



**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 December 16, 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 8:40 AM from the Village Office, for the purpose of discussing personnel, contracts and pending litigation.

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

Trustee Arment	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Levine	Voted Aye
Trustee Moritz	Voted Aye
Mayor Mallott	Voted Aye

No motions or resolutions were acted upon in Executive Session. Executive Session was closed at 11:05AM by Mayor Mallott. The motion was seconded by Trustee Arment, upon call the following voted:

Trustee Arment	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Levine	Voted Aye
Trustee Moritz	Voted Aye
Mayor Mallott	Voted Aye

GENERAL SESSION: At 11:21 AM, Mayor Mallott moved to open General Session. Trustee Hargraves seconded this motion. Upon call, the following voted:

Trustee Arment	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Levine	Voted Aye
Trustee Moritz	Voted Aye
Mayor Mallott	Voted Aye

Following the pledge to the Flag and Roll Call at 11:22 AM:

There were present:	Mayor:	James S. Mallott
	Trustees:	Marco Arment
		Dawn L. Hargraves
		Ian Levine
		Jennifer Moritz
	Village Counsel:	Kenneth Gray
	Village Administrator:	Joseph DiFrancisco

APPROVAL OF MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON NOVEMBER 18, 2023:

Resolution No. 2023-148: Trustee Hargraves moved follows:

BE IT RESOLVED that the Minutes of the Board of Trustees Meeting held on November 18, 2023 are accepted as presented

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

Trustee Arment	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Levine	Voted Aye
Trustee Moritz	Voted Aye
Mayor Mallott	Voted Aye

APPROVAL OF BILLS AND CLAIM VOUCHERS: Resolution No. 2023-149: 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 \$182,284.42, for Gross Payroll from 11/15/23 through 12/12/23

BE IT RESOLVED that bills and claim vouchers to be paid, are submitted to be approved for payment as follows:

General Fund, in the amount of \$ 621,982.80, starting with check number A28431, and

Water Fund, in the amount of \$ 80,238.75, starting with check number F3871, and

Sewer Fund, in the amount of \$ 89,123.67, starting with check number G6896, and

Sewer Collection Fund, in the amount of \$ 1,141,943.02, starting with check number 1078

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

Trustee Arment	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Levine	Voted Aye
Trustee Moritz	Voted Aye
Mayor Mallott	Voted Aye

MAYOR'S REPORT:

**Mayor Mallott:** Good morning everyone. Excuse my scratchy voice. I have, uh, some good news. I think we are, uh, we have a ferry contract. We're just waiting for the dot the I's and cross the T's. Uh, we've been working on this for quite a while now. Um, I'd like to publicly thank the presiding officer of Suffolk County Legislature, Kevin McCaffrey, for working on our behalf. Um. We've gone over the details with the board and with the attorneys, and I think we're pretty much there. We're just waiting for a hard copy and make sure we're all on the same page. Um. We should be signing it probably by the end of the year, so that we can get our parking taken care of too. I can't go through the details of it right now because it's not been approved by the board. We will get that contract. We'll. The board will approve it, and then we'll ratify it at the next meeting. **Maria Silsdorf:** Congratulations. **Mayor Mallott:** No cheering. I'm just kidding okay. It's not done yet. But we're moving forward very quickly with it. We hope to hope to get it done. **Trustee Moritz:** Questions will be later.

**Mayor Mallott:** Um, the. Stormwater project is moving along. As with every project this big, we've had a couple of hiccups. We're a little behind the eight ball, but I'm assured by the contractor that as soon as these couple of glitches are taken care of, they're ready to go 12 hour days, seven days a week to get this project done. So, it's going well. We're laying cement on the other end of town, as everybody can see. I think by the time we get to next week, we should be somewhere down, finished down by the Mermaid there. The cement will be done and then we'll be moving into Main Street. This project here, a little bit of a standstill. We have to do some work on Tyler's. They have to do some work on Tyler's building. That, uh, has been shifting. That's all part of their contract. It doesn't cost us anything. And, uh, it's moving along. It's moving along well. Uh, so I'm going to give my voice a rest now and let Joe take over from here.

ADMINISTRATOR'S REPORT

**Joe DiFrancisco:** Thank you. Mayor. Um, so I just want to I know the mayor just mentioned the project, and they're doing a lot of work on the East side. I just want to, um, just kind of recognize the business and property owners over on the East End over there who have been extremely, you know, it's very patient and extremely, uh, um, cooperative with us with all the work that's going on there. I know it's hard to look at the village torn up like this. The roads are in pretty bad shape, but, uh, they the East End business and property owners have been nothing but patient and cooperative with us. And I, um, you know, I like to thank him. Thank them for that. It's making the project move along that much easier, uh, for us and for the contractor. Yeah. Um, uh, there's a couple items on the agenda. Uh, I guess I can address them now before we, uh, we vote on them. Uh, the members of the village, the employees of the village are going to be getting a new dental and vision plan. Uh, this is to replace the current plan we have now, which is, um. Uh, will be sunseting, I guess, because of, uh, issues with CSEA. Um, and, uh. That's all I have right now. I mean, the mayor really spoke about the project, and that's what's been taking up a lot of our time. Beached beach scraping replenishment?

**Mayor Mallott:** The beach project is in full swing, mobilizing as we speak. Okay, it'll be going from the end of kismet. This end of kismet till the middle of Seaview to the Islip border in Seaview. They're doing new surveys right now. So the sand that we lost in the in the last storm that devastated Robin's Rest in the summer club will be will get as much sand as they need there. Yeah.

**Joe DiFrancisco:** They've been doing they're going to be doing drone surveys. So you'll be seeing drones going up and down the beach. **Maria Silsdorf:** Somebody posted pictures of equipment. **Trustee Levine:** Go up to the microphone Maria so they can hear. **Mayor Mallott:** Yes, they bayside equipment. **Maria Silsdorf:** Someone posted pictures in Atlantique of equipment on the bayside moving sand to the ocean side. **Mayor Mallott:** No, they're mobilizing in the Atlantic. It's the town of Islip, a piece of property. Town of Islip have agreed to let the Army Corps mobilize in that area, which is almost the middle of the job. And the easiest way to get there. It could be a little difficult commute once they start this. Everybody knows the driving on the beach and driving inside is going to be a little more difficult. So everybody needs to have patience. But the project is starting. Thank you. Sorry, John. That's okay.

**Joe DiFrancisco:** I'm sorry can you come up to the mic for the microphone? **Linda Norris Stertz:** I just wanted to ask where in all of this does the removal of the jetty come into play? **Mayor Mallott:** The jetties are in the FIMP program, Fire Island to Montauk Point. The money for the removal of the jetties is in that project, not in this project, which is a FIMI project, Fire Island to Moriches Inlet project. I've spoken to the Dec. The Dec will not be taking them out right now. Dc said they'll just cover them like they did before. Um. In their opinion, those judges are not doing much to harm or enhance anything. They've been there for so many years. They've never been. Um, re-engineered. Uh, they think they're pretty useless. But whatever they do now. But they will take them out as soon as the money is authorized to spend on the FIMP program. Fire Island to Montauk Point, your welcome.

**Joe DiFrancisco:** Just, um, going back to the, uh, the beach and driving on the beach. Uh, we just got a message. Or recently got a communication from the seashore, Alex, specifically about his concern about people driving too close to the dunes. And he is, uh, thinking about or planning on instituting some type of, uh, restriction on how close you can drive to the dunes. So, I don't have a lot of detail on it yet. It was really just a very general email. So, we will see what happens. Uh, more to come, I guess, from the seashore on that. And then the last thing is the long awaited, uh, Well project, uh, that's supposed to happen in the village. There's another meeting this week where I believe. Kevin, um, correct me if I'm wrong. They're presenting bid specs to the Army Corps. Uh, the Army Corps will review those bid specs, and then we'll see what happens. But that's.

**Mayor Mallott:** We'll go out to bid, right? **Joe DiFrancisco:** Well, the corps will go out to bid. Yes. So, um, hopefully they're we're going to get some movement on that project. Uh, within the next few months. **Mayor Mallott:** And the wells. And the and the groins are joined at the hip. So once those wells are done, there's no reason for the groins to be there, and they'll be taken away on the Army Corps schedule. Kevin. **Joe DiFrancisco:** Anything else? **Kevin Schelling:** Nope. **Joe DiFrancisco:** That's all I have.

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

**Wastewater:** Sewer plant is fully operational.

Emergency Systems and Generator systems operational.

Chemical & Fuel supplies are full

**Water:** Wells #2, #3 & #4 are operational

All Emergency Systems and Generator system operational

Chemical supplies & Fuel supplies full

Shut off water for three homeowners because of damaged valves

Helped moved water line for drainage project contractor

**Properties:** Green decorated for tonight holiday tree lighting

Concrete repairs being done on upper Evergreen been using concrete from contractor

Streets trimmed and cut back on all village walks after Thanksgiving

All village generators have been tested and are operational for winter

Generator for ferry terminal is back after being repaired

Three new PSE&G poles relocated on Bay Walk off the street

Two street lights repaired

Brick work continuing at the court house

Working with the Fire Dept contractor and contractor for drainage project

**Streets:** Plowing and sanding equipment being prepared for use and ready to go

**Mayor Mallott:** Thank you. Kevin.

OCEAN BEACH VOLUNTEER FIRE DEPARTMENT REPORT: Chief Levine spoke

**George Hesse:** Sorry, Chief Brennan couldn't be here today, so it'll be short and sweet. Uh, tonight, as everyone knows, the village is having their annual tree lighting tonight. Um, the fire department will be escorting Santa Claus around. Okay. And, uh, after the tree lighting, uh, it's followed up by the potluck at the Fire Hall. Everyone's invited. Just bring a dish. **Trustee Levine:** George, how do you keep getting Santa to come to Ocean Beach? I don't get it. **George Hesse:** He loves it here. Visit us? Yeah, he loves it. He does. He used to vacation here.

