



## INCORPORATED VILLAGE OF OCEAN BEACH

Minutes of the Meeting of the Board of Trustees of the Incorporated Village of Ocean Beach, Suffolk County, New York held on April 1, 2023 at the Boat House, 625-632 Bayberry Walk, Ocean Beach, New York and is also being conducted via Zoom.

EXECUTIVE SESSION: Mayor Mallott moved to go into Executive Session at 8:45 AM from the Village Office, for the purpose of discussing personnel, contracts and pending litigation.

The motion was seconded by Trustee Norris upon call the following voted:

Deputy Mayor Blake	Voted Aye, via teleconference
Trustee Hargraves	Voted Aye
Trustee Norris	Voted Aye
Trustee Arment	Voted Aye
Mayor Mallott	Voted Aye

No motions or resolutions were acted upon in Executive Session. Executive Session was closed at 11:07AM by Mayor Mallott. The motion was seconded by Trustee Hargraves, upon call the following voted:

Deputy Mayor Blake	Voted Aye, via teleconference
Trustee Hargraves	Voted Aye
Trustee Norris	Voted Aye
Trustee Arment	Voted Aye
Mayor Mallott	Voted Aye

GENERAL SESSION: At 11:20 AM, Mayor Mallott moved to open General Session. Trustee Arment seconded this motion. Upon call, the following voted:

Deputy Mayor Blake	Voted Aye, via teleconference
Trustee Hargraves	Voted Aye
Trustee Norris	Voted Aye
Trustee Arment	Voted Aye
Mayor Mallott	Voted Aye

Following the pledge to the Flag and Roll Call at 11:21 AM:

There were present:	Mayor:	James S. Mallott
	Trustees:	Matthew M. Blake, via Zoom
		Dawn L. Hargraves
		Christopher F. Norris
		Marco Arment
	Village Counsel:	Kenneth Gray
	Village Administrator:	Joseph DiFrancisco

APPROVAL OF MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON MARCH 11, 2023: Resolution No. 2023-038: Mayor Mallott moved follows:

BE IT RESOLVED that the Minutes of the Board of Trustees Meeting held on March 11, 2023 are accepted as presented

Trustee Hargraves seconded the motion. Upon call, the following voted:

Deputy Mayor Blake	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Norris	Voted Aye
Trustee Arment	Voted Aye
Mayor Mallott	Voted Aye

APPROVAL OF BILLS AND CLAIM VOUCHERS: Resolution No. 2023-039: Mayor Mallott moved as follows:

BE IT RESOLVED that bills and claim vouchers, already paid be approved as submitted and as follows:

General Fund, in the amount of \$86,186.04, for Gross Payroll from 03/08/23 through 03/21/23  
General Fund, in the amount of \$27,360.78, check numbers A27724 through A27746, and  
Water Fund, in the amount of \$3,600.61, check numbers F3754 through F3759, and  
Sewer Fund, in the amount of \$10,041.09, check numbers G6759 through G6765

Bond payment due April 1, 2023

Principal:

General Fund, in the amount of \$120,000.00, and  
Sewer Fund, in the amount of \$35,000.00, and  
Total Principal \$155,000.00

Interest:

General Fund, in the amount of \$15,950.00, and  
Sewer Fund, in the amount of \$4,750.00, and  
Total Interest \$20,700.00

Trustee Norris seconded the motion. Upon call, the following voted:

Deputy Mayor Blake	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Norris	Voted Aye
Trustee Arment	Voted Aye
Mayor Mallott	Voted Aye

ADMINISTRATOR'S REPORT: Joseph DiFrancisco spoke

Yes. I only have one item today. I just want to report that this week, Kevin and I and possibly the mayor will be visiting with our engineers who are working on the sewer project for us and in order to expedite and get the rebid out for the project, for the sewer project, the project has been altered. The bid has been altered to include phase two and also to make it more amendable to the bidders and hopefully enabling the village to bring the price in on budget rather than the bids we received previously, which were significantly over budget. That meeting will be taking place this week and we hope to get this project moving forward as quickly as possible. **Trustee Norris:** Joe, if it's not too cumbersome, if you could let me know what time and minimally, if could be on a speakerphone when you have that conversation. **Joe DiFrancisco:** Absolutely **Trustee Norris:** I need to be at that meeting. **Joe DiFrancisco:** Absolutely. Yep, will do. **Homeowner: (Inaudible from the public)** I missed the question. **Trustee Norris:** Joe, do you want to take that or do you want to roll it? **Joe DiFrancisco:** I didn't hear the question. **Trustee Norris:** Generally where we can hold our comments to the public forum. It just helps us move things along. But come on up, Dave.

**Mayor Mallott:** Phase one. Okay. Is the drainage system. This is what we're talking about. Okay. Just let me explain to you. If you have questions you can ask after I've explained to you. Okay. We went out to bid for phase one of the sewer collection. Stormwater collection project is what it is. At the same time we're doing the stormwater project collection we are also doing downtown sewer. We all know that that needs to be replaced. Our first bid went out okay. From the sewer plant to the corner of Ocean Breeze here. The bids came back. The low bid was 4.5 million. The high bid was \$6.5 million. Okay. Based on the amount of money that we have. We won't have phase two, Phase three and phase four. We won't have the money with the money that we're getting from the EFC so that we rejected those bids. Now we're breaking the bids down, okay. To individual pieces so that we can go out to bid again and pick and choose what suits us best to do in phase one over there. Okay. Our plan was to dig a new honey hole over there where all the sewer runs into before it goes into the sewer plant. Right. Replace all the old sewer line that was there up to this point over here. And. And redo the sewer lines down there because they need to be done. And rather than do one project, we thought we would incorporate it into doing two projects. It would include stormwater, which we've done the surveying over there. It was going to be pitched two new drains that were put over there to bring all that water, the stormwater down this way to be pumped out of the pumps that are over there. However, the numbers came back too high. The first number, I think the most expensive part of it and Kevin, correct me if you think I'm wrong, is the new. Honey, hole down there, okay? Because it has to be, what, Kevin? 30ft? Yes, sir. 30ft down.

**David Lipsky:** Okay. I was really asking just because the audience and the citizens don't necessarily know what phase one is versus phase two. Mostly we've been exposed to the stormwater aspect of the project and now we're aware of that there would be a sewer project, but when you're having these discussions would help to clarify what we've been. **Mayor Mallott:** We've been trying to I've been trying to do this for two years. We just keep saying what's going on and how we're doing it that people don't remember or understand. There's not much more don't have ESP.

**Trustee Norris:** And this initial stormwater program, although because of financial challenges, the scope is not substantially different than what we've published and made available for two and a half, three years. Jim Yeah, right. So there's, you know, other than some perhaps changes in specifications or runs, there's nothing substantial that's different than what we've communicated already. **David Lipsky:** Okay. That was phase one, right? **Trustee Norris:** That's the first portion of what we're looking at. **David Lipsky:** So, all I was asking for was clarification, which I've been provided. **Mayor Mallott:** Thank you. You're welcome.

#### MAYOR'S REPORT:

**Jon Randazzo:** Good morning, guys. How are you guys doing here today? On behalf of the Chamber of Commerce, we've come up with a plan to spend some of the money we have received from the village. This is going to be phase one of the village green project. Do you have copies of the plan. **Trustee Norris:** No. This is the first we're hearing of it. As far as I'm aware. I have it. **Marco Arment:** Yeah, I have it. **Trustee Hargraves:** I have it also already. **Kevin Schelling:** Yeah, I got it all. I got it. Don't worry. I got it. **Mayor Mallott:** Kevin, you've been included on this, too, right? Yes, sir. **Jon Randazzo:** And from what I understand, Jen, the president of the Chamber of Commerce was talking with Kevin. And you did give a conditional approval to go ahead with this. **Trustee Norris:** I'm sorry? Is this not a board approval discussion? **Kevin Schelling:** That's correct. **Mayor Mallott:** Yeah, I just wanted to be clear that Kevin's been involved in the. **Trustee Norris:** I welcome that. That's great. **Mayor Mallott:** The planning discussion. **Trustee Norris:** I just want to be clear, Kevin. Approving it versus the board. **Jon Randazzo:** No, no, no, no. We know that Kevin takes care of it. **Kevin Schelling:** No, no, It wasn't an approval by me. It was just asking me if it was possible. **Trustee Norris:** Good. **Jon Randazzo:** And, yeah, from what I understand, that it didn't interfere. He liked the what we were planning to do. Som we are going to. To do a general cleanup of the property, shape all and prune all trees, bushes, the maples, the hollies, the junipers. We'll remove all the dead bushes, weed and grade beds, trim the perennials, fertilize with organic fertilizer, although it doesn't say it. I confirmed it is organic fertilizer. He'll chip and remove all the brush and he'll plant 600 assorted annuals that are deer proof. So, this is phase one of three that we're proposing to the village. The total cost of this is there's tax included in this estimate, but that won't apply to us. So, the cost of this is \$9,800. And we would like you to consider to approve that, to get that done, all work is to be completed by June 20th. This is Neptune's Nurseries, he is the reason why we chose him is because he is the only active landscaper in the Chamber of Commerce. So, we wanted to keep it within the group.

