.

Mayor McNulty opened the public hearing and after all comments and/or questions were answered he moved to close public hearing and Tr. Charles Fischer seconded.

Tr. Charles Fischer moved to approve 128-100, Local Law #1 of the year 2011 and Tr. Robert Fischer seconded and all approved 5/0.

Tr. Charles Fischer read the following resolutions aloud...

INTRODUCE RESOLUTIONS TO

AMEND SECTION 97-2 TO REFINE THE PERMIT PROCEDURES FOR GARAGE SALES

AMEND SECTION 97-3.B. TO INCREASE THE NUMBER OF GARAGE SALES PER PREMISES PER YEAR

AMEND SECTION 97-4 TO CHANGE THE GARAGE SALE PERMIT FEE

AMEND SECTION 97-6C TO REGULATE GARAGE SALE SIGNS

AMEND SECTION 128-3 TO REDEFINE AN OUTSIDE STORAGE CONTAINER STRUCTURE

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AMEND SECTION 128-22 TO INCREASE THE RESIDENTIAL SETBACK REQUIREMENTS

AMEND SECTION 128-57 TO REDEFINE AN OUTSIDE STORAGE CONTAINER

AMEND SECTION 119-6.1 TO REGULATE PARKING ON NORTH WINDSOR AVENUE

AMEND SECTION 119-8.C.(1) TO REGULATE PARKING ON NORTH WINDSOR AVENUE

AMEND SECTION 119-8.C.(2) TO REGULATE PARKING ON ORINOCO DRIVE

These resolutions, if adopted, will become known as Local Laws # 2 – 11 of the year 2011.

Tr. Charles Fischer moved for a public hearing to be held on 2/7/11 and Tr. Belford seconded and all approved 5/0.

Award 2010 Tree Trimming and Removal Bid

Tr. Robert Fischer stated that we had received three bids; Digiovanna Bros. Landscaping, Inc., Dom's Tree Service and Hohwald Landscaping d/b/a Roland P. Mennella Landscaping. Tr. Robert Fischer awarded the bid to Hohwald Landscaping as they were the low bidder for the total amount of \$2481.92 and Tr. Belford seconded and all approved 5/0.

Public

Mayor McNulty opened the floor to the audience for any questions and/or comments, and several issues were discussed –

Doug Diesu requested approval for a 'dog walk'; "Walk for a Cause" in village sometime in April. Walk from Wohseepee Park to lakes and back. Takes approx. 1 ½ hrs – 2 hrs. This is to raise money to adopt Seeing Eye dog that costs \$60,000.

Resolution to approve dog walk

Tr. Charles Fischer moves to approve the dog walk and Tr. Belford seconded and all approved 5/0.

- Fire hydrants should be cleared of snow
- Fire hydrants should be flagged
- Sidewalks on Montauk Hwy should be cleared of snow
- Busn. Owner's rep. thanked board for putting parking laws on the books.

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- BSFD; why can't we vote?
- Pod storage length of time on property should be increased
- Tree rim and removal bid questions
- Tr. Charles Fischer stated that our village has an "unqualified report" which is highly unheard of; our accountant wished he lived in Brightwaters!
- Tr. Charles Fischer also stated that we hired an actuary firm recommended by our accountant at a cost of \$3900
- Tr. Valdini questioned the 5/31/10 y/e audit documents; how come we don't have it?

At 9:45pm, there being no further business before the Board, the Mayor called for a motion to adjourn the meeting. Tr. Robert Fischer made the motion; Tr. Belford seconded and unanimously carried 3/2 (Tr. Charles Fischer and Tr. Valdini abstained from voting as they were in a heated discussion).

Respectfully submitted,

Christine O'Shea
Village Clerk Treasurer

Public attendance: 25+-