**George Hesse:** Yeah. But, uh, as Kevin said, the, uh, garage door project is moving along. Uh, they are there today working on the big door. Um, that should be done today and should be able to open and close. And the two front doors should be, uh, started on Monday. And, uh, maybe by the end of the week, uh, the garage doors will be done. But I hate putting a time on anything. Um, so, uh, but every day we got to move the vehicles around. It's a lot of work. Uh, um, uh, moving all the equipment around every day, but, uh, it gets done. So, uh, as far as the fire department is concerned, we're ready. Um, just make sure, um, if anybody's online. I don't know if anybody's listening, but, uh, check your smoke detectors. Uh, we're starting to get, um, false alarms for batteries going dead. Um, I already had a call. A few homeowners to get permission to go into the house and change batteries for them. Uh, I think, uh, Marco even called me for one of the complaints, but we took care of it. But, uh. Yeah. Please check your battery. And that's it for the fire department

OCEAN BEACH POLICE REPORT: Chief Hesse spoke

**George Hesse:** Police department. Um, uh, things have been real busy around town. There's a lot of action going on. Um, every day the traffic patterns change here. Whether you're walking, driving. Just be cognizant of where you're going before you drive all the way down to the end of the street and have to try to turn around or back all the way down. Uh, we still have a lot of pedestrian traffic. The kids going to school, coming home from school. Watch your speed. Uh, and pay attention to what you're doing. Stay off your cell phones while you're driving, you know, stuff like that. But other than that, uh, we're good to go. Merry Christmas, everyone. **Mayor Mallott:** Thank you. Chief. **George Hesse:** Happy holidays.

NO LIFEGUARD REPORT

NO REC PROGRAM REPORT

ADDITIONS/DELETIONS TO THE AGENDA: Resolution No. 2023-150: Mayor Mallott moved follows:

1. Delete #13 - Authorization to Set Public Hearing Concerning Minor Behavior Legislation
2. Delete #14 - Authorization to Set Public Hearing to Amend Garbage Rules & Regulations
3. Add #19 – Ratification & Approval of Payments in Lieu of Unused Vacation Time
4. Add #20 – Authorization & Approval of Employment Contract for George Hesse

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

Trustee Arment	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Levine	Voted Aye
Trustee Moritz	Voted Aye
Mayor Mallott	Voted Aye

**Trustee Levine:** Kenny can I just add something to that? Um, #13 and #14 were two, uh, public hearings that we wanted to have for the next meeting. I don't think we're going to be ready for it, but what I'm asking is that the two things that we're talking about, one is I'm working with George on the police department and the minor behavior. So we're going to put that in writing and put something down. But if anybody would like to comment on what we can do or what the village can do, or the police department can do to make it better, please email myself at Trustee Levine at Ocean beach.com ([trusteelevine@villageofoceanbeach.org](mailto:trusteelevine@villageofoceanbeach.org)) or George ([obpd@villageofoceanbeach.org](mailto:obpd@villageofoceanbeach.org)). Uh, just so we can include your input and then hopefully, uh, January, we'll announce that we're going to have a public hearing on that in March. And then also the second issue was on the garbage rules. Uh, we have ideas on how we can make it better. The intent that we're trying to do is one to, to make the streets cleaner, you know, so let people know what kind of garbage cans they can have. We want to make it easier for the people who rent their houses or have large families or whatever in their houses to put their garbage out and not get fined for it. So we want to come up with ideas for that. And we also want to come up with

ideas that we're going to allow the police department to better enforce it and, uh, go forward with that. So if anybody has any ideas, please forward them to me and, uh, or call me and I'll be more than happy to talk to you.

**Trustee Moritz:** Trustee Levine@villageofOceanBeach.org **Trustee Levine:** I said com thank you. **Trustee Arment:** There's no the in the domain. Thank you. **Maria Silsdorf:** So I think last meeting or two meetings ago, there was a pretty lengthy conversation about garbage. Yeah. Um, and there was I have. **Mayor Mallott:** New have no legislation yet. **Maria Silsdorf:** Right. **Mayor Mallott:** But there were a lot of ideas. We can't have a public hearing without legislation. So we're trying to prepare the legislation. (Okay). But we have to get together to discuss so that we can give the attorney an idea of what the legislation. **Maria Silsdorf:** So, but you'll revisit all those ideas that were thrown out at the last meeting. **Mayor Mallott:** we will try to encapsulate everything. **Maria Silsdorf:** Right? Got it. **Trustee Levine:** The key issue, is the key issue is that we need to have something that's going to have some teeth in it. (Absolutely). So we can live with it going into the future and make it easier for the neighbors and for the police. **Maria Silsdorf** Dawn were you saying, **Trustee Hargraves:** I just want to say we're just not doing it right away, plus our other, the other um, or additional thinking on that. Was doing that kind of stuff during the winter doesn't include everybody. Because not everyone is participates in the winter. So, as we get closer to the rental season, not to do it just before, but to do it maybe more in the spring, we have to make sure that we have the legislation at least drafted. That's the whole idea of the public meeting is to have, uh, our public hearing is to have the discussion on the proposed legislation, but we don't have. **Maria Silsdorf:** Well, I would just say to that that with the advent of zoom, uh, you know, we should be able to discuss issues year round **Trustee Hargraves:** Yes but the more homeowners the better, right? Yeah. **Trustee Arment:** And the reality is, I mean. **Maria Silsdorf:** Zoom publicize the hell out of a meeting, though, if you if we want to have good participation. **Trustee Arment:** Right. But, you know, zoom attendance and participation is not the same as being in person. You know, it. It is within whatever technically is possible. We do the best we can, but just by the nature of reality, it's always more involved and better to be in person if you can be. And so for something that impacts so much of the community and has such, you know, a large impact and is not massively time sensitive, that we have to do it right now. It's better to do it when more people could be here in person.

**Camille Giugliano:** Uh, Camille Giugliano, co-chair of VOBEC. I would just like to request that VOBEC be included in the garbage piece. Sure. Okay. **Trustee Levine:** The whole village will be involved. But if we do have work groups or anything like that, like we just did with you guys, we would definitely include you. **Camille Giugliano:** Okay. That's great. Um, yeah. In a more decisive position, not just, uh, we'll. **Trustee Levine:** We'll send it out to you. And if you do have any ideas, please forward them to me. Thank you.

**David Lipsky:** Uh I have my hand raised. **Trustee Arment:** Oh, yeah. Sorry. Dave Lipsky, go ahead. **David Lipsky:** Um, I'm glad that VOBEC will be involved, but we also should establish some objectives for revisions, including more than just. Um, keeping things clean, but deciding whether we want to have, uh, some type of rate structure or mechanism for charging people based on the amount of garbage, and we also should do some research. There are a lot of communities that have solved this problem in various ways, so, uh, I'll be glad to try to come up with some ideas from what other communities have done. If you haven't done that already.

**Trustee Levine:** David, I have reached out to and gotten feedback from other communities, and, uh, we're not trying to invent the wheel. We're just trying to make Ocean Beach, uh, an easier place to deal with garbage. And, uh, that that's what we're thinking or my thinking is. And, uh, if you want to send me some comments or call me, I would love to talk to you or read them. Thank you. **David Lipsky:** Thanks. **Trustee Hargraves:** Thanks, Dave.

STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA): Resolution No. 2023-151: Mayor Mallott moved 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 Arment seconded the motion. Upon call, the following voted:

Trustee Arment	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Levine	Voted Aye
Trustee Moritz	Voted Aye
Mayor Mallott	Voted Aye

BUDGET MODIFICATIONS: Resolution No. 2023-152: Mayor Mallott moved follows:

<b>23-24 BUDGET MODIFICATIONS</b>		
<b>GENERAL FUND</b>		
<b>To:</b>	<b>Description:</b>	<b>Amount:</b>
A0.1010.411	Supplies	\$ 200.00
A0.1010.473	Conferences	\$ 4,700.00
A0.1230.472	Conferences	\$ 3,000.00
A0.1325.103	Seasonal	\$ 9,000.00
A0.1325.413	Community Service Expenses	\$ 2,000.00
A0.1325.414	Advertising/Public Notices	\$ 500.00
A0.1440.449	Professional Services	\$ 30,000.00
A0.1910.FLOD	Flood Insurance	\$ 11,500.00
A0.1910.LAW	Law Enforcement	\$ 3,700.00
A0.1910.LIAB	Liability Insurance	\$ 11,000.00
A0.1910.UMB	Umbrella Policy	\$ 2,000.00
A0.3120.111	Overtime-Others	\$ 30,000.00
A0.3120.200	Equipment	\$ 8,000.00
A0.3410.201	Turn-Out Gear	\$ 13,000.00
A0.3410.461	Building Maintenance	\$ 181,000.00
A0.3410.494	Uniforms	\$ 6,000.00
A0.5110.442	Vehicle Repairs	\$ 3,000.00
A0.5110.479	Debris Containers	\$ 2,000.00
A0.7140.411	Supplies	\$ 800.00
A0.7140.435	Freight	\$ 200.00
A0.7989.100	Marina Personnel	\$ 1,400.00
A0.8010.411	Zoning Board Supplies	\$ 200.00
	<b>TOTAL:</b>	<b>\$ 323,200.00</b>
<b>From:</b>	<b>GENERAL FUND</b>	<b>Amount:</b>
A0.1621.478	Debris Containers	\$ 2,000.00
A0.1670.411	Copy & Comp Supplies	\$ 1,700.00
A0.1990.499	Contingency	\$ 47,700.00
A0.1325.100	Personnel	\$ 10,400.00
A0.1910.RES	Insurance Reserves	\$ 28,200.00
A0.3120.104	Seasonal Officers	\$ 30,000.00
A0.3410.200	Equipment	\$ 200,000.00
A0.5110.451	Hardware/Masonry Supplies	\$ 3,000.00
A0.7140.200	Equipment	\$ 200.00
	<b>TOTAL:</b>	<b>\$ 323,200.00</b>
<b>To:</b>	<b>WATER FUND</b>	<b>Amount:</b>
F0.8340.442	Vehicle Maintenance	\$ 2,400.00
	<b>TOTAL:</b>	<b>\$ 2,400.00</b>
<b>From:</b>	<b>WATER FUND</b>	<b>Amount:</b>
F0.8340.446	Equipment Maintenance	\$ 2,400.00
	<b>TOTAL:</b>	<b>\$ 2,400.00</b>

<u>To:</u>	<u>SEWER FUND</u>	<u>Amount:</u>
G0.8120.200	Equipment	\$ 20,000.00
G0.8120.442	Vehicle Maintenance	\$ 10,000.00
G0.8120.445	Motor Repair	\$ 350.00
	<b>TOTAL:</b>	<b>\$ 30,350.00</b>
<u>From:</u>	<u>SEWER FUND</u>	<u>Amount:</u>
G0.8120.446	Plant Repairs	\$ 30,350.00
	<b>TOTAL:</b>	<b>\$ 30,350.00</b>

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

Trustee Arment	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Levine	Voted Aye
Trustee Moritz	Voted Aye
Mayor Mallott	Voted Aye

**Maria Silsdorf** (inaudible) **Mayor Mallott:** Yeah. Garage doors. **Maria Silsdorf:** It seems pretty. **Trustee Hargraves:** for the firehouse. **Maria Silsdorf:** And where would like. So that wasn't in the budget, but it's being spent. **Trustee Hargraves:** It was unexpected. **Maria Silsdorf:** Right. And so the offset is just kind of in here somewhere. **Mayor Mallott:** It comes out of equipment. Yeah. On the next page, \$200,000. **Maria Silsdorf:** Gotcha. **Mayor Mallott:** And \$181,000 for the doors. We hope to be painting the firehouse too. So. **Trustee Levine:** And that money was earmarked from FEMA, from Sandy? **Mayor Mallott:** Yes. **Trustee Levine:** So that that money is there.

AUTHORIZATION TO SET & ADVERTISE FOR LOCAL LAW 01 OF 2024 ADOPTION – TAX CAP OVERRIDE FOR 2024: Resolution No. 2023-153: Mayor Mallott moved follows:

WHEREAS, New York State has imposed a Tax Cap on municipalities which limits the Village's ability to increase taxes from year to year; and

WHEREAS, the Incorporated Village of Ocean Beach wishes to set a public hearing and to explore the ability to amend the Real Property Tax Levy Limit Override (Chapter 6) of the Village Code for the purpose of allowing the Village of Ocean Beach to adopt a budget for the fiscal year commencing June 1, 2024 which may have a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.; and,

Now, therefore, it is hereby

RESOLVED that the Board of Trustees sets a Public Hearing for January 13, 2024 at 11:30 AM for the amendment of Local Law No. 01 of 2024, of the Code of the Village of Ocean Beach to surpass and override the Tax Cap Limit

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

Trustee Arment	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Levine	Voted Aye
Trustee Moritz	Voted Aye
Mayor Mallott	Voted Aye

**Mayor Mallott:** Thank you. We do this every year. It just gives us, uh, an opportunity if we have to, to exceed the tax cap.

AUTHORIZATION TO SET A PUBLIC HEARING FOR MINOR BEHAVIOR LEGISLATION:

~~WHEREAS, the Village of Ocean Beach reviews certain codes and makes changes from time to time by resolution; and~~

~~WHEREAS, the Village of Ocean Beach would like to introduce and have a public hearing for new Minor Behavior legislation;~~

~~Now, therefore, it is hereby~~

~~RESOLVED that the Village Clerk shall schedule and publish notice of a Public Hearings for Saturday, January 13, 2024 at 11:30 am for the purpose of creating new tree legislation.~~

**AUTHORIZATION TO SET A PUBLIC HEARING TO AMEND GARBAGE RULES & REGULATIONS:**

~~WHEREAS, the Village of Ocean Beach reviews certain codes and makes changes from time to time by resolution; and~~

~~WHEREAS, the Village of Ocean Beach would like to introduce and have a public hearing to amend garbage rules & regulations;~~

~~Now, therefore, it is hereby~~

~~RESOLVED that the Village Clerk shall schedule and publish notice of a Public Hearings for Saturday, March 23, 2024 at 11:30 am for the purpose of amending this chapter.~~

**AUTHORIZATION & APPROVAL TO CHANGE BOARD OF TRUSTEES MEETING DATE: Resolution No. 2023-154:** Mayor Mallott moved follows:

WHEREAS, the Board of Trustees desires to change the next Board of Trustees meeting date,

Now, therefore, it is hereby

RESOLVED that the January 6, 2024 meeting date has been changed to January 13, 2024.

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

Trustee Arment	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Levine	Voted Aye
Trustee Moritz	Voted Aye
Mayor Mallott	Voted Aye

**AUTHORIZATION & APPROVAL TO ATTEND NEW YORK CONFERENCE OF MAYORS (NYCOM)**

**ZONING & PLANNING WEBINARS: Resolution No. 2023-155:** Mayor Mallott moved follows:

WHEREAS, it is the Inc. Village of Ocean Beach’s desire to give encouragement to its employees, board members 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 any Planning Board Members, Zoning Board Members and any other elected Board of Trustee members, are authorized to attend NYCOM’s Planning & Zoning Webinars held on December 7<sup>th</sup>, 2023, December 14<sup>th</sup>, 2023 and December 21<sup>st</sup>, 2023, at a cost of \$30 per class per person, to be paid from the following line item A8010.493.

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

Trustee Arment	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Levine	Voted Aye
Trustee Moritz	Voted Aye
Mayor Mallott	Voted Aye

**Trustee Levine:** Those are zoom classes. They're not in person classes? **Trustee Arment:** Yes. **Ken Gray:** Hence the word webinar.

**ACCEPT & APPROVE NEW INSURANCE PROVIDER FOR VILLAGE DENTAL & VISION PLAN**

**COVERAGE: Resolution No. 2023-156:** Mayor Mallott moved follows:

WHEREAS, the Incorporated Village of Ocean Beach currently offers Dental & Vision coverage as part of its’ benefits package to all full-time employees; and

WHEREAS, the Village has searched for a competitive insurance provider that offers an expanded network and more affordable plan; and

WHEREAS, Delta Dental has provided a cost saving quote with an expanded network available for all full-time employees to participate in; and

WHEREAS, the Village authorizes participation in the Delta Dental network, available to all full-time employees commencing February 1, 2024 and each year thereafter;



Now, therefore, it is hereby,  
RESOLVED that the Joseph DiFrancisco, Village Administrator is authorized to administer the program to the employees.

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

Trustee Arment	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Levine	Voted Aye
Trustee Moritz	Voted Aye
Mayor Mallott	Voted Aye

**ACCEPT & APPROVE DONATION OF BICYCLES FROM OBCF FOR OCEAN BEACH POLICE**

**DEPARTMENT: Resolution No. 2023-157:** Mayor Mallott moved follows:

WHEREAS, Village of Ocean Beach is authorized to accept and maintain donations of real and personal property;  
and

WHEREAS, the Ocean Beach Community Fund has offered to contribute a donation in the amount of \$6,000 to the Village, as and for the purchase of new bicycles for the Ocean Beach Police Department; and

WHEREAS, all such donations have been contributed to the Village for the benefit of its citizens, as allowed by law; and

WHEREAS, the Village of Ocean Beach Board of Trustees finds that it is appropriate to accept the donation offered;

Now, therefore, it is hereby,

RESOLVED that the Board of Trustees accepts said donation which shall be used as allowed by law.

It is further RESOLVED, the Village Clerk is hereby directed to issue receipt to the donor acknowledge the Villages receipt of the donation.

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

Trustee Arment	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Levine	Voted Aye
Trustee Moritz	Voted Aye
Mayor Mallott	Voted Aye

**Chief Hesse:** Thank you to the Ocean Beach Community Fund. **Mayor Mallott:** I would like to thank you. Ocean Beach Community Fund for their donation to the police department. Yes. **Chief Hesse:** Thank you very much. **Mayor Mallott:** Thank you very much.