**Trustee Norris:** All right. So, the overall program is based on funding is it \$50,000? **Jon Randazzo:** No, no. We do have \$50,000 that we are that our lawyer is holding in escrow. And so this 9800 will be the first spend **Trustee Norris:** So, this would be the drawdown and the overall program. And that that funding has been established now for. **Jon Randazzo:** Nothing has actually been established. This is our first proposal to you. **Trustee Norris:** The funding has been in place since when? **Jon Randazzo:** Since well, believe we received the money last August. **Trustee Norris:** Okay So, and the other portions of this, we. **Jon Randazzo:** Are working on it, but we want to spend a quick and we want things whatever we spend on to be in effect this season. **Trustee Norris:** So, if there's a program, I would just ask that it get laid out so we can look at it.

**Jon Randazzo:** And of course we are totally open to suggestions from, from the village, from the trustees on future programs. But we are looking to make moves on this very quickly. **Trustee Norris:** Agreed spend the money, get it going, just throwing it out there had mentioned it at another meeting. Um. The North dock all those planters were intended to have plants in them and hence the name planter. If you guys could consider looking at that as one opportunity. **Jon Randazzo:** will do. **Trustee Hargraves:** That's in your phase two, I think. **Jon Randazzo:** I think it was phase two. So, and we'll present that. We wanted to do something on the east side of the village green by McGuire's the former gallery planters you know even mean we could even do something with those planters so we get some color in there early. **Trustee Norris:** Yeah, the whole intent of that was to make that a lovely public area. **Jon:** Will do. **Trustee Hargraves:** Thanks, John. **Jon Randazzo:** Thank you. Thanks, guys. Appreciate it. **Mayor Mallott:** Thank you John. So we're signing off on that, right, guys? **Trustee Arment:** Yeah. Do we have to vote on it? **Mayor:** Kenny? **Ken Gray:** Yes, sir. **Mayor:** Do you want to vote on this? **Trustee Norris:** Do we need a resolution for this? Yeah. **Ken Gray:** Okay. We can do an add on. Okay. **Mayor Mallott:** Add it on.

**David Simpson:** I'm sorry. Can I just ask one question? **Mayor:** Who's this? **David Simpson:** Dr. Simpson. David Simpson. **Mayor Mallott:** In regards to what? This. **David Simpson:** This item. I just wanted to ask. Where were the funds coming from for this project? Maybe you've mentioned it. I didn't hear. **Ken Gray:** There was a, um. A settlement of a claim filed by the members of the Chamber of Commerce for recoupment of fees that have been paid over the years. The settlement was reached that we paid \$100,000, \$50,000 to be divided amongst the members of the Chamber of Commerce directly, and then \$50,000 to be held in escrow, um, to be utilized for improvement of the downtown area, beautification, beautification. And so this is the first leg, for lack of a better word, of the use of that \$50,000.

**Trustee Norris:** Can just one point of principle. Part of that settlement, however, derived in whatever the initial number was with the settlement, I recall that we were going to get waivers from the Chamber of Commerce, whoever participated in the settlement, um, basically a lien waiver. I do not think I saw any of that documentation and I'm sure it exists. Could you circulate that to the board, please? **Ken Gray:** I certainly will do that. **Trustee Norris:** Thank you.

**Maria Silsdorf:** So is it relates to the settlement last summer, I think. Dawn, I'm not sure if it was you had announced that some of that money was going to be used for recycled pails in town. **Trustee Hargraves:** That's also part of I think phase I. **Maria Silsdorf:** Where is that? **Trustee Hargraves:** We're going back and forth with style. There's been different proposals, some from VOBEC, some from COC on their own and then some from us. So, we're trying to **Maria Silsdorf:** So is that part of the \$50,000 is that plan for this summer. **Jon Randazzo:** So yeah we have three phases (inaudible) to spend money. **Maria Silsdorf:** For this summer? Thank you. **Trustee Arment:** And Judy Steinman, you have a hand up. **Judy Steinman:** Yes, I do. I'd like to ask John, why are you putting annuals in when you could just as well put either perennials or bulbs in Your annuals will have to be replanted every single year?

**Mayor Mallott:** Judy, this is a conversation not for the board of trustees here ok. **Jon Randazzo:** I'll answer it quickly. **Judy Steinman:** Well I have no other way to ask it, Jim. **Trustee Norris:** Judy, John's going to tell us all why he's doing it. **Jon Randazzo:** I'll do it quickly. We that was the first one. I said, why would we not plant annuals? Apparently because the animals dig them up and they all get discarded anyway. So maybe next year what we'll do is we'll plant another 600. But our goal is to keep that village green beautiful year after year. **Trustee Norris:** And which animals are you referring to? **Jon Randazzo:** Deer. **Trustee Norris:** No kidding. **Judy Steinman:** Thanks, John.

#### SUPERINTENDENT'S REPORT: Kevin Schelling spoke

Wastewater: Sewer plant is fully operational.  
Emergency Systems and Generator systems operational.  
Chemical & Fuel supplies are full  
Inspected by the NYS DEC and passed.

Water: Wells #2, #3 & #4 are operational  
All Emergency Systems and Generator system operational  
Chemical supplies & Fuel supplies full  
Installed two new fire sprinkler connections installed  
Painted black and decommissioned old fire hydrants (7)

**Mayor Mallott:** We're going to put hydrants on it? **Kevin Schelling:** They're already done. It's a standpipe valves. Everything's there. **Ian Levine:** What he put in was a dry pipe system. And what it basically does, it allows us to feed the system so that we have different spots down the deck where we can hook hoses up to fight fires rather than stretching 400 or 500ft of hose to get to that. We supply the line from our truck to feed the pipe. **Mayor Mallott:** Thank you.

Marina: Two new solar lights installed at Marina opening  
Opens on April 15th  
Installed water line in dock of Marina for emergency fire dept. connection

Lifeguards: Tuned up Quad for summer  
Old water ski taken out of garage to sewer plant  
Installed new water service main to lifeguards  
Installed new bottle filling station  
Repair made to upper deck

Misc.: All Village generators – serviced, tested and operational  
Sprint phone equipment removed from tower and ground cabinets  
Disposed of truck – declared un-salvageable at last meeting  
Garbage pick up will be Monday, April 10<sup>th</sup> **NOT** Easter Sunday

OCEAN BEACH VOLUNTEER FIRE DEPARTMENT REPORT: Chief Levine spoke

Thank you, everybody. Kevin, thank you for putting that pipe system in. I haven't seen it, but I saw you working on it. I appreciate it. We are getting all our equipment and vehicles ready for the summer. The only issue I want to really bring to your attention is that we were working on the door project with H2M and on their part, it just seems to be a lot of delays going back and forth. So, I do not believe we will be able to get the project done once we get the bid specs. I don't think we can bid it out in time and get it done before the summer starts. So that'll be next year.

OCEAN BEACH POLICE REPORT: Chief Hesse spoke

Um, I don't have much to report since the last meeting and the OBA meeting, just repetitive stuff. But one of the things that we've been talking about is the code enforcement situation with hiring a code enforcement department to augment the police department. It's under discussion. And, you know, I think I came up with some ideas actually after we talked today. So, we'll discuss those later. Um, yeah, with that, we're ready to go. Summer is bearing down upon us. Um, we have the academy graduation coming up at the end of the month. I know I bragged about my daughter a million times, so I'm really excited for her to come on board. And we're ready. We got the I spoke to the Superintendent of the school here, Travis Davies. He wants to help us with getting that letter out to all the superintendents of the schools throughout Long Island. So, I sent them a copy. He's going to he's going to read it over and get back to me. And, you know, that's all I got. **Trustee Norris:** Ready? And the code enforcement. It was a good discussion this morning. Yeah. And we're eager to support you and whatever. **Chief Hesse:** And we also discussed the community service idea, which we're looking into in the viability of that. So, I think that would be a real good. **Trustee Norris:** Good ideas and now we just got to put them in practice.

ADDITIONS/DELETIONS TO THE AGENDA: Resolution No. 2023-040: Mayor Mallott moved as follows:

- 1.) Add Item #14 – Accept & Approve Corrective Action Plan for NYS Comptroller’s Office
- 2.) Add item #15 - Accept & Approve Chamber of Commerce Beautification Proposal

Trustee Norris seconded the motion. Upon call, the following voted:

Deputy Mayor Blake	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Norris	Voted Aye
Trustee Arment	Voted Aye
Mayor Mallott	Voted Aye

**PUBLIC HEARING #1**

**OPEN TIME: 11:40 AM Mayor/Norris**

**CLOSING TIME: 12:17 PM Mayor/Hargraves**

**Public Hearing #1 Notes:**

**Mayor Mallott:** First of all, I'd like to explain what's going on here. This is more than a budget. This is a wish list. Okay. We have two new people doing the budget. We have Linda, who's now promoted to Treasurer and Joe DiFrancisco, who is administrator. I asked them to build a budget and they have built this budget and they've. It's more of a wish list than a budget. Okay. Um, we've looked over it. Joe and I and Linda's been talking with us, too, and we understand that this is way, way, way too much of a budget. Okay, this is and it is a wish list. And we will be spending the next couple of weeks. And next meeting is April 29th. And hopefully before that, we'll have an amended draft that we will send out to the public and to the Trustees and. We're going to look at this budget down to the bare minimum.

