

BOARD OF TRUSTEES MEETING MINUTES – July 18, 2016

The mid-month meeting of the Board of Trustees of the Inc. Village of Brightwaters was held on Monday, July 18, 2016 at 7:30 p.m. at Village Hall, 40 Seneca Dr., Brightwaters, NY, with the following officers present:

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

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

Approve Resolution 11-2016 Request from Mercy First for a reduction in their garbage fees for the single family residency 556 Manatuck Blvd.

BOARD OF TRUSTEES – INC. VILLAGE OF BRIGHTWATERS
RESOLUTION – JULY 18, 2016

APPROVAL TO LOWER ASSESSED RATE FOR SANITATION FEES

WHEREAS, upon the letter of appeal from MercyFirst, dated June 1, 2016, seeking to lower their annual sanitation fees paid to the Village for the premises known as Section 1, Block 2, Lot 52 and within District 0501, and upon a representation by the Village Clerk that indeed MercyFirst is paying a said annual sanitation fee that is not commensurate with other single family residences of similar type in the Village, and in appreciation of the good work that MercyFirst does, the Mayor and the Board of Trustees have determined that the request should be granted, and therefore does hereby **RESOLVE**:

RESOLVED, that the Board of Trustees hereby lowers the annual assessed rate of the sanitation fees to be paid by MercyFirst to that of a single family residence comparable to other single family residences within the Village, effective immediately, however, subject to an agreement by MercyFirst that they shall not seek a refund for the past payment of said sanitation fees. This grant of approval to lower the annual sanitation fees is for future payment only and has no retroactive binding effect on the Village of Brightwaters.

WHEREFOR, **this RESOLUTION**, hereby adopted by vote on July 18, 2016, shall be promptly recorded in the Office of the Village Clerk, and made part of the public record.

Motion: Mayor McDermott	Second: Trustee Sullivan
Vote: 5 ayes	0 nays

Appoint Robert Hogan Parking Attendant at a rate of \$12.00 per hour.

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Motion: Trustee Sullivan
Vote: 5 ayes 0 nays

Second: Trustee Elliott

Approve LL 4-2016 Limited Consumption of Alcohol at Walker Beach for the period of July 27, 2016 from 6 PM to 9 PM for the 100th Celebration of Incorporation/Family Fun Night

LOCAL LAW NO. 4 - 2016

TITLE: “A Local Law to Amend Chapter 84 of the Code of the Inc. Village of Brightwaters – Officers and Employees”

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

FIRST: **An addition to Chapter 84 of the Code.**

PARKS –

§84.2.2.A. - Limited Permission for Alcohol Consumption at Walker Beach

For the specific purpose of the celebration of the 100th anniversary of the Incorporation of the Village of Brightwaters, there shall be permitted the consumption of alcoholic beverages at Walker Beach on July 27th, 2016 from the hours of 6:00pm to 9:00pm. This law is enacted for this specific purpose, for this specific day and shall be null and void without force and effect starting from July 28th, 2016 forward.

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.

This law is adopted pursuant to Municipal Home Rule Law §§10(1)(ii)(d)(3) and 10(1)(ii)(e)(3) which permits villages to adopt local laws to their property, affairs and government.

THIRD: **Effective Date.**

This act shall take effect immediately upon filing with the Secretary of State as provided by law.

INCORPORATED VILLAGE OF BRIGHTWATERS

MESSAGE OF NECESSITY

Pursuant to Municipal Home Rule Law §20(4), I, as the duly elected Mayor of the Incorporated Village of Brightwaters, have determined and declare the existence of the urgency and immediate need for the consideration and passage, subject to approval by a majority vote of the Board of Trustees, of the local law permitting the public consumption of alcohol at Walker Beach on July 27th, 2016 between the hours of 6:00pm and 9:00pm, as part of the celebration of

the 100th anniversary of the incorporation of Brightwaters as a village and therefore direct the Village Attorney to dispense with the “Aging” requirement associated with the passage of local legislation and direct the presentation of said legislation at the noticed public hearing scheduled for July 18, 2016.