**RATIFICATION & APPROVAL OF PAYMENTS IN LIEU OF UNUSED VACATION TIME: Resolution No. 2023-158:** Mayor Mallott moved follows:

WHEREAS, employees Kevin Schelling and George Hesse have submitted and requested to be paid for earned, but unused vacation time from 2022-2023 fiscal period; and

WHEREAS, the Board finds that certain employees were unable to utilize their earned vacation time due to exigent circumstances and increased work demands,

Now, therefore, it is hereby

RESOLVED that the terms of the Employee Handbook, related to vacation time payouts, is temporarily suspended for the purposes of these instances and requests; and,

It is further RESOLVED that the Village Clerk is authorized to approve and pay up to three (3) weeks of the earned, but unused vacation time as requested, less applicable payroll deductions as of May 31, 2023.

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

Trustee Arment	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Levine	Voted Aye
Trustee Moritz	Voted Aye
Mayor Mallott	Voted Aye

**AUTHORIZATION & APPROVAL OF EMPLOYMENT CONTRACT FOR GEORGE HESSE:**

Resolution No. 2023-159: Mayor Mallott moved follows:

WHEREAS, George Hesse been working in the capacity as the Police Chief since June 28, 2006; and,  
WHEREAS, the Board of Trustees desires to provide an employment contract with terms and conditions of employment so that they are accurately documented;

Now, therefore, it is hereby

RESOLVED that the Village of Ocean Beach hereby approves the terms & conditions of employment for George Hesse, dated December 16, 2023.

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

Trustee Arment	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Levine	Voted Aye
Trustee Moritz	Voted Aye
Mayor Mallott	Voted Aye

**PUBLIC HEARING #1**

**OPEN TIME: 11:49 AM Mayor/Levine**

**CLOSING TIME: 12:05 PM Mayor/Levine**

**Public Hearing Notes:**

**Ken Gray:** All right, so the public hearing is open. This is a continuation of the proposed tree legislation. I think there was some modifications made to it. Um, I think Jen spearheaded that. So, Jen, I don't know if you want to talk about, uh, what your modifications were. **Trustee Moritz:** Well, there was quite a bit. Just hold on one second. Let me get it up in front of me. **Mayor Mallott:** You're going to give us a recap of the 14 pages? **Trustee Moritz:** No, actually. Come on. Um, it was basically, uh. Beth and I had sat down and went through everything so that it would be clearly separated public from private, you know, rules and regulations. And we came up with the final draft with long doing back. And

**Beth Jacobwitz:** The major difference between the legislation that came before the board at the last meeting and what's proposed today is that we've included a section that deals with, um, the regulation of tree planting on village property. So even though it seems a lot longer, the additions deal primarily with what the village can do on the village green and other public spaces within the village. And other than that, the legislation remains largely the same.

**Trustee Moritz:** Thanks, Beth, **Mayor Mallott:** For the private sector. **Beth Jacobwitz:** For the private sector, yes. **Trustee Arment:** Yeah. And I want to I want to publicly thank everyone who's worked so hard on this law. I mean, VOBEC put so much into this and really thank you all for doing this. This has been a massive undertaking and I'm so incredibly happy to see. And I'm really happy to finally be voting on it today. **Trustee Hargraves:** And actually the time because I remember, I think it was about two years ago. Right. You had the tree expert come and talk to us at VOBEC. So this has been a long time in the making.

**Camille Giugliano:** And I would just like to thank there are a lot of people involved, a lot of fingerprints on this, but I really want to have a shout out to Beth Jacobwitz and especially John Armentano, because Beth identified him, he was willing to take time and his expertise out of his busy schedule to spend time on this legislation, and without him, it would have. He reviewed legislation from many different communities. He walked us through it. What do we want to put in a lot of time and effort on his part, and I want to give a big shout out to him. I know he's on online. Anyway. Thank you. Thanks to both of them. **Trustee Arment:** Thank you.

**Trustee Levine:** If I can just add something to that. Um, Beth and Camille and John and David Lipsky. You guys put a lot of time into this. David Lieber, your whole organization. Um, it's probably one of our largest, um, packages that we have for a law, and I think it's what we needed. And I think, uh, Constantine (Karalis) and Craig (Sherman) and Kevin Lowry spoke in the past that they wanted to take a look at all our other laws. And I think this is what has to be done so that our building inspector, our police department, our fire department, anybody has specific laws that are on the books

that don't give you an option, or a gray area, or a wiggle around that tells you what you can and can't do. And I thank you and for all your time.

**Constantine Karalis:** Uh, hello. Um, on the section that has to do with private properties. Uh.

**Trustee Levine:** What section are you talking about? **Constantine Karalis:** Private property. **Trustee Moritz:** Can you read the section number, please. Um. **Trustee Arment:** Is that the 144-5? **Constantine Karalis:** Correct the regulation on private property. Item number. And yeah, this is not paginated, so I cannot help you with that. Uh, item number two to remove, cut down, destroy, substantially alter or substantially clear any rare or endangered species of trees or vegetation as listed by any governmental agency of New York State or United States, etc.. Um, I'm very happy to hear about, uh, specific, um, species of trees. Uh, we have a lot of them in town, and I have cried seen some of them being cut down over time. I'm pretty sure this is, uh, a good a good effort to prohibit that. Um. The way this is written, essentially, as I understand it, um, VOBEC really should have, uh, survey over the entire town and identify which of these, uh, uh, specimens occur where, uh, and where they are. Because if somebody were if we're going to adopt this and somebody wants to go out and cut some trees tomorrow, what are we going to point at? Um, because this calls for a written petition by VOBEC. Well, what is that based on? Also. So really, uh, it calls for some surveying. There are a lot of other places in village where beautiful stands of trees that may or may not be, um, uh, covered under this. Um, it would, it would be a crime to cut them down because of the way the trees sit on the land and, um, in that, in that again, in that sense, really, we need to have, uh, direct, uh, survey of what is precious in town, making sure that it's protected.

**Constantine Karalis:** Uh, second item I have to point out on, uh, under bid on the rules and regulations for issuance of permits, item six, uh, one of the permit, uh, uh, one of the conditions for, uh, issuing permit has to do with accommodating approved construction or demolition work. This is a big one. Um. The building inspector will approve an architect's plans to do some work on a piece of property. Um, I can see why, uh, specimen tree, uh, needs to be cut out in order to accommodate a house. And also the stairs, access stairs, ramps and walks decks are another issue. Because a lot of destruction could be avoided by actually redesigning a deck. Sometimes we have made so that the trees actually come in through the deck. And it's actually beautiful. Uh, so I like to suggest that we limit the demolition work and construction work to the house and access, uh, stairs, ramps and walks. Uh, the decks could be accommodated. Uh, one of the examples I have in mind. We lost a probably more than 100 year, uh, cluster of swamp maples last year, and I cried to see them cut down like that. They didn't have to be cut down. It had something to do with construction of a swimming pool. And the swimming pool could have been in another part of the deck, so that those swamp maples didn't have to be cut down so that those would have should have been earmarked, or I hope they will be earmarked by this document so that actually we don't have that kind of destruction, the same thing.

**Constantine Karalis:** Um, which brings me to please, if you really care for some trees, watch out. At the time that the bulldozers coming in to clear the land so that the equipment come in to put in foundations. We had a beautiful set of catalpas on midway. It was my project. The owner had agreed with me not to remove them. The people came in to put the foundation in the Catalpas were actually protected at that time, out the wind, the protection, the protection and the cut up was removed. The owner did a beautiful job relandscaping the property. No catalpas. Um, the. So essentially, please, let's see if we can actually, uh, control how much destruction can go on, uh, after a permit is removed. Also on, uh, the last item, um, Appendix L yes, indeed. It's very useful, but, uh, it needs to be earmarked as to which of these things are specimens and which of these things are, uh, um, uh, live within our, uh, village. Uh, also in the ordinance, there is a section L that we did a few years, 2 or 3 years ago that I for landscaping. Uh, let's make sure that there is no conflict between this and that. Thank you. **Trustee Hargraves:** Thanks, Constantine. **Trustee Arment:** Thanks, Constantine.

**Trustee Moritz:** Yeah. Bunny, can you interject on that? **Jonneigh Adrion:** Appendix L was never added. Um, there was not. So there is no appendix L now. So it will be the new Appendix L. **Trustee Moritz:** This is our new appendix L.

**Trustee Arment:** All right. We have a few hands up in the chat. Uh, Gina Ragusa. Go ahead. **Gina Ragusa:** Hi. Sorry. I was just, uh, unmuting, and it wasn't going through. Good morning, everyone. Um, for those there that are not on the, uh, in person meeting, I see you're all looking at papers regarding the tree, uh, issues, and so could you somebody quickly just summarize where we were and what's been decided.

**Trustee Levine:** Beth, can you come up to the microphone and give us a, uh, just an overview of. (Cross conversation)  
**Beth Jacobwitz:** Can you just can you just repeat the question? I'm sorry, I wasn't.