**Trustee Norris:** And Jim, if I could add, and I've had some conversations with some of you, the initial budget as released has, as Jim said, a lot of work to do. There were some elements that stood out to us as well as the citizens that need to be drilled down on and better defined, going through a forensic investigation, not investigation, but review of the line items at this point is premature. And as Jim said, there's good work to be done to drive that number down and re configure some of the line items. **Mayor Mallott:** So, any more board input here. Okay. We'll listen to the public.

**Maria Silsdorf:** Good morning. This is Maria Silsdorf, president of the Ocean Beach Association. So let me just clarify. So, I heard what you said, Chris, that it might be preliminary to drill into the line item, but when will we have the opportunity to ask our questions of the line items?

**Mayor Mallott:** On the 29th. **Maria Silsdorf:** And is that not a proposed final budget on the 29th? **Mayor Mallott:** It probably will be. Okay. **Maria Silsdorf:** Then I'll ask my questions today. **Trustee Arment:** Yeah, you can ask now. Yeah, absolutely. Please. **Maria Silsdorf:** So is the intention, Jimmy, when you revise the budget and skinny it down to bring the tax increase down from 2% to flat? **Mayor Mallott:** No, if you look at this budget, the proposal was to take just a little more than \$900,000 out of the general fund. **Maria:** I noticed that Mayor: to balance this budget, **Maria:** I noticed that **Mayor:** which would be. A 20% increase. Okay. And this is this is always where you start budgets. You make a wish list of what you want to do. **Maria:** Right. What you normally do that before the draft. **Mayor Mallott:** This one should do that. Right. Right. And as I said, it's a new. Okay. New group of people that are doing this. Okay. And it's a learning process for them between them and me to get this done. So \$932,000 from the general fund is totally unacceptable. **Maria Silsdorf:** So, you're going to try to bring it back to the traditional 270. **Mayor Mallott:** We'll see where it goes. First of all, I have to find out what's left in this year's budget. Okay. We get down to a point where there's a usually \$150 - \$200,000 that would be left in this budget that would normally trickle down into the general fund. If we need to use it, we'll use that. Okay. There's several opportunities in the in the budget. To take money out of. And as I said, we're going to slash and burn this this budget here. **Maria:** I appreciate that. So you're going to try to stay within a 0 to 2% tax increase.

**Mayor Mallott:** We'll be under 2% under the tax cut. Okay. Whatever the tax gap is. Actually, the tax gap now is more like 2.9%. Okay. Okay. So we'll do our very best to get under that number. There's a lot of things that, you know in the wish list that we want to get done. Um. Cleanliness of the village is one of the most important things that I think we can do. And our idea is to go out because we have to go out to bid to find someone to clean the bathrooms. If we can find someone to clean the bathrooms within a. Some kind of. Sensible number. Okay. I feel the bathrooms need to be cleaned at least three times a day. Okay. Want to put a plaque on the wall that says it was cleaned at this time and dated? I think if we can stay on top of the bathrooms, they won't be so onerous to clean. By having a company do that, it frees up our guys, Kevin's guys, the blue collar guys who have been doing this work. Okay. Those guys were going home at 3:00. It was the end of their day. Okay, so the bathrooms didn't get cleaned from 3:00 in the afternoon. Someone came in the next morning to clean. Oh, no, that's unacceptable. So, freeing these guys up will give them more of a chance to clean the village. What I've suggested to Kevin is that we have two shifts. Two guys come in at 6:00 till one or 2 or 3 and do garbage. The beach garbage, the street garbage. Whatever Kevin needs them to do but garbage is number one. They get off the 6:00 boat and start downtown and start clearing up, and then the other two guys will come in at 2:00 and continue till. If it's the last ferry, it's the last ferry, they will continue to do garbage. So, there's never overflowing garbage cans in the street. Okay. What's that going to cost? I said a hundred thousand.

**Maria:** A hundred Thousand? According to the budget. Right. I'm on it. **Mayor:** Is that wishing? You know, is that too much? Is it too little? **Maria:** It doesn't feel too much, to be honest. **Mayor:** Well, we're looking for what I'm looking for in this. I'm looking for is from maybe the Memorial Day weekend and then leave it till maybe June 15th and then go from June 15th through Labor Day. **Maria Silsdorf:** So, the majority of what you just said is garbage created by visitors, not by residents. So, are we looking to somehow pass the expense of that program on to the commercial district or the chamber? Because it's not **Mayor:** I think it benefits the whole village. **Trustee Arment:** Maria, I'm not sure that's a safe assumption. **Maria Silsdorf:** Okay. Well, I'm asking I'm here to ask the questions you guys answer. If you don't like my assumption, give me another one or. **Trustee Arment:** Well, I mean, you know, residents also create trash. I mean, I don't I don't necessarily think this is something that has to be split up that way. **Maria:** Okay. I appreciate your opinion. **Trustee Norris:** I do agree that probably the overflow comes from the commercial. Lots of people coming over.

**Maria:** Yeah. I mean, I pay most of my garbage. I put my garbage in my garbage cans, which is a separate topic in addition to the garbage improvement, which I am totally in favor of, regardless of who pays for it. What about cleaning Main Street? Is that included in that number as well? **Mayor Mallott:** Not \$100,000 that will be taken on by the blue collar. **Maria:** And the business owners people. **Mayor:** And the business owners. **Trustee Arment:** And we're actively working on that. **Maria:** Terrific. **Trustee Norris:** And Joe and Kevin, you know, it was bubbled up before. And I know that we're trying to save money on the budget, but reinvigorating a search for a real street cleaning machine, something that I'd like us to look at. I'll give you some samples on that. **Maria:** I can help with that too. Yeah. **Trustee Norris:** If you have any. **Maria:** there are many a street in New York City. **Trustee Norris:** Not only that there, but in Europe. They have very good machines that are designed. **Mayor:** You need good streets before you have good machines. Otherwise you have machines that are going to car.

**Speaker2:** Yeah, they're. **Mayor Mallott:** Going to rip up the streets here. Yeah. **Speaker2:** I mean. **Maria Silsdorf:** Um, I noticed that there was a reduction in village rental property income. \$74,000. **Mayor Mallott:** Yeah, we're looking. We're looking at line 2410, Linda. **Mayor Mallott:** We're looking at that. We have three more. We have April and May that I don't know if we're going to catch up with that number that we budgeted there. **Maria Silsdorf:** Why would it be less this year than last year? **Mayor Mallott:** Well, people are not getting rental permits. **Maria Silsdorf:** This isn't rental permits this is rental property. Is that different? **Mayor Mallott:** Oh rental property. **Maria Silsdorf:** Rental. What is that, Linda. **Linda Morrisey:** That has to do with the ferry contract. **Maria:** Okay. **Mayor:** Um, we lost \$300,000 on it. **Maria Silsdorf:** This year versus last year. **Mayor:** No, Last year we lost it too. **Linda Morrisey:** Yes, **Maria Silsdorf:** Is this year versus last year. It's down again. **Linda:** Yes, **Maria:** that sucks. Okay. **Mayor:** It certainly does.

**Maria Silsdorf:** Yes, it does. Um, Jimmy, your salary in this wish list, I don't know if this is an April Fool's joke or a wish list, but it is going. It's. It's a wish list. **Mayor Mallott:** It is. It's a mistake. It's medical insurance that was put in. **Maria Silsdorf:** There the April. Okay. So the 36,000 will not stand. Um, then under the village clerk, treasurer, administrator, a bunch of accounts thrown together. It looks like there's a significant increase planned there. When I combined all those accounts, it looks like there's \$121,000 increase planned. **Mayor:** Well, we have and as I said, you know, we are a couple of positions short in the village office. Okay. Now there's a there's been promotions. Um, and those positions have been put in the budget. Okay. Plus the medical benefits that any of those positions would. **Maria Silsdorf:** The benefits wouldn't be in here. They're on a separate line. **Mayor Mallott:** Yeah, it's all part of that. Yeah. All part of those numbers. I'm taking those out of the budget. **Maria:** Okay. All right. Are we planning a salary increase for the new village administrator? **Mayor Mallott:** We're discussing that. That'll be part of. Of the slash and burn. **Maria:** Good, slash and burn that. Building Maintenance and repairs is going up by \$105 - 106,000. **Mayor Mallott:** Well, if you look at that budget there, you'll see that there's \$330,000 still left this year in that budget. Okay. That's a line item that I keep in there for emergencies. Um, before we've used that money for new decks around the community house, repairing in docks, doing all kinds.