Motion: Mayor McDermott Second: Trustee Elliott
Vote: 4 ayes 1 nay – Trustee Chiappetta

- Other topics as needed
 - Road Paving: Moving along as scheduled. Should be completed by the 20th.
 - Canal Restoration: will look to go to bid in August for an October start date even though we have a requirements contract with Constar. May want to include an option for a decking walkway along the bulkhead and sheathing in front of the corrugated sections which will make it look less commercial.
 - Downtown Revitalization: Still waiting for a signed copy of Round 13. Have been advised by the County not to start any work until that contract is in hand. The landscape architect will be available in two weeks to walk the site and make recommendations. We will still follow the initial recommendation of a 3 foot wide Glen Garry brick pavers strip set in cement, with trees, tree grates and street lamps. As soon as the contract is received, the work will begin.
 - Ice cream social is planned and the band will play for one hour without a break. Mayor will call band director to confirm the details. A dance floor has been ordered.
 - Family Fun night July 27th with food and Snapple. Snapper tournament to start 4:00 PM on August 17th and end at sunset. Working on a possible event in the Fall for adults for the 100th Anniversary.
 - Safety at events: the Mayor will call the 3rd precinct and ask for advice on any additional security that the Village should possibly provide at some of the well-attended events in light of the events happening throughout the country.
 - Village attorney and clerk will write up some recommendations for the next election including possible change of location, positioning of booths, number of inspectors and isolating the inspectors while they do the count.
 - Request for a non-resident to teach and charge for yoga after beach hours was denied.
 - There are many block party requests waiting for the Mayor’s approval. He will call each of them and ensure they are aware of the rules before approving them.
 - Introduction of a possible Local Law to provide compensation to elected officials. Possible rate of \$8,000 per year for the Mayor and \$4,000 per year for trustees. The Mayor asked the Board to consider it and there will be further discussion at a later date.
 - A resident on Lombardy would like a Village tree removed that is in the middle of their driveway. The question is whether the tree was there and they made the driveway wider around it. To be reviewed.
 - The Wolf family would like to replace a sweet gum tree with another species at their cost due to the seed that it leaves on the ground. Need to determine if it is on the Village right of way. Board would need to vote on allowing them to replace it if it is on the right of way.
 - Review the ZBA fees again as the Village incurs many costs with the advertising, transcription and attorney.
 - Suggestion made for a residential rental permit which would require a fee and a safety inspection by the Building Inspector. This will ensure that the houses are

- safe for occupancy by renters. This would have to be a Local Law so there is a means of enforcement.
- Create a list of fees that will be referred to rather than putting the fees on the individual applications. This will eliminate the need to redesign the forms every time there is a fee change.
 - Village attorney advised Trustee Chiappetta that as a Trustee, he has a fiduciary duty as a Trustee and member of the Board to speak as a unified voice of the Board. The elevated stature as an elected official and representative of the Village trumps any and all other civic involvement. Any communications through the Neighborhood Watch could be perceived as coming from the voice of the Board when it is not and could put the Trustees and the Board in a compromising position. As an elected official you do not lose your right to free speech but you have to be mindful of the parameters of what happens in your elected life and outside of your elected life. This would also apply to the B.I.G. and the trustees involved with that organization.
 - Communications from individual Board members to the public should be reviewed by the Board as a whole before release.
 - Try to get the agenda on the website the Friday before a meeting.
 - The Social Media policy needs to include a section on email communications.
 - The association at Captain's Walk is requesting permission to repair their sea wall that abuts Walker Beach. There is erosion on the West pier of the Walker Beach boat basin. DPW to look into it.
 - Conflicting parking signs on Orinoco Drive East of Windsor Avenue. Map distributed to Board for consideration of any changes.
 - Use sand as the fill for the new playground equipment which is due to be delivered September 13th. Our insurance company is fine with sand and the on-line information shows sand at a depth of 12 inches will minimize falls from 9 feet high. The new set is six feet high at the highest part and there currently is sand in the direct area.
 - Signage on the Northeast corner of North Windsor and Orinoco: the stop sign blocks the parking signs when heading West on Orinoco.
 - Allow the ice cream truck to park overnight in the DPW yard. He will not be issued a key and will have to call the code car to get in and out. He will provide proof of insurance and pay the Village \$400 a month.
 - Request to remove barbed wire on the fence around the DPW and add some perma-hedge to the chain link fence.

Motion to adjourn: Trustee Elliott
Vote: 4 ayes 0 nays

Second: Trustee Sullivan

Meeting adjourned 9:50 PM

Two people in attendance at varying times