**Trustee Arment:** Just like summarize like. Yeah. She's asking basically to summarize like has been decided with the tree legislation. I mean technically nothing yet, but we're hopefully about to vote on it. But the gist of it, as I understand it, is the modifications from the last, um, public hearing are actually not that substantial. Um, and it's mostly about, you know, having some separate provisions for village owned property. Is that right? **Yes.** **Beth Jacobwitz:** That's correct. The, um, pretty. **Gina Ragusa:** So we are only talking about village owned property for right now. **Beth Jacobwitz:** I'm sorry. What? Sorry? What was that question, please? **Gina Ragusa:** Is it only for village owned property? Because Constantine was speaking about. **Trustee Arment:** So the law covers all property in the village. But what has changed since the last public hearing and the last previous published version about a month ago? Um, is mostly just additions about that, about, you know, like certain provisions, protections in place for village property and related issues. But the tree law itself covers all property in the village. **Beth Jacobwitz:** In the code, in the section that's before the trustees right now there are two separate sections, one that deals with the regulation of trees on public in public places, and one that deals with the regulation of trees on private property. The section on private property is largely unchanged. A few minor tweaks here and there, but largely unchanged from what was proposed at the last meeting.

**Ken Gray:** And this document is on the village website. **Gina Ragusa:** Well thank you. **Trustee Levine:** Gina I think some of the main things were, um, we put in here how you can fill out the application that it's going to be done electronically. Uh, we put that there's going to be a \$50 fee for the application processing or the for the permit. I don't know what you're going to call it. And, um, we gave the utilities a little bit more flexibility that when they have to go onto your property to get to the polls, that they don't have to have a permit to, make a pathway to get to their polls or to cut trees down or do what they have to do to clear the lines and, and keep power going and keep water going and everything else. So those were kind of the main things that I believe.

**Beth Jacobwitz:** Well yeah and I think there was a major change in that. Originally, the section that dealt with substantial clearing limited the number of trees that you can remove to three trees in any given year, and that the limit to three trees was removed. But the restriction on clearing more than 20% of your property remained. And that was to address concerns that people had on the larger, more wooded properties. Three trees might not be, um, a good measure of how to of a limitation on the substantial clearing. **Trustee Arment:** Yeah. And to be clear, you are still required to replace what you clear? (Yes). Regardless of the limit. **Beth Jacobwitz:** And it still can't be more than 20% of your property.

**Trustee Levine:** And I think the last thing was we emphasized that the delivery lane. Um, there shouldn't be planting of trees in the delivery lane because that's where our sewer pipes are. And we're going to be doing a big project there sometime and soon. And hopefully, uh, there won't be any trees there that have to be cleared because they will be cleared. We don't know if it's going to be at the village's expense or at the homeowner's expense, but there should be no planting of any kind, uh, in that area, because they do affect the sewer system pipes. **Gina:** Great. Thank you. I appreciate the quick overview and I will look on the website. **Trustee Levine:** Thank you.

**Lenny Aronica:** Oh, okay. Hi, I'm Lenny. Veronica. Um, the only thing I have a problem with is this time of year doing legislation. So, you know, I know you guys were elected and you should be able to pass laws. Uh, but, you know, a public hearing wise, uh, I don't understand why on the garbage area, you could talk about doing public hearings when seasonal rentals or seasonal people are here. But then doing this legislation, it's okay to do it now when it's off season. And there's not a lot of people here and there's a lot, a lot of people here able to come to a public hearing about it. So, um, I'm not against the trees. I mean, my wife would say she likes to keep every tree on my property, but I just think you should wait on this legislation until you can have a public hearing when there is more people here. So, that's it. Thank you.

**Linda Norris Stertz:** You know, I just wanted to ask about permitting (inaudible) **Beth Jacobwitz:** Move the trees regardless of the construction project. So, you need a permit to move your trees. Whether or not you have a construction plan in place, if you want to do it in connection with construction, that's one situation. If you don't have a construction plan in place, you still need to get the permit and that's a separate provision. So I think that was intended to address just that situation. **Ken Gray:** Anybody. Marco! On the call. **Trustee Arment:** No other hands are up. Shall we? **Ken Gray:** Motion carries. Thank you very much. **Trustee Levine:** Beth. Camille. David. David. Thank you guys. **Trustee Moritz:** And. Yes. And John. **Trustee Levine:** Thank you. John. **Mayor Mallott:** Yeah. I'd like to thank Jan Moreno publicly for all the work that she's put in it now. It's done. I'm glad she's going to be out of the village office for a little while. **Trustee Arment:** Yeah, at least the rest of the day. **Trustee Levine:** You deserve a vacation, Jen. **Mayor Mallott:** Jen did a lot of work. **Trustee Moritz:** and Bunny **Mayor Mallott:** and Kenny Gray to put in a lot of hours, too. **Trustee**

**Moritz:** Yeah, Beth, all of us. **Mayor Mallott:** Is that the longest piece of legislation you ever did for the village? **Beth Jacobwitz:** Thank you all so much.

**ADOPT LOCAL LAW 06 of 2023: CHAPTER 144 – Trees and Vegetation Protection Ordinance:** Resolution No. 2023-160; Mayor Mallott moved follows:

Be it hereby enacted by the Board of Trustees of the Incorporated Village of Ocean Beach as follows:

Section 1. Chapter 144 of the Village of Ocean Beach Village Code, entitled “Trees and Vegetation Protection Ordinance”, is hereby enacted as follows:

**Article I. Tree or Vegetation Removal and Substantial Clearing**

**§144 -1 Findings.**

- A. The Board of Trustees hereby finds that trees and other vegetation perform numerous important and essential functions, including but not limited to the stabilization and preservation of soil; prevention of erosion, absorption of air pollution and production of oxygen; establishment of natural barrier to noise and habitats for wildlife; and creation of a desirable aesthetic quality which is a key factor in the Village's existence as a rural resort community. The Board of Trustees further finds that the destruction or removal of trees and other vegetation deprives all sectors of society of these benefits, while disrupting ecological systems of which they are an integral part, and that regulation of such destruction or removal will protect and preserve property within the Village and promote the general welfare and health of its inhabitants.
- B. The destructive and indiscriminate removal of trees, shrubs and other woody vegetation causes increased Village costs for proper drainage control, impairs the benefits of occupancy of existing residential properties, impairs the stability and value of both improved and unimproved real property in areas of the destruction and adversely affects the health, safety, and general welfare of the residents of the Village.
- C. For all these reasons, it is in the best interests of the Village, its residents, and the public, to enact Village-wide regulations to ensure the thoughtful and controlled management of trees and other vegetation in the Village and to avoid and discourage the indiscriminate clearing of properties within the Village's boundaries.

**§144 -2 Definitions.**

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

**ADJACENT PROPERTY OWNER** - The person, firm, entity, or corporation owning property bordering a village street.

**APPLICANT** - The owner, contract vendee or lessee of real property or their duly authorized agent.

**DRIPLINE** - A vertical line extending from the outermost edge of the tree canopy or shrub branch to the ground.

**DESTROY** - Includes, but without limitation: poisoning; ringing the tree; excessive peeling of bark; damaging, compacting, or overburdening the roots; using herbicides, or fire, or cutting in such a manner as to bring about the ultimate death of such tree.

**NUISANCE** - Anything or act that annoys or disturbs unreasonably, hurts a person's use of his or her property, or violates public health, safety, and welfare.

**PARK** - Includes land designated as a park pursuant to New York State statutes as well as areas such as playgrounds, pools, or other recreational facilities within the village under the jurisdiction of the Village Board of Trustees pursuant to the Village of Ocean Beach Codes.

**PUBLIC PLACES** - Includes all grounds owned, leased, or controlled by the Village of Ocean Beach, for public use.

**PUBLIC TREE** - Any tree, located on municipal property or within the municipal right-of-way.

**ORNAMENTAL TREES** -- Small to medium trees that grow 15 feet to 40 feet in height at maturity, and that are planted for aesthetic purposes such as colorful flowers, interesting bark, or fall foliage.

**PERSON** - Any individual, their successors, assigns or agents, and any business entity, including partnerships, corporations, or other business forms.

**SEVERE ROOT PRUNING** - Cutting back the underground tree roots inside 1.5 times the dripline of the tree will be detrimental to the life of the tree.

**STREET** - A road, avenue, lane, alley, culvert, embankment, or walk which the public has a right to use.

**STREET TREE** - Any tree, shrub, bush, or other woody vegetation on land lying between property lines on either side of all streets, walks or roads, such as the municipal right-of-way.

**SHADE TREES** - A large tree growing to over 40 feet in height at maturity, usually deciduous, that is planted to provide canopy cover shade.

**SUBSTANTIAL ALTERTION** - Any cutting or pruning of trees or vegetation, more than the normal and customary cutting and pruning necessary to: (a) preserve the health of the plant material; (b) maintain its ornamental quality; or (c) comply with other provisions of this Code concerning clearance on roads and public spaces.

**SUBSTANTIAL CLEARING** - Any clearing, cutting or drastic pruning of trees, brush, or vegetation on more than 20% of a property which alters the runoff pattern of stormwater or impairs, destroys, or endangers the life of such brush or vegetation or its role as a natural habitat.

**TOPPING** - Severe cutting back of limbs to stubs larger than two inches in diameter within the tree crown to such degree to remove the normal canopy and disfigure the tree.

**TREELAWN** - The green space adjacent to a street or walk, not covered by sidewalks or other paving, lies between the property line and that portion of the street or highway usually used for vehicular traffic.