**Maria Silsdorf:** So that's a bit of a contingency. **Mayor Mallott:** That's a bit of a contingency. But as you see, Linda just carried on the tradition of putting \$400,000 in there. We're going to have a conversation this week about the \$330,000 that's left. Okay. And we'll see where that goes. **Maria:** Okay. There is, um, police equipment, 3120 went from 15,000 to 118,000. **Mayor Mallott:** That's another. I had a conversation with the chief. Chief Hesse: it's a big wish list. **Maria:** Sorry, George. **Mayor Mallott:** And even George couldn't believe that that was all included in it in there. You're going to give me all that said, not so fast. **Maria Silsdorf:** Um, and then the final thing was the 100,000 for the bathroom cleaning, which you mentioned. So, I would just ask that before we be presented with the final budget on the 29th, we have an opportunity to review your hard work in skinning down the budget. **Mayor Mallott:** Well, we'll get it out a week before it goes to, uh. **Maria Silsdorf:** It'll be out a week before. Okay. And what will be the vehicle for our questions and your answers? **Mayor Mallott:** Um, we'll have to work on that. **Maria Silsdorf:** Okay. Appreciate it. Thank you for your time. **Trustee Hargraves:** Thanks, Maria. **Trustee Arment:** Thanks, Maria. **Mayor Mallott:** Any more questions?

**David Lipsky:** Dave Lipsky and this is more of a question and maybe you can explain on the debt service part, because I'm looking at the sewer fund EFC collection system at the bottom of the page, and it's the phase one stormwater project, and it looks like there's a \$1 million grant in each of the years. Is that from the EFC? Um.

**Mayor Mallott:** What page are you looking at? **David Lipsky:** It's the last. It's the second to last page. **Linda Morrisey:** The debt page. That does have to do with the EFC grant. At one point, the grant turns into a grant that we have to pay back, but we're not at that point yet. **David Lipsky:** But when this originally occurred, we were told that this wouldn't affect us because in terms of the budget, because we were going to get the money from the EFC, and this seems to show that it that the grant part, the money from the EFC only covers from half to a quarter of the cost. **Mayor Mallott:** Yes, the grant only that \$12.5 million was we would have to pay back of that \$8 million. No interest. Okay. No interest loan from the EFC. The rest of the \$3.5 million is a grant. Okay. Now, this this is this is the problem. Um, as we explained before, if that little bit, let's just say generally is \$5 million, then I don't have enough money. Okay. I can't - I can go back to the EFC and say I don't have enough money for this project. Okay. But the and the EFC will say, okay, we'll give you a no interest loan that's going to bankrupt the village. Can't afford any more than is in the budget already. And there's \$1 million over \$1 million in the sewer because we've been saving for this project so that it doesn't suddenly jump up and have to do a 10% increase in taxes. So, we've been saving this money. You'll see in the in the sewer there's a lot of money

and you'll see in the water there's a lot of money. There'll be over \$1 million in the water once we transfer that \$500,000 because this water tower needs painting. Right. Okay. A water tower can't go out and borrow the money. They can't bond it because it's maintenance and nobody will finance maintenance. So, we've been saving for the last 6 or 7 years to repaint and redo the water tower. Now that that number now is looking to be somewhere in the anywhere between \$2 and \$3 million to paint the water tower. What that consists of is they go around the chip anything that's rusted, the whole thing has to be tented. First, they work under the tent. Environmentally, it's as safe as it can get, but it's a lot of money. So that's a lot of what we're doing here is trying to save that money, put that money away so that it's there to do these projects when we have enough money to do it. **David Lipsky:** So, if you add up all of the capital costs. These are this is a 30 year bond on some of these things. So. What impact is that having on our annual budget? If I wanted to look at the line item to say or the several light items to say how much this is all costing us. **Trustee Norris:** As a percentage against the budget. **David Lipsky:** Yeah. **Trustee Norris:** Linda did you do you have that? **Linda Morrissey:** The percentage against the budget. But the sewer one is not affecting our budget yet. If you go to this two line, actually there's two line. There's. Line item and still a line item in water and a line item in general, for general, it's 250,000. Water is. That's my water. I'm sorry. That was water was \$250,000. General is \$155,000 and sewer is \$44,000. So those are all the previous loans that we've had. So that's the debt that we still have that we're carrying. So those from the three different funds. **David Lipsky:** So. In total, we probably have, what, \$25 million or so in capital construction costs for. Or sewer and water and all this other thing **Mayor Mallott:** that it's estimated. Yeah, we're not we're not in debt for it yet. **David Lipsky:** Not yet. But. Um. **Mayor Mallott:** And that's why that's why can't go and borrow any more money because we won't be able to pay it back. Now have gone to, uh, Senator Schumer and we're trying to get some of the \$400 billion of infrastructure money from the feds. Right? So a lot of that, yeah. There's \$400 billion out there. We're looking I'm looking for \$50 million. Joe is a little more ambitious than me. He wants 125 million. And, you know, we had the conversation with Schumer's office. Would they send us the application? They don't seem to have any problem with it. Now we're trying to garner, um the rest of the politicians to support us on this. We have. Who are we talking to? **Joe DiFrancisco:** So, I've reached out to Senator Schumer's office. Senator Gillibrand's office, and also the Suffolk County legislator. Presiding officer, I'm sorry. McCaffrey's office has also writing a letter to the senators on our behalf, supporting our request for this for this funding. I did request \$150 million, not \$125 Oh, and that's but **Mayor:** that's a wishlist, **Joe DiFrancisco:** but that's based off of recommendations from our engineers on these projects. I went to them first and said, look, if we were to do every one of these projects, how much money do we need? And they said \$150 million. I said, okay, that's what I'll ask for. If we don't, if we get half of it, I'll be happy. **Mayor Mallott:** I'm not going to EFC and saying, I don't have enough money because we're, you know, we would budget on what we can afford. We could afford the \$8 million spread over 30 years. Also, the EFC has been known to forgive those loans, but you can't rely on forgiving those loans. So, we're waiting for this new approach on the project down here by dividing it up to see where it goes. So, we're working both sides of the aisle. That's all I can do. **Trustee Norris:** And David, you're in the business. Are there other funding streams, grant streams that you're aware of that we didn't mention? **David Lipsky:** I mean, there are some you get extra points for things like adding sustainability or climate resiliency to your grant application. That's how you. **Mayor Mallott:** That's what we got from the EFC. We got an extra 700,000. **David Lipsky:** You know, they're not necessarily creative thinkers or they're just going to they're not off a check box. You know, the federal infrastructure bill is obviously a place to go. Right. But there's so many people applying for that. You know, the costs of everything is going to go up because there's only so many workers. So the you know. **Mayor Mallott:** The other thing with that, with that \$400 billion, you know, we started to think about where do we go first? Do we start locally? You know, if Suffolk County was going to get any of that money, they wouldn't give it to us. If the town of Islip was going to get any of that money, they wouldn't give it to us. So we said, well, let's go to the top and Chuck Schumer has been a good friend to Fire Island and the beach renourishment. And he knows exactly our situation here. And we hope from the best from Senator Schumer okay. **David Lipsky:** Thank you. **Trustee Norris:** If any anything comes to mind, David, just bubble it up to us.

**Trustee Arment:** Judy Steinman, you have a hand up? Judy, you're muted. Judy, can you unmute. **Judy Steinman:** Got it, can you hear me? Yes. Good. Um, a couple of questions. Um, I'll refer to line numbers and appropriations line 1230. That's a rather large increase from the prior year. Can you explain that. **Linda Morrissey:** That now includes administrator, treasurer and clerk where it was just clerk Treasurer last year. **Judy Steinman:** But isn't there a special. A separate line for Administrator. **Linda Morrissey:** It can be, it will be. That was based on the discussion we've had in the last couple of days that we will split those three positions out. Last year it was just clerk Treasurer. This year is now three. There was one position versus three positions. **Judy Steinman:** Okay. So those will be identified as to what each of them is that correct? **Linda Morrissey:** Yes, that we could do that. **Trustee Hargraves:** Actually, we talked about attaching a separate sheet at the end of the budget, which will it'll be the employee classifications and the amount paid. **Mayor Mallott:** We always do that. **Trustee Norris:** And it certainly explains if it were one individual with two titles versus



three. **Judy Steinman:** Yeah. So that would help us to understand why that's such a large item. A couple of other questions. Um, a 1621 building repairs. Are we expecting a major storm? **Mayor Mallott:** No, Judy. Guess you missed that in the beginning. That was one of Maria's questions. What that line item was for. It's been a line item that we keep as reserve for something, anything that we need. If we need to come up with a percentage of some kind of grant. So, we need \$50,000 as our share of something. We take it out of there. As I said to Maria, I rebuilt the deck around the community house with that money. We did work up at the up at the ocean for the lifeguards with that money. You know, it's a it's a general fund that the. **Judy Steinman:** Okay, I got it. **Mayor Mallott:** Judy, let me finish. Okay? **Judy Steinman:** Sure. **Mayor Mallott:** If you look into that line item, you'll see there's over \$300,000 left in that line item this year. Linda did as we usually do in the first go around, add \$400,000 to that. If there's that \$300,000 left and if we decide there's nothing really pressing, I'll reduce that number and bring it down to something that's a little more a little more sensible. As I said in the beginning, I'll slash and burn this. This wish list to bring the budget to under the state limit, Okay. **Judy Steinman:** Sounds good. Yes. Thank you. I have another question. Um. Line A1910 PRO. We have flood insurance. Why are we expecting to need that much property insurance?

**Linda Morrisey:** We're required to carry that. As being a municipality with all these buildings. And the insurance company is expecting a large increase in all of the policies this year. **Mayor Mallott:** Again. Everything goes up, Judy. The insurance goes up, the medical costs go up. We can't even keep it up. You know me trying to keep a budget under 3% and everything's going up six, seven, 8% is it's kind of hard. **Judy Steinman:** Jimmy, this was separate. It's separate item, though, from flood insurance and medical insurance is called property insurance. **Trustee Hargraves:** Judy Flood insurance is different than property insurance. **Judy Steinman:** I understand that and I understand that it's a separate item. And I'm asking about property insurance. **Mayor Mallott:** Well, the property insurance is probably the insurance on this building here on the you know, FEMA wants us to insure every building that they've been part of. If we got FEMA money for the ferry terminal and the ferry terminal has to be insured and it is. **Trustee Norris:** So, yes, let me put it another way. If God forbid, one of our buildings burned, it wouldn't be a flood plain right? **Joe DiFrancisco:** The perfect example is what happened in village hall. **Judy Steinman:** We understand what property insurance is for. That's not my question. **Trustee Hargraves:** We have to have it. **Joe DiFrancisco:** You know Christmas Day we had a pipe burst in village hall, which flooded village hall and closed us down for a month and that the amount of that claim was somewhere in the neighborhood of \$198, almost \$200,000. That's what this insurance covered. **Trustee Norris:** That was property. **Joe DiFrancisco:** That was property. Yeah. Yeah. Other than our 10,000 deductible the entire thing was paid. **Mayor Mallott:** Thank you, Judy. **Trustee Norris:** Thanks, Judy. **Judy Steinman:** So okay I have one more question, if I may. I have two items that look like they're duplicated because the description is not clear. It looks like F I don't have the number. Well, it's G1230.101 Superintendent. **Mayor Mallott:** that's sewer, yeah, that's \$36,000. That's when we do the payroll for Kevin. Kevin is. It's part of the sewer. You'll see. Kevin's line item for his compensation is part of sewer. part of water, part of general fund. **Judy Steinman:** Okay, so you divide his salary into three places in the budget. Is that what you're telling me? They're not duplicative. **Linda Morrisey:** That's correct. **Judy Steinman:** Okay. Thank you.

**Craig Rubenstein:** This was just a statement relating to what the question was. So our condominium, our property insurance doubled. Went from ten grand to \$20 grand. Why? Because of cost to rebuild. So we couldn't be insured any longer. For 2 million. We had to be insured for 3.5 million. That increased the cost of the insurance. So it's pretty simple these days. Everything has gotten so much more expensive that they can't expect to rebuild these buildings for the same thing they could five years ago. So just putting it out there. **Trustee Hargraves:** Thank you. Thanks, Greg. **Trustee Arment:** Hand up from Eastman. George Eastman. Go ahead. **George Eastman:** Let me. Can you hear me? Let me unmute and visualize. Thank you. I have a question regarding the cleaning of the bathrooms. You had mentioned that. In the budget there was potentially \$100,000 allocated for that and there was also a mention previously to community service. And just a quick back of the napkin kind of overall calculations. If you out of \$100,000, if you knock off \$10,000 for cleaning supplies and material brooms or whatever that might go into that, perhaps instead of looking for an outside commercial service, if you divided the remaining \$90,000 by either 4 or 6, it would come to either \$15,000 divided by six or 20 to 5 divided by four. If there's a senior in high school or college students set of for you offered them in the range of \$20,000 for the summer from potentially Memorial Day to Labor Day. Um I wondered if we couldn't combine with the community service context and do this locally instead of commercial service?

**Mayor Mallott:** No, that's not going to happen. **Trustee Norris:** George. It's really hard to get kids to clean bathrooms these days. I mean, I'd love to be able to do that. The practical sense is to get it done. **Mayor Mallott:** Kids don't clean up behind themselves. Never mind about cleaning bathrooms. **Trustee Arment:** We're also we want it done a good deal of labor. **Mayor Mallott:** We want it done professionally. I want it done regularly. It's not a headache that I want to have

here. I'd like these bathrooms cleaned, as I said, at least three times a day, because if they're not done three times a day And Kevin, I'll tell you this, it's not somewhere where anybody wants to go. People are animals. **Trustee Norris:** Have you ever seen the movie Trainspotting. **Mayor Mallott:** Animals, So it needs to be a professional outfit that I can rely on. Not kids with a bucket. I understand. Thank you, George. Anybody else? **Trustee Arment:** Thank you, George. David Simpson has a hand up. David. Go ahead. **David Simpson:** Yeah. So this is open to different subjects, not just budget. Correct? This conversation. **Mayor:** This is the budget. **Trustee Norris;** This is the budget Hearing. **Trustee Arment:** Just budget we'll be hearing of the citizens later on. **Davis Simpson:** Okay, I'm sorry. Then I'll defer my question till later. **Trustee Arment:** Thanks, David.

**Trustee Blake:** Board. I'd just like to come in. It's Matthew. I think we're talking a lot about the expenditure side here, which is critical. We have to rein that in, obviously, and we had extensive conversations about that earlier today. But the overall backdrop is toward rising prices. And I think the opposite side of the ledger is how do we increase revenues? And one of our key levers through the ferry contract, which is very effective for a period of time, is under pressure. One of the things that we're contemplating and just to put it out there, we have these beautiful municipal buildings. Oftentimes they go dormant. These are tremendous assets, but they sit without any real utilization. So, one idea that we are starting to contemplate and we've had previous conversations about it too, but have decided not to go down the route, but nonetheless, just wanted to make everyone aware. We are looking at how we could leverage and use village property such as the community house. This space that we all see here where the meeting is being held today and even windswept outside of camp hours in the camp period, you know, how do we use these beautiful structures in a way that supports our revenue base? And you could imagine, you know, a young couple coming in or an older couple coming in and using that space for a beautiful wedding, for instance. And so why don't we look at the opportunities like that? And this is a live discussion. We haven't landed on it yet, but I just wanted to put it out there because I think we have to think about squeezing the appropriation side and also increasing the revenue base. **Mayor Mallott:** Thank you, Trustee. Any more questions? **Trustee Arment:** That's all the hands for now. **Mayor Mallott:** All right, so what are we continuing? **Ken Gray:** Yeah, we're going to make a motion to continue the public hearing to the next meeting. Next? Well, yeah, the next meeting, which is the 29th of April. Thank you.

**PUBLIC HEARING – TENTATIVE BUDGET HEARING 2023-2024: Resolution No. 2023-041: Mayor Mallott moved as follows:**

WHEREAS, the Village of Ocean Beach held duly noticed public hearing on April 1, 2023 concerning the Tentative 2023 – 2024 proposed Village Budget; and,

WHEREAS, the Board of Trustees requests and encourages the public to submit comments & questions via mail & e-mail [info@villageofoceanbeach.org](mailto:info@villageofoceanbeach.org) between now and April 29, 2023;

Now, therefore, it is hereby

RESOLVED that the Village Board of Trustees hereby approves to continue the public hearing on April 29, 2023 for the adoption of the proposed 2023/2024 Village Budget.

Trustee Hargraves seconded the motion. Upon call, the following voted:

Deputy Mayor Blake	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Norris	Voted Aye
Trustee Arment	Voted Aye
Mayor Mallott	Voted Aye

**PUBLIC HEARING #2**

**OPEN TIME: 12:18 PM Mayor/Norris**

**CLOSING TIME: 12:26 PM Mayor/Norris**

**Public Hearing #2 Notes:**

Public hearing. Local law two of 2023 Amending Chapter 1016 Landing fees. I believe this was posted on the website. Thank you Also for the people who are present, there are copies on the back table. Um. **Mayor Mallott:** You want to explain. **Ken Gray:** Yeah. This is the main change here is on page four. Oh, I thought we made that motion. Motion to open the public hearing. So moved. Seconded. Second. All in favor. Hi, everybody. Thank you. Everybody's a critic. Um, if you go to page four, which I think it's printed out as page four on my printer anyway. In section 100 and 6-6, which is fees and subsection D, So we the added language is bold and underlined it. And what we did was I'll just read it for water

taxis and water limos, the board of trustees or its designee shall determine the amount of dock space linear footage that is required for each applicant taking into account the applicant's past usage, if any, and the number of water taxis and or water limos owned operated by the applicant in determining the proper linear footage for applicants, the Board of Trustees shall consider any factors to maximize the safety in the water and on the dock, including designating no landing zones on the dock. Uh, the Board of Trustees shall take into account, inter alia, among other things, the differences in service capacity and frequency of landings when setting landing fees for charter boats, water taxis and water limos. Fees for water taxis and water limos shall be set per linear foot, granted and assigned to each applicant. One of the issues, if I may, Mr. Mayor, one of the issues that came up is in the last couple of years, there's been a second water taxi company who's been coming in and landing on the dock. **Mayor Mallott:** illegally. **Ken Gray:** And there was an incident, I think it was last summer, Chief, was that last summer or two summers ago. The, the this, I believe it was last time. Yeah, I think it was last summer. I apologize. So sometime last summer, uh, what we have been doing is asking the second water company to land further west of where the current where fire island water taxis lands. So, we wanted to separate them so there wouldn't be any safety issues or we hope that there wouldn't be any safety issues. Unfortunately, there was an incident last year where one of the boats from the second water company, uh, was left unmanned, but was it wasn't in neutral. It was in.