**TREE** - A living woody perennial plant being either deciduous or evergreen, Having a trunk diameter of three (3) inches or minimum height of five feet tall.

**TREE MEASUREMENT** - Also known as "diameter breast height."

**TREE WORK** - Includes, but is not limited to, pruning, shaping, thinning, cabling, stump removal, root pruning, topping, fertilizing, removing, planting, and spraying for insect and disease control, of a tree.

**UTILITIES** - Those entities that provide electricity, gas, sewer, water, telephone, and cable television to properties within the Village.

**VEGETATION** - Includes any trees, shrubs, bushes, or woody vegetation typically found on Fire Island, more than four (4) feet tall, including, but not limited to, swamp rose (*Rosa palustris*), arrowwood (*Viburnum dentatum*), American elder (*Sambucus canadensis*), black gum (*Nyssa sylvatica*), black cherry (*Prunus serotina*), northern bayberry (*Myrica pensylvanica*), highbush blueberry (*Vaccinium corymbosum*), black chokeberry (*Aronia melanocarpa*), beach plum (*Prunus maritima*), American holly (*Ilex opaca*), sassafras (*Sassafras albidum*), and serviceberry (*Amelanchier canadensis*).

VILLAGE - Includes all lands within the corporate boundaries of the Incorporated Village of Ocean Beach.

### TREES AND VEGETATION PROTECTION ORDINANCE

[HISTORY: Adopted by the Board of Trustees of the Village of Ocean Beach on December 16, 2023]

#### §144-3 Tree Ordinance Chapter.

##### Title.

This chapter shall be known and may be cited as the "Tree and Vegetation Protection Ordinance law of the Village of Ocean Beach."

#### §144-4 Tree Regulation in Public Places

- A. The municipality or its agent shall perform all necessary maintenance to preserve and protect street trees in a safe and healthy condition, including trimming, spraying, fertilizing, watering, staking, topping, root pruning, mulching, treating for disease or injury, and removal if necessary.
- B. The Village shall have the right to plant, prune, maintain and remove trees, plants, and shrubs within the lines of village streets and public grounds as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of such public grounds.
- C. The Code Enforcement Officer may recommend with consultation with an authorized arborist if needed when a tree or part of a tree be removed if the tree or tree part:
  - (1) Poses a potential public safety risk or hazard; or
  - (2) Causes an unsafe condition; or
  - (3) By its nature, is injurious to sewers, electric power lines, gas lines, waterlines, or other public improvements; or
  - (4) Is affected with any injurious fungus, insect, or pest.
- D. No property owner shall be permitted to allow a tree, shrub, or other vegetation on his property to obstruct or interfere with the view of drivers of vehicles or pedestrians on the sidewalk to create a traffic hazard. If such tree, shrub, or other plant does overhang or does otherwise adversely affect any street, sidewalk, or right-of-way within the village, the property owner shall, at the owner's expense, prune the tree, shrub, or plant so that it shall not obstruct the view of any street intersection or obstruct or hinder passage on any street or sidewalk. If an owner must trim a tree, shrub, or other plant, the owner must provide for a clear space of eight feet above the surface of the sidewalk and up to 7 feet above the surface of the street after consultation with Code Enforcement Officer. If an obstruction persists, the Code Enforcement Officer shall mail a notice, in writing, to the property owner to prune or remove the tree, shrub or plant within 10 days. If the owner fails to comply with the notice, the Village may undertake the necessary work and charge the cost for such work to the property owner. If such charge remains unpaid for 60 days, the expense shall be added to the next real estate tax bill of the property owner.
- E. Prohibited actions.
  1. No person or utility shall plant, spray, fertilize, treat, prune, remove, cut above ground, disturb the root system, or otherwise disturb any public tree or shrub on any village street, park, or public place without a permit.
  2. Further, no person shall fasten or attach to any tree any sign, poster, bill, notice or advertisement of any kind.
  3. No person or utility shall cause or permit any brine, oil, gasoline, liquid dye, or other substance deleterious to tree life to lie, leak, pour, flow or drip on or into the soil about the base of a tree which could injure such tree.

4. No person shall fasten or cause to be fastened any animal to a tree in any street or public place or permit any animal owned by him or in his charge to stand so near any such tree that the tree may be gnawed at or otherwise injured by the animal.
5. No trees shall be planted or allowed to grow on private or public lands within the limits of, or which will interfere with, any drainage, sewer, water, or utility easement.

**F. Planting and maintenance**

1. **Application to plant.** No one, except the Village of Ocean Beach or its agents acting on the Village's behalf shall plant a tree or shrub upon Village property or upon a Village tree lawn without first applying for an application.
2. **Information required.** Anyone applying for an application shall state the number of trees to be set out; the location, species, or variety of each tree to be planted; the method of planting; and any other information shall find reasonably necessary for its recommendation to the Codes Enforcement Officer to issue the appropriate permit.
3. **Removal, replanting, and replacement.** No one except the Village of Ocean Beach or its agents acting on the Village's behalf or utility providers, shall remove, replant, or replace a tree from Village property or the tree lawn for any reason without first applying for and receiving a permit from the Codes Enforcement Officer. Such replacement shall meet the standards of size, species and placement as set by specifications set forth by this chapter in §144-5C.
4. **Notice of completion.** Notice of completion shall be given to the Codes Enforcement Officer so a final inspection may be made.

**G. Removal of dead and diseased trees from private property.**

Private property owners have the duty, at their own expense, to cut down and remove any trees upon their property which are dead, harbor insects or disease, or which are so damaged as to be a public nuisance and in danger of falling, thereby causing damage to person or property of others. The Village Code Enforcement officer shall recommend and provide the property owner with written notification that a tree or shrub should be removed for the reasons stated above. Owners shall, at their own expense, remove such trees. Owners shall have 15 days after the date of service of the notice to inform the Code Officer as to when the tree shall be removed. Owners shall have no more than 30 days after informing the Code Officer to remove such trees unless the Code Officer indicates otherwise in writing. If owners fail to comply with such provisions, the Village shall remove such trees and charge the cost of removal to the property owner upon notice. If the cost of such removal remains unpaid for 60 days, the cost of removal shall be added to the next real estate tax bill of the property owner.

**H. Topping and root pruning trees.**

It shall be unlawful for any person, firm, entity or corporation, to top any street tree or shrub, or to engage in severe root pruning. Trees severely damaged by storms or certain trees under utility wires or other obstructions, where other pruning practices are impractical, may be exempted from this chapter upon the recommendation of Code Enforcement Officer.

**I. Trees near excavation or construction.**

1. No person shall excavate any ditches, tunnels, or trenches, or lay any drive within the dripline of a public tree without first obtaining a permit from the Village.
2. No person shall remove a tree or shrub from the tree lawn for the purpose of construction or for any other reason without first filing an application and receiving a permit from the Village.
3. All trees on any street or other publicly owned property near any excavation or construction of any building, structure, or street work shall be guarded with a substantial fence, frame, or box



not less than four feet high. Whenever possible, the diameter of such fence, frame or box should be at least one and one-half times the dripline. At no time shall the fence, frame, or box extend

beyond the sidewalk into the street, nor shall such fence, frame, or box cause a hardship for those using the sidewalk.

4. When construction, excavation, and/or material deposits result in the destruction and/or removal of a street tree, the person responsible for that damage shall replace the street tree with either
  - a tree or trees of equivalent dollar value in the vicinity of the removed street tree.

#### **J. Interference with tree work.**

No one shall hinder, prevent, delay, or interfere with the Village of Ocean Beach or its agents, including Code Enforcement officer, or any of its assistants, or any contractors while engaged in carrying out the enforcement of this chapter or duly adopted regulations.

#### **K. Specifications and standards of practice.**

1. The Village of Ocean beach hereby adopts the Arboricultural Specifications and Standards of Practice of the International Society of Arboricultural as published under American National Standard for Tree Care Operations (ANSI A300-1995) or the most recent edition (a copy of which is available for review)
2. All tree work done by or in the Village of Ocean Beach shall conform to these specifications and standards.

#### **§144-5 Tree Regulation on Private Property.**

- A. On private property, no person shall perform the following acts, or cause the following acts to be performed, except in accordance with a valid permit issued pursuant to this chapter:
  1. Remove, cut down, destroy, substantially alter, or substantially clear any tree or vegetation defined above in the Village, or
  2. Remove, cut down, destroy, substantially alter or substantially clear, any rare or endangered species of trees or vegetation as listed by any governmental agency of New York State or the United States, or any large or outstanding specimen of vegetation, or any tree as determined by the Board of Trustees upon written petition by the Village of Ocean Beach Environmental Commission (VOBEC) or Village residence seeking to declare such tree or vegetation of significance to the Village.
  3. Upon request by the Board of Trustees, VOBEC will provide advice and recommendations on tree and vegetation related matters.