**Chief Hesse:** Just like what they all do, like the ferry and water taxi motor up to the dock. They tie a line and they keep it against the dock with a line tied. This was the two vessels out there? They had it was H2O. They had two vessels docked out there and Fire Island Water Taxi had a couple of vessels out there and the second vessel from H2O came untied and it powered into the other boat, which pushed it into the Fire Island water taxi vessel. And it caused some damage. Right. So.

**Ken Gray:** Okay, Thank you.

**Mayor Mallott:** So what I've tried to do here is designate. In this area here. What the ferry company presently uses, which is just about 100ft, I think just a little more than 100ft. Okay. Now, that portion of the dock there was reinforced and reinforced by the Fire Island water taxi. Okay. That protects that probably 40ft on the finger pier. So we give them that 40ft and that's reinforced and feel very good about them using that piece of the dock. Then I wanted to give put 20ft. Further west between. Our island water taxi and the new company, H2O. Okay, so H2O will come in. They will be required to fortify their 40ft of docking because we have to we have to protect that finger dock there. And we just have boats out there that, you know, just keep banging into it. They don't really care about it. All they care about is their passengers. So they're going to have to fortify that. The problem that we're going to have here. Is the rates that we charge.

**Ken Gray:** Which is not the subject of this hearing. This hearing is just to change the local law as to how we set the rates. We're going to set the rates at another hearing, um, for each applicant that we have. **Trustee Norris:** Subsequent to this determination. **Ken Gray:** Correct. **Mayor Mallott:** subsequent to this, I'll go no further. **Ken Gray:** So any members of the board have any questions about this proposed local law or any changes? **Mayor Mallott:** Does the public have any questions about this? **Ken Gray:** We'll get to that. **Maria Silsdorf:** I just have a question. What you meant by that they were docking illegally Jimmy. **Ken Gray:** I don't believe that was. **Mayor Mallott:** That's not the case, counselor. Okay, I stand corrected. Retract. **Maria:** Okay, retract. **Ken Gray:** Um, there's one other change that I wanted to make.

**Trustee Hargraves:** Dave has a question. **Ken Gray:** Can you step up so the public can hear you? And before you before you speak, I just want to state on in the definition sections 106-2 on the under the word operator, I need to add the word water limo after the word water Taxi. Okay. It was something that. **Mayor Mallott:** It screwed us up last time.

**Ken Gray:** Right? So we'll. We'll add. I'm sorry, sir. **David Lipsky:** So, Dave Lipski, a simple question on whether this law and regulation is incorporated into the harbor management plan that the village has the authority to develop if it hasn't already developed. **Mayor Mallott:** This will be part of our harbor development plan. **Joe DiFrancisco:** Um, well this law is. Yeah, well, I think, I think the, the initial law had a very convoluted way of determining how to charge the water taxis. And I think we're trying to streamline that and make it clearer. That's really all this is. **David Lipsky:** Is. But part of that has to do with traffic noise, carbon emissions, everything that is part of the local waterfront revitalization plan calls for a harbor management plan that I believe extends 1000ft out. So just. Consider that some of these issues can be taken up as part of a comprehensive plan. Also, you might want to think about incentivizing. Uh, water taxis that have low noise and low carbon emissions. There are now hybrid electric boats that are available. Maybe they should be given preference to other boats.

**Mayor Mallott:** Thank you. We'll keep that under consideration. Thank you. **Trustee Arment:** Thanks, David. Good idea. **Mayor Mallott:** Any more questions on water, taxi stuff. Seeing no more questions here. No more. **Trustee Blake:** Hey Jim. Jim, maybe it just makes sense to say that, you know, it is very important that we create a playing field that allows for positive competition. And right now, as it relates to core areas of access to our village, we have none of that.

And so this board is very concerned about that factor. And this is an example of where we're trying to put in place the pieces to allow for constructive and positive competition to enter. And I just wanted to make that explicit. **Trustee Hargraves:** Thanks, Matt. **Mayor Mallott:** Thank you, Trustee Blake. **Ken Gray:** All right. With that said, is there a motion to close the public hearing? So moved. Have a second. Second. All in favor? Aye. Motion carries. Thank you. Do I have a motion to accept and adopt local law Number two? Uh, with that one amendment that I mentioned, putting in the word limo.

ACCEPT & APPROVE LOCAL LAW 02 OF 2023 – AMENDING CHAPTER 106, WATER TAXIS, WATER LIMOS AND CHARTER BOATS: Resolution No. 2023-042: Mayor Mallott moved as follows:

**BE IT ENACTED**, by the Board of Trustees of the Village of Ocean Beach, as follows:

The Code of the Incorporated Village of Ocean Beach, County of Suffolk, New York, is amended by:

[New Language]

~~[Old Language]~~

**Section 1. Amendment.** Amend Chapter 106 of the Village Code by adding the underlined words and deleting the strikethrough words as follows:

**ARTICLE I – WATER TAXIS, WATER LIMOS & CHARTER BOATS**

**§ 106-1 Legislative Intent**

It is hereby declared to be the policy of the Village Board of Trustees to regulate charter boats, ~~and~~ water taxis and water limos landing and picking up or discharging passengers within the Incorporated Village of Ocean Beach or along the shoreline thereof or within 1,500 feet of the shoreline thereof or any place in the water above where the bay bottom is owned and/or leased by the village in order to ensure the safety of the inhabitants of the village and to avoid overuse of village facilities and to prevent interference with the authorized ferry schedule of the village, the preservation of which is necessary for the well-being of the village's inhabitants.

**§ 106-2 Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**CHARTER BOAT**

A watercraft for hire with legal capacity, as defined by the United States Coast Guard, of more than 25 persons, either on a scheduled or unscheduled run, including a party boat but excluding watercraft owned by any person providing regular ferry service to the incorporated Village of Ocean Beach pursuant to a valid contract with the village.

**OPERATOR**

Any person who owns, controls, navigates, directs or supervises a water taxi, water limo or charter boat.

**WATERCRAFT**

A vessel used or capable of being used as a means of transportation in, over or upon water, including nondisplacement craft.

**WATER LIMO**

A water taxi the capacity of which is limited to eight persons and which is limited to making 10 landings per day at a Village dock.

**WATER TAXI**

A watercraft for hire with legal capacity of no more than 37 persons, either on a scheduled or unscheduled run, but excluding watercraft owned by any person providing regular ferry service to the Incorporated Village of Ocean Beach pursuant to a valid contract with the village.

**§ 106-3 License required.**

No person shall operate a water taxi, water limo or charter boat within the Incorporated Village of Ocean Beach or along the shoreline thereof or within 1,500 feet of the shoreline thereof or any place in the water above where the bay bottom is owned and/or leased by the village without first having obtained a license therefor issued by the Village Clerk after the approval thereof by the Board of Trustees of the village. No license shall be issued hereunder unless the applicant complies with the provisions of this article.

**§ 106-4 Application for license.**

**A.**

Applications for licenses to operate a charter boat, water taxi, or water limo within the Incorporated Village of Ocean Beach or its shoreline or within 1,500 feet thereof or any place in the water above where the bay bottom is owned and/or leased by the village shall be made to the Board of Trustees on any form as may be promulgated by the Board requesting such information as the Board may deem appropriate. Said application shall be accompanied by the fees set forth in § **106-6** hereof, all insurance certificates required in § **106-10** hereof and all Coast Guard licenses and inspection certificates required by § **106-8** hereof.

**B.**

Applications for permission to operate a water taxi or water limo shall be made on or before December 31 of the calendar year prior to the calendar year for which a license is sought or at least 60 days prior to any landing or docking for the purpose of discharging or picking up passengers. Applications for permission to operate a charter boat shall be made at least 30 days prior to the day for which permission is sought. The time provisions for application may be waived by the Board of Trustees in its sole discretion at the time of any public hearing regarding any application.

§ 106-5 **Approval of application.**

**A.**

Time for approvals. The Board of Trustees shall hold a public hearing upon an application under § **106-4** hereof at least 30 days before the date sought for permission. This time period may be waived by the Board of Trustees in its sole discretion.

**B.**

Considerations and conditions for approvals. In determining whether to grant or deny a license, the Board of Trustees shall consider, in addition to the requirements of this article, the convenience, safety and health of the inhabitants of the village, the effect upon the licensed ferry service of the village, whether permission for landing of the charter boat or water taxi, or water limo serves the public interest, the extent to which the facilities and services of the village may be burdened, the safety of the proposed landing site, the time of the landing in conjunction with the above factors and any other factor or factors which are reasonable in the judgment of the Board of Trustees. The Board of Trustees may condition its approval of a license hereunder upon any factors it considers reasonable, including but not limited to strict compliance with permitted hours of operation as set forth in § **106-11B** and **C** herein and upon compliance with such rules and regulations that the Board may, from time to time, adopt after a public hearing thereon. Failure to comply with such permitted hours of operation may be cause for the revocation of a license by the Board of Trustees after a public hearing upon at least five days' written notice to the operator of a charter boat, or water taxi or water limo. The operator of a charter boat, or water taxi or water limo and any person permitting the landing of either at or upon his property shall be responsible for making reasonable efforts to ensure that no persons who are disorderly are permitted to disembark within the village.

§ 106-6 **Fees for license applications; fees for landing.**

[Amended 5-31-2003 by L.L. No. 2-2003]

**A.**

Fees for license applications for a charter boat, water taxi or water limo shall be paid upon the filing of the application and shall be nonrefundable.

**B.**

Fees for landing a charter boat shall be determined as a "per landing" fee and shall be paid in full upon filing the request for permission to land. In the event the request to land a charter boat is denied, the fee for landing shall be refunded.

**C.**

Fees for landing a water taxi or water limo shall be determined as an annual fee and shall be paid in full upon the approval of permission to land.

**D.**

Fees referred to in this chapter may be set and amended from time to time by resolution of the Board of Trustees.

**For water taxis and water limos, the Board of Trustees, or its designee shall determine the amount of dock space (linear footage) that is required for each applicant, taking into account the applicant's past usage (if any) and the number of water taxis and/or water limos owned/operated by the applicant. In determining the proper linear footage for applicants, the Board of Trustees shall consider any factors to maximize safety in the water and on the dock, including designating "no landing zones" on the dock.**

The Board of Trustees shall take into account, inter alia, the differences in service, capacity and frequency of landings when setting landing fees for charter boats, water taxis and water limos. **Fees for charter boats, water taxis and water limos shall be set "per linear foot" granted and assigned to each applicant.**

**§ 106-7Suspension or revocation of license.**

A license granted by the Board of Trustees pursuant to the provisions of this chapter may be suspended by the Mayor and/or Village Administrator in the event of a hazardous or dangerous violation of the provisions of this chapter. Such suspension shall be effective for a period not to exceed 15 days. A license may be revoked by the Board of Trustees in the event of a hazardous or dangerous violation of the provisions of this chapter after a public hearing upon at least five days' prior written notice to the operator of a charter boat, water taxi or water limo.

**§ 106-8Inspection of vessels.**

Each water taxi, water limo or charter boat landing or docking and/or discharging or picking up passengers within the Incorporated Village of Ocean Beach or its shoreline or within 1,500 feet thereof or any place in the water above where the bay bottom is owned and/or leased by the village shall be inspected according to the rules of the United States Coast Guard and shall have in effect at all such license or licenses as the Coast Guard may require and shall also meet all other requirements of law.

**§ 106-9Boarding of vessels by Police Department.**

The operator of a water taxi, water limo or charter boat, by applying for a license from the Board of Trustees, grants permission to the Police Department of the Village of Ocean Beach to board the vessel or vessels at any time and/or location to determine whether the vessel is in compliance with this article and any other applicable articles, sections, ordinances or local laws of the Incorporated Village of Ocean Beach, laws of the State of New York, the United States Code and any rules or regulations promulgated by any body or agency pursuant thereto and with the requirements of the United States Coast Guard.

**§ 106-10Insurance required.**

Any operator of a water taxi, water limo or charter boat which seeks a license hereunder shall provide and at all times thereafter maintain liability coverage in the amount of \$1,000,000 and property insurance coverage in the amount of \$50,000 per occurrence, written by insurance companies either licensed by the Department of Insurance of the State of New York or otherwise lawfully offering insurance within the State of New York, protecting against loss or damage to person or property occasioned by the operation of any such water taxi, water limo or charter boat. Upon request of the Board of Trustees, there shall be filed with the Village Clerk a certificate showing that said is in force and effect. Failure to file such certificate within seven days of such request shall result in forfeiture or revocation of any licenses or permissions granted herein. In every policy of insurance required hereby, the Incorporated Village of Ocean Beach shall be named as an insured, together with the operator of the vessel. Such requirement shall in no manner be deemed an admission of any liability on the part of the village. The limits of liability of said insurance requirements may be increased by the Board of Trustees after a public hearing.

**§ 106-11Landing of vessels.**

**A.**

No charter boat, water taxi or water limo may land unless there has been compliance with this article and unless the Board of Trustees finds that approval shall be granted.

**B.**

To the extent permitted by this article, no charter boat, water taxi or water limo shall be permitted to land or dock and/or pick up or discharge passengers between the hours of 3:00 p.m. on Thursday and 8:00 a.m. on Monday during the months of June, July, August or September, except those boats picking up passengers in Ocean Beach and returning said passengers to Ocean Beach which have received permission hereunder. Each license for a charter boat shall set forth specifically the permitted time for the arrival and departure of the charter boat. Water taxis and water limos with licenses shall be governed as to the times for landing and/or docking by the times, if any, specified in the applicable water taxi or water limo license and/or permit and Subsection **C** hereof.

**C.**

The Board of Trustees may, from time to time, establish hours for permitted landings or departures of water taxis and water limos and specify locations for landings.

**D.**

Notwithstanding the foregoing, charter boats, or water taxis and water limos shall be permitted to land or dock and/or pick up or discharge passengers during any otherwise prohibited time of day in the event of an emergency and pursuant to the

direction of the Mayor or Chief of Police of the Incorporated Village of Ocean Beach or such other persons as may be authorized by the Village Board to permit such landing or docking or pickup or discharge of passengers.

**E.**

Determination of landing of vessels. The Board of Trustees shall have exclusive authority over the landing of vessels; however, the Board of Trustees hereby delegates its authority as aforesaid except as to ferry service, water taxi and water limo service, except as otherwise provided heretofore, as follows:

**(1)**

The Mayor and the Village Administrator shall have the initial authority to permit and/or approve the landing of vessels upon such terms and conditions as the Village Administrator shall deem proper and reasonable, including but not limited to providing insurance coverage to the village, determination of dates and times of landing and the terms and conditions of landing.

**(2)**

All applications for landings shall be in writing and filed with the Village Clerk at least 14 days prior to the requested usage, on forms to be supplied by the Village Clerk, and shall be kept on file by the Village Clerk from the time of receipt and for at least one year thereafter or such longer time as may be required by this Code or any other statute.

**(3)**

In the event that the use is approved, the application form shall be signed by the Mayor and Village Administrator, and the terms and conditions of landing shall be attached or endorsed thereon and a copy provided to the applicant.

**(4)**

Any member of the Board of Trustees shall have the right to place the issuance of approval on the agenda at the next Board of Trustees meeting, at which time the approval of landing shall be subject to confirmation, rejection or modification.

**(5)**

Any applicant shall have the right, in the event that the applicant's request, in writing, filed with the Village Clerk at least 10 days prior to the Board of Trustees at which review is sought, is rejected or the conditions imposed are sought to be modified, to make a request that the permit application be placed upon the agenda of the Board of Trustees at the next meeting thereof and that the Board of Trustees approve the application or modify the permit. The Board of Trustees shall have the right, by majority vote of a quorum present and voting, to entertain the application or approve the application or modify the license or reject the application in whole or in part.

**F.**

Licenses.

**(1)**

A license shall be issued by the Village Administrator only, based upon the foregoing procedure for the landing of vessels, based upon the foregoing provisions, which license shall be in writing and shall constitute the signatures of the Mayor and Village Administrator indicating approval upon the application together with the terms and conditions of approval annexed to the initial application.

**(2)**

Any rejection of an application shall be indicated upon the initial application by the signatures of the Mayor and the Village Administrator.

**Section 2.** This local law is determined to be a TYPE II action under the NY State Environmental Quality Review Act ("SEQRA").

**Section 3.** This local law shall take effect immediately upon filing with the Office of the Secretary of State.

Trustee Norris seconded the motion. Upon call, the following voted:

Deputy Mayor Blake	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Norris	Voted Aye
Trustee Arment	Voted Aye
Mayor Mallott	Voted Aye

STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA): Resolution No. 2023-043: Mayor Mallott moved as follows:

WHEREAS, the Village hereby declares that all action items on this Agenda, unless otherwise indicated, are Type II, pursuant to SEQRA, and, therefore, no further environmental review is required; and

Now, therefore, it is hereby

RESOLVED that the Board of Trustees hereby approves the SEQRA declaration on all action items as Type II, unless otherwise indicated on this Agenda.