#### **B. Rules and Regulations for the Issuance of permits.**

1. The Village Board of Trustees will establish written rules and regulations and plan requirements for efficiently discharging the Village Building Department's responsibility under this chapter, which shall be in writing and filed in the Village Clerk's Office.
2. Application for permit fee \$50.00.
3. If consultation of an Arborist or Horticulturist is deemed necessary, that cost of the consultation will then be the responsibility of the permit holder or property owner.
4. Applications for a permit shall be on forms supplied by the Village Building Department and signed by the property owner.
5. Applications for permits issued pursuant to this chapter shall be reviewed and decided by the Village Building Department.
6. The Village Building Department shall issue a permit pursuant to this chapter when the requested action is necessary: (i) for public safety; (ii) to prevent the spread of disease or invasive pests; (iii) to preserve a preferred species or fruit tree; (iv) to avoid congested

overgrowth; (v) to remove dead or dying, trees; (vi) to accommodate approved construction or demolition work; or (vii) the requested action will not adversely affect the natural or built environment on the subject property or the immediate area, and will not result in substantial clearing of an entire property.

7. The decision of the Village Building Inspector shall be based upon the following criteria:
  - a) The condition of the tree with respect to public safety, disease and danger of falling, proximity to existing or proposed structures and interference with utility services or intended use of the land.
  - b) The necessity of the removal or alteration of the tree is in question.
  - c) The effect of the removal or alteration thereof on the ecosystem and possible presence of protected habitat.
  - d) The applicant's intention is to replant trees and revegetate the property.
  - e) As a condition to the issuance of a permit under this section, the Building Inspector may require the replacement in kind of one or more of the trees or vegetation to be cut down, removed, destroyed, substantially cleared, or substantially altered when the individual character of the tree or vegetation or the ecological setting requires special consideration. The location and time for planting of the replacement tree or trees shall be specified by the Building Inspector in the permit for removal. The applicant and the owner of the real property affected shall each be responsible for planting replacement trees as specified in the permit. Failure to comply with the plan required by the Building Inspector shall constitute a violation of this section.
8. A copy of the approved permit or disapproved permit shall be maintained by the Village Clerk and/or Village Building Department.
9. No permit may be issued that would result in the cumulative removal, cutting down, destruction, substantial alteration or substantial clearing of more than 20% of vegetation on the same property within the same twelve-month period.

#### **C. Vegetation Removal Plan required.**

1. If any tree or vegetation as defined above is proposed to be removed, cut, destroyed or substantially altered, the applicant shall submit a plan inventorying all existing trees of a four-inch diameter or larger measured four (4) feet above the surrounding ground level and a tree removal or alteration plan for the entire property, together with the required permit application. The removal or alteration plan shall be in conformity with the rules and regulations promulgated by the Village Board of Trustees. If such a plan requires trees or vegetation to be removed, they must be replaced on the same plot by equivalent species with a total circumference equal to at least 50% of the circumference of the trees removed. Replacement or revegetation plant material shall be selected from Village Code Appendix L of recommended species known to thrive in the Fire Island environment.
2. If any trees or vegetations defined above are to be removed, cut, destroyed, or substantially altered because of any approved new construction or substantial renovation to any existing structure(s), whether it be an addition, expansion, new structure, or demolition, the Village Building Department shall require a tree removal or alteration plan showing the location of the trees to be removed. The plan shall be submitted to the Village Building Inspector simultaneously with the building permit application. No cutting, removal, destruction, or substantial alteration in connection with construction shall be permitted until the plan is approved by the Village Building Inspector. If such a plan requires trees or vegetation to be removed, they must be replaced on the same plot by equivalent species with a total circumference equal to at least 50% of the circumference of the trees removed. Replacement or revegetation plant material shall be selected from Village Code Appendix L of recommended species known to thrive in the Fire Island environment.

#### **D. Penalties for offenses. Any person, firm, entity, or corporation violating or failing to comply with any**

of the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction there of shall be fined.

1. Each tree or shrub removed, cut down, destroyed, substantially altered, or substantially cleared in violation of this chapter shall be a separate violation.
2. The Village Building Inspector shall stop all work and construction activity on any premises where a violation of this chapter has occurred and is prohibited from issuing any certification of occupancy or additional permit(s) for construction at the property or permitting work to resume, unless and until the provisions of this chapter have been satisfied.
3. Any person convicted of violating the provisions of this chapter shall be required to replace, in kind, every tree removed, cut down or destroyed in violation of this chapter. If a tree was so large and mature that it cannot be replaced, the court, upon the recommendation of the Village Building Inspector, may require the planting of multiple trees. In addition, such a person shall, upon conviction, pay a fine of not less than \$500 and not more than \$ 1,000 per tree.
4. Any person who is non-complaint with their submitted landscape plans, recommendations of the Code Enforcement Officer or the replacement in kind of tree or vegetation within a nine-month period from original violation date shall receive a recurring fine.
5. Each violation of this chapter shall be punishable by a penalty or fine of not less than \$500 but not exceeding \$1,000. Each "tree," as defined in §144-2. Definitions, shall constitute a separate violation. In addition, any person, firm, corporation, or entity violating this chapter may be required by the to replace each tree and/or natural vegetation cut, destroyed, or removed with a tree and/or natural vegetation of comparable species and/or replace the original grading of the parcel of land upon which such violation occurred. A separate and distinct offense shall be deemed committed on each day during which or on which a violation occurs or continues.
6. In addition to any penalties that may be imposed pursuant to above, any person who violates any provision of this chapter or any conditions imposed upon issuance of a permit issued pursuant to this chapter may be ordered to cease and desist the unlawful destruction or removal of trees and/or restore the premises damaged by the unlawful destruction or removal of trees with such species of trees as are nearly comparable and to such suitable condition as the Board of Trustees may require. If such person refuses or fails to restore the real property to a condition ordered by the Board of Trustees, the Board may proceed in a court of competent jurisdiction for an order directing such person to restore such property.

#### §144-6 Severability.

If any clause, sentence, paragraph, section, or part of this chapter shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part hereof directly involved in the controversy in which judgment should have been rendered.

#### §144-7 Enforcement; presumptions.

- A. The Village of Ocean Beach Building Inspector, Code Enforcement Officer or members of the Village of Ocean Beach Police are hereby vested with the authority to enforce the provisions of this chapter and issue summonses for violations.
- B. It is a rebuttable presumption, for enforcing this chapter, that the owner on whose land any tree has been removed, cut down, destroyed, or substantially altered without the necessary permit is the person responsible for performing or permitting the act complained of.

#### §144-8 Appeal process.

Any person aggrieved by the denial of a permit sought pursuant to this chapter shall have the right to appeal the

**decision to the Village of Ocean Beach Board of Trustees within 30 days after the Village Building Department issues a written denial to the applicant.**

**§144-9 Exceptions.**

- A. No permit shall be required for the normal and necessary horticultural trimming and cutting of trees by a utility company to maintain utility lines or cables.**
- B. Any emergency in which the removal, destruction or substantial alteration of any tree is necessary to prevent imminent danger to human life or property.**
- C. Approved removal of invasive species.**

**§144-10 New York State Environmental Quality Review Act (NYSEQRA).**

**The Board of Trustees hereby declares the adoption of this Local Law a Type II action, pursuant to the NYSEQRA and, therefore, no further environmental review is required.**

**§144-11 Effective Date.**

**This local law shall take effect immediately upon filing with the New York Secretary of State.**

APPENDIX "L"

**TREES - Evergreens - many pines, junipers, cypress and spruce are suitable**

Common Name	Botanical Name	Damp Soil Tolerance	Deer Resistant	Max Height	Sun or Shade	Special Notes
River(black) birch	<i>Betula nigra</i>	Yes	Yes	10'-20'	Shade to part sun	Young bark is pinkish in color
Sweet bay (magnolia)	<i>Magnolia virginiana</i>	Yes	Yes	10'-20'	Sun or shade	Energy source for migrating birds
Swamp white oak	<i>Quercus bicolor</i>	Yes	Yes	50-60'	Sun, partial shade	Pollen provides food for pollinators
Black willow	<i>Salix nigra</i>	Yes	No	35'-60'	Shade tolerant	Nectar, pollen are early food for bees
Fringe tree (old man's beard)	<i>Chionanthus virginicus</i>	Moderate	Yes	12'-20'	Sun, partial shade	Fruit is food source for birds
Tulip poplar (little volunteer)	<i>Liriodendron tulipifera</i>	Moderate	Yes	up to 50'	Shade tolerant	Attracts birds, bees, tiger swallowtail
American holly	<i>Ilex opaca</i>	Moist, well drained	Yes	30' or more	Sun, partial shade	Native to Fire Island
Black cherry	<i>Prunus serotina</i>	Moist, well drained	Fair	30' or more	Sun, partial shade	Fruit is food source for birds
Eastern red cedar	<i>Juniperus virginiana</i>	Moderate	Yes	<30'	Sun	Fruit food source for birds; salt tolerant
Black oak	<i>Quercus velutina</i>	Moderate	Yes	>30'	Sun	Foliage turns red in fall
Red maple	<i>Acer rubrum</i>	Yes	Moderate	>30'	Sun	Foliage turns red in fall