Trustee Hargraves seconded the motion. Upon call, the following voted:

Deputy Mayor Blake	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Norris	Voted Aye
Trustee Arment	Voted Aye
Mayor Mallott	Voted Aye

AUTHORIZE & ACCEPT OCEAN BEACH FIRE DEPT. PARTICIPATION IN SUFFOLK COUNTY URBAN SEARCH & RESCUE TASK FORCE ACTIVITIES FOR 2023: Resolution No. 2023-044: Mayor Mallott moved as follows:

WHEREAS, Suffolk County Urban Search & Rescue Task Force provides annual training to Emergency Rescue personnel for the purpose and preparation of natural and man-made emergencies; and

WHEREAS, the Inc. Village of Ocean Beach encourages its employees and members of emergency services, in an effort to gain knowledge and improve proficiency in their positions, and training programs are essential concerning pertinent updates and changes and to facilitate the Village in regard to operations;

Now, therefore, it is hereby

RESOLVED that the Ocean Beach Board of Trustees hereby approves of the training for Ocean Beach Fire Department member, Martin Leiderman.

Trustee Hargraves seconded the motion. Upon call, the following voted:

Deputy Mayor Blake	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Norris	Voted Aye
Trustee Arment	Voted Aye
Mayor Mallott	Voted Aye

**Chief Ian Levine:** Basically, what happens is all throughout Suffolk County, members from different departments participate in a urban search and rescue group. We've had that group out here many times during storms and evacuations and disasters that might happen. That's what they do. That's what they practice for. This is authorizing Marty to be a part of that group and participate. And I'm in favor of it.

VOLUNTEER FIREFIGHTERS SERVICE AWARDS PROGRAM: Resolution No. 2023-045: Mayor Mallott moved as follows:

WHEREAS, the Village of Ocean Beach participates in the Volunteer Firefighters Service Awards Program (the "Program"); and

WHEREAS, the Ocean Beach Fire Department has presented to the Board of Trustees a list of members who are eligible for the 2022 Service Award program Contribution (covering service made in the Year 2022);

Now, therefore, it is hereby

RESOLVED that the Village of Ocean Beach Board of Trustees hereby accepts and adopts said list as submitted, as the Final Report and further authorizes the Mayor to execute the Sponsor Authorization Form and/or Sponsor Form.



Trustee Norris seconded the motion. Upon call, the following voted:

Deputy Mayor Blake	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Norris	Voted Aye
Trustee Arment	Voted Aye
Mayor Mallott	Voted Aye

**Chief Ian Levine:** Can I just ask a question? That's at the new rate that was voted on by the residents last year. **Mayor:** Yes

**AUTHORIZATION & APPROVAL TO ATTEND NEW YORK CONFERENCE OF MAYORS (NYCOM) 2023 SPRING MEETING: Resolution No. 2023-046: Mayor Mallott moved as follows:**

WHEREAS, it is the Inc. Village of Ocean Beach's desire to give encouragement to its employees and trustees, in an effort to gain knowledge and improve proficiency in their village positions, and training programs are essential concerning pertinent updates and changes and to facilitate the Village in regard to municipal law, government operations and local finance issues;

Now, therefore, it is hereby,

RESOLVED that Marco Arment, Trustee and any elected Board of Trustee members, are authorized to attend NYCOM's 2023 Spring Meeting in Bolton Landing, NY on May 17<sup>th</sup>, 2023 through May 19<sup>th</sup>, 2023, costs to include \$245 class registration, lodging and travel expenses each, to be paid from the following line item A1230.472.

Trustee Norris seconded the motion. Upon call, the following voted:

Deputy Mayor Blake	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Norris	Voted Aye
Trustee Arment	Voted Aye
Mayor Mallott	Voted Aye

**ACCEPT & APPROVE CORRECTIVE ACTION PLAN FOR NYS COMPTROLLER'S OFFICE: Resolution No. 2023-047: Trustee Norris moved as follows:**

WHEREAS, the Village of Ocean Beach is in receipt of a report from the NYS Comptroller's office entitled Clerk-Treasurer Compensation Report of Examination 2022M-79; and

Now, therefore, it is hereby

RESOLVED that the Ocean Beach Board of Trustees hereby approves the proposed corrective action plan (CAP) which includes, inter alia, actively seeking recoupment of any overpayments taking into consideration the advice of counsel to be forwarded to the New York State Comptroller's Office.

Trustee Hargraves seconded the motion. Upon call, the following voted:

Deputy Mayor Blake	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Norris	Voted Aye
Trustee Arment	Voted Aye
Mayor Mallott	Voted Aye

**ACCEPT & APPROVE CHAMBER OF COMMERCE BEAUTIFICATION PROPOSAL: Resolution No. 2023-048: Mayor Mallott moved as follows:**

WHEREAS, the Board of Trustees is in receipt of a proposal for a beautification plan for the Village Green from the Chamber of Commerce, dated March 26, 2023; and

Now, therefore, it is hereby

RESOLVED that the Board of Trustees hereby accepts and approves the proposed beautification plan.

Trustee Hargraves seconded the motion. Upon call, the following voted:

Deputy Mayor Blake	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Norris	Voted Aye
Trustee Arment	Voted Aye
Mayor Mallott	Voted Aye

#### **HEARING OF THE CITIZENS: 12:31 PM**

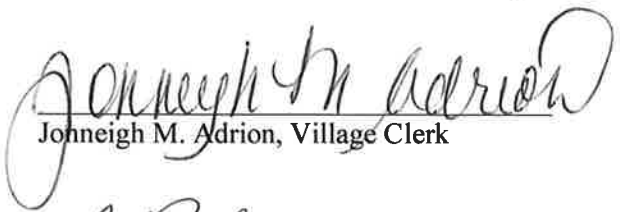
**Maria Silsdorf:** It's small, it's very small. Jimmy, Kevin has tried to get the ferry company to put back our sign at our dock in Bay Shore. That gives our rules. And they have taken it down and refused to put it back up. Okay, so perhaps you could make it important to them. **Mayor Mallott:** I'll take care of that. **Maria Silsdorf:** Thank you very much. And congratulations on your most recent thing that we just applauded (NYS Comptroller's Plan. **Mayor Mallott:** What was that? Oh, thank you.

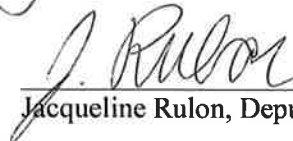
**Trustee Arment:** David Simpson, you want to go ahead now? Your hand's still up. **David Simpson:** Yeah. Um, you know, I know the village rebuilding project is some time down the road, but for this coming summer, is there any plan on trying to make the wagon storage area a bit more efficient and safe, or is it just going to remain the chaotic situation that it's been for years? **Mayor Mallott:** Unless anybody has a better idea, it's going to remain the way it is. **Trustee Norris:** I, for one, would like to revisit what the DRC established five years ago. Guys, yes, I would like to revisit to that end. And Joe, you probably haven't seen it. I'll circulate some of the ideas that that committee came up with, fully designed, sketched out by Constantine. So let's give it a shot. **David Simpson:** So, Chris, if I could just make a recommendation. Absolutely. Um. You know, I know in some future decade this will probably be rebuilt and be beautiful. But year after year, it remains a complete mess. And I can't imagine that someone can come up with some interim. Quick fix to make it more efficient than it is right now, which is disastrous. I mean, it would maybe taking down a couple of fences, doing this or that, but something should be able to be done as an interim solution. **Mayor Mallott:** Well, my offer still stands, David. My offer that the offer was that the village will buy 300 little red wagons and anybody who wants to use them can use them and bring them back. **Davis Simpson:** Okay. That's one of several options. But even the structure, the structure as it exists now is completely inefficient. And something should be able to be done to the structure as it exists to make it more user friendly. **Mayor Mallott:** Nobody here, no matter what we do to it, it's still going to be the same mess when people chain up their wagons wherever they want to chain them up. Okay, If you're running for the ferry, you don't care where you chain your wagon up. As long as you chain it up, you're not considering somebody who's coming behind you, who's trying to get their wagon or trying to hang their wagon up. Okay. It's a selfish exercise out there. And that's all it is. And you're never going to change it until you stop locking up wagons.

**Trustee Norris:** All right. Anything else? **Trustee Norris:** That's all the zoom go. **Mayor Mallott:** Motion to close the hearing. **Ken Gray:** Motion to close the meeting. **Mayor:** So move. Second. Second. All in favor. All right. **Ken Gray:** Have a good Easter and Passover, everyone. Thanks, everyone.

ADJOURNMENT: Mayor Mallott moved to close the meeting at 12:34 PM. Trustee Norris seconded this motion. Upon call, the following voted:

Deputy Mayor Blake	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Norris	Voted Aye
Trustee Arment	Voted Aye
Mayor Mallott	Voted Aye

  
\_\_\_\_\_  
Jonneigh M. Adrion, Village Clerk

  
\_\_\_\_\_  
Jacqueline Rulon, Deputy Clerk