**SHRUBS AND BUSHES (EVERGREENS)**

Common Name	Botanical Name	Damp Soil Tolerance	Deer Resistant	Max Height	Sun or Shade	Special Notes
Highbush blueberry	<i>Vaccinium corymbosum</i>	Yes	No	6'-12'	Sun, partial shade	Fruit eaten by many birds
Winterberry (holly)	<i>Ilex verticillata</i>	Yes	Yes	up to 10'	Sun, partial shade	Males & females are separate plants
Coast pepperbush (Summer sweet)	<i>Clethra alnifolia</i>	Yes	Yes	3'-10'	Sun, partial shade	Attracts bees
Red chokeberry	<i>Aronia arbutifolia</i>	Yes	Yes	6'-10'	Sun, partial shade	Self pollinating
Beach plum	<i>Prunus maritima</i>	Fair	Fair	10'	Sun	Good jam & jelly
Northern bayberry	<i>Morella pensylvanica</i>	Yes	Yes	3' - 5'	Sun, partial shade	Aromatic
Swamp milkweed	<i>Asclepias tuberosa</i>	"Mucky" soil	Yes	3'-10'	Sun	Food for monarch larvae; attracts butterflies and birds
Common milkweed	<i>Asclepias syriaca</i>	No	Yes	3'	Sun	Food for monarch larvae

**GRASSES**

Common Name	Botanical Name	Damp Soil Tolerance	Deer Resistant	Max Height	Sun or Shade	Special Notes
Little bluestem	<i>Schizachyrium scoparium</i>	Yes	Yes	4'-8"	Sun, partial shade	Attracts birds & butterflies
Switchgrass	<i>Panicum vergatum</i>	Yes	Yes	3-8'	Sun, partial shade	Seeds are food source for songbirds
Tussock sedge	<i>Carex stricta</i>	Yes	Yes	2-3'	Sun	Birds use leaves & stem for nests
Tufted hairgrass	<i>Deschampsia cespitosa</i>	Moderate	Yes	1-3'	Partial shade	Food for many birds
Northern Sea Oats	<i>Cansmanthium latifolium</i>	Moderate	Yes	5'	Sun	Grown ornamentally for its fruit
Beach grass	<i>Ammophila breviligulata</i>	Moderate	Yes	1-2'	Sun, light shade	Salt tolerant; stabilizes sandy soils

**Definitions:**

**dry site:** is one with the water table two feet or more below the surface

**moist site:** is one with the water table within one foot of the surface

**overwash site:** is one exposed to ocean or bay overwash, annually (more or less)

**sheltered site:** is one protected from wind by dunes, structures, or vegetation exposed site is one open to wind, particularly in winter ( ... ) considered for inclusion, but withdrawn

**Useful references include:**

US Department of Agriculture, NRCS, National Resources Conservation Service, <https://www.usda.gov/wps/portal/nrcs/site/ny/home>  
*Native Alternatives to Invasive Plants*, Brooklyn Botanical Gardens, 2007. Ladybird Johnson  
Wildflower Center, [wildflower.org](http://wildflower.org).  
Deer Resistant Plants, [deerlandscape.com](http://deerlandscape.com).

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

Trustee Arment	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Levine	Voted Aye
Trustee Moritz	Voted Aye
Mayor Mallott	Voted Aye

**HEARING OF THE CITIZENS: 12:06 PM**

**Trustee Arment:** Holly. Holly. Etlon, go ahead on zoom. Yeah. **Holly Etlon:** Great. Good morning everybody. Um, just a quick, uh, announcement for those of you who've not seen it already on social media, which is that, um, you know, our playground takes a beating. It, uh, it gets saltwater exposure, it gets flooding, it gets, um, all sorts of use. Of course, it's something that we all love to see the children of our village use. Um, but the equipment now needs to be replaced. And so the community fund working with the village is going to be starting the replacement of the playground equipment. Um, we are raising money for that. We do have money in John Schaffner's Memorial Fund for that. But we're going to need more to really get all the equipment replaced. The, uh, goal for this winter is to get the two swing sets replaced, because those are the ones showing the most degree of damage and then follow with the rest of the equipment. So this is just an announcement to make everybody aware of it. Uh, you can certainly contribute via social media through the fundraisers that are up or, uh, certainly just mail a check to the Community Funds PO Box 23, Ocean Beach, NY 11770. Thank you. And thanks to the village trustees and the mayor for working with us on this important project. **Mayor Mallott:** And thank you for all the support. **Trustee Moritz:** Thank you. Holly.

**Camille Giugliano:** Camille Giugliano. Um, do we have any idea? Just ballpark. When the, uh, tickets are going to be going on sale for the, um, the ferry? **Trustee Arment:** You mean parking or the parking? **Mayor Mallott:** Yeah, the parking will. Be at the regular time, probably the first week in January. **Camille Giugliano:** Okay, because. I had some travel plans. **Mayor Mallott:** That's why we're trying to get this contract rate settled and then the parking will come right off. **Camille Giugliano:** I was living in fear that it was going to be going when I was up in the air. **Mayor Mallott:** You don't know what fear is. Okay.

**Trustee Levine:** Camille, just just about the ferry. Um, we do believe that there's going to be the same amount of ferry tickets that we had last year, and there's going to be the same amount of parking spots, so we're in good shape. **Camille Giugliano:** Okay. Thank you.

**Trustee Arment:** Uh, Cathy Luby, you have your hand up in chat. Go ahead. **Cathy Luby:** Yes. Hi. Thank you. Um, I was wondering, um, if the village is going to put a sitting bench at the top of Cottage Walk? I thought they had spoken about some time ago about finally putting a bench up there, um, on the overpass. And, uh, because historically, there always had been one. So, I'm wondering if that's going to be addressed. **Mayor Mallott:** We'll look into it in the Spring. **Cathy Luby:** Okay. It'd be great if it could be there for this summer. Thank you very much. **Trustee Arment:** Thanks, Cathy. **Cathy Luby:** Okay.

**Lind Bongiovanni:** Linda Bongiovanni on Bayberry. Um, with reference to the ferry, can you tell us what changes are going to happen from last contract to this contract? **Mayor Mallott:** Not at the moment, I can't. **Lind Bongiovanni:** How long is this contract going to be in effect for? **Mayor Mallott:** I can't tell you that at the moment. **Trustee Levine:** We should have all that information at the next meeting. **Mayor Mallott:** What I would like to do is to get this contract in my hands so I can see it. I'll share it with the Board of Trustees. Hopefully we can all come to an agreement and pass a resolution, and as soon as that's done, I'll post it on the website. So. **Lind Bongiovanni:** Okay, good. **Mayor Mallott:** And then we'll ratify it at the next meeting. Thank you.

**Trustee Levine:** Lens back. **Lenny Aronica:** No, no. I just so how we advertise in new law. So how we let everyone know other than just posting on the website. So are we **Trustee Arment:** the tree legislation? Yeah. **Trustee Levine:** I'm sure the association will put it in their next minutes or their next newsletter that they send out. (inaudible). **Lenny Aronica:** Yeah, because I just think we I it's a good law. But you should like someone should everyone should know about it. **Trustee Moritz:** It's going to be on the website that's **Trustee Levine:** Can you break it down to one page? (cross conversation) **Trustee Levine:** Come up to the microphone if anybody wants to talk.

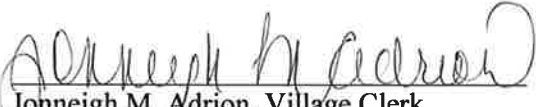
**Camille Giugliano:** And possibly, uh, notifying the, uh, landscape architects and all the landscapers. Um, and have it be. I'm trying to think of other, but I think that would be a good way to, uh, spread the word because they're involved with, uh, many of these properties that are, uh, you know, tearing down trees to put up pools and that sort of thing. **Trustee Levine:** And, Ken, when does this law take effect? **Ken Gray:** Upon filing with the secretary of state. **Trustee Levine:** About a week. **Trustee Hargraves:** Maybe we could put on the front page of the website, like, hey, check out, you know, the new legislation, because I don't think when it's posted on the website, it's not on the front page. It'll be in a drop down. **Maria Silsdorf:** You did that with the water meters, like there was this big flag in the flash for the new legislation. (cross conversation)

**Maria Silsdorf:** So we can put it, we can put it both in the electronic newsletter, and we can put a piece of paper in directing them to the website if you want. Is that what you want? **Trustee Arment:** Yeah, sure. I think at this point, you know, spread the word far and wide. I mean, this is the kind of thing that we want as many people to know about as possible. **Maria Silsdorf:** And I'll work with Beth on the summary. Okay. **Trustee Arment:** All right. There's no other. Hands up any further comments here?

**Trustee Levine:** I just got one more thing. Um, just wanted to remind everybody that's here that tonight is our tree lighting. And to the hundreds and hundreds of people that are out on zoom listening to this call today. Um, Chris just texted me that the Chamber of Commerce has put up a video showing all the commercial buildings in town. Even with all the construction they decorated, it looks very nice. If you want to get a taste of the Ocean Beach Christmas, you can go check that out. I believe it's on Facebook. **Trustee Moritz:** And I think they'll do the tree lighting as well. **Trustee Levine:** And that will probably be broadcast live. Thank you everybody. **Ken Gray:** Motion to close. **Ken Gray:** Happy holidays everyone. **Trustee Moritz:** Happy holidays. **Trustee Levine:** Happy Holidays.

ADJOURNMENT: Mayor Mallott moved to close the meeting at 12:13 PM. Trustee Arment seconded this motion. Upon call, the following voted:

Trustee Arment	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Levine	Voted Aye
Trustee Moritz	Voted Aye
Mayor Mallott	Voted Aye

  
Jonneigh M. Adrion, Village Clerk  
As amended on January 13, 2024