



**INCORPORATED VILLAGE OF OCEAN BEACH
BOARD OF TRUSTEES MEETING TO BE HELD ON JANUARY 9, 2016**

**PUBLIC MEETING - 9:00AM AT THE VILLAGE OFFICE followed IMMEDIATELY to
EXECUTIVE SESSION - 9:00AM – 11:00 AM VILLAGE OFFICE– THE PLAN IS FOR
GENERAL SESSION - APPROXIMATELY 11:00 AM AT THE FIRE ISLAND SCHOOL**

1. Pledge to the Flag
2. Roll Call
3. Approval of Minutes of the Board of Trustees Meeting held on December 12, 2015
4. Approval of Bills and Claim Vouchers
5. Mayor's Report
6. Superintendent's Report
7. O. B. Fire Dept. Report/O. B. Police Dept. Report
8. Additions and/or Deletions to Agenda
9. Ratification & Approval of Personnel
10. Accept Inspection Proposal from L. K. McLean Associates, PC for Engineering Services Associated with the Construction Inspection of the Bulkhead between Cottage and Dehnhoff Walks
11. Authorization to Advertise, Go Out to Bid and Accept Low Bid for New Well at 175 Surfview Walk, Ocean Beach, NY, from H2M Architects & Engineers
12. Ratification & Approval of Low Bid from Terry Contracting & Materials, Inc. for Bulkhead Replacement between Cottage and Dehnhoff Walks
13. Hearing of the Citizens

PUBLIC HEARING – 11:30AM

The Board of Trustees is to consider the adoption of Local Law No. 01-2016 to amend Village Code, Chapter 6, for the purpose of permitting a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c for the fiscal year commencing June 1, 2016.



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 January 9, 2016 at the Fire Island School, Surf Road., Corneille Estates, New York.

EXECUTIVE SESSION: Mayor Mallott made the motion to open the meeting, seconded by Deputy Mayor Blake. Mayor Mallott then moved to go into Executive Session at 9:05AM for the purpose of discussing personnel, collective bargaining negotiations, and/or pending litigation.

The motion was seconded by Deputy Mayor Blake, upon call the following voted:

Deputy Mayor Blake	Voted Aye
Trustee Bendicksen	Voted Aye
Trustee Norris	Voted Aye
Trustee Power	Voted Aye
Mayor Mallott	Voted Aye

No motions or resolutions were acted upon in Executive Session. Executive Session was closed at 11:15AM by Mayor Mallott. The motion was seconded by Deputy Mayor Blake, upon call the following voted:

Deputy Mayor Blake	Voted Aye
Trustee Bendicksen	Voted Aye
Trustee Norris	Voted Aye
Trustee Power	Voted Aye
Mayor Mallott	Voted Aye

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

Deputy Mayor Blake	Voted Aye
Trustee Bendicksen	Voted Aye
Trustee Norris	Voted Aye
Trustee Power	Voted Aye
Mayor Mallott	Voted Aye

Following the pledge to the Flag and Roll Call

There were present:	Mayor:	James S. Mallott
	Trustees:	Jason Bendicksen
		Matthew M. Blake
		Chris F. Norris
		Brian C. Power
	Village Counsel:	Kenneth A. Gray
	Superintendent of Public Works:	Kevin J. Schelling
	Village Clerk/Treasurer:	Steven W. Brautigam

Trustee Deputy Mayor Blake seconded the motion. Upon call, the following voted:

Deputy Mayor Blake	Voted Aye
Trustee Bendicksen	Voted Aye
Trustee Norris	Voted Aye
Trustee Power	Voted Aye
Mayor Mallott	Voted Aye

APPROVAL OF MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON DECEMBER 12, 2015: Resolution No. 2016-001: Mayor Mallott moved as follows:

Be it RESOLVED that the Minutes of the Board of Trustees Meeting held on December 12, 2015 are accepted as presented:

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

Deputy Mayor Blake	Voted Aye
Trustee Bendicksen	Voted Aye
Trustee Norris	Voted Aye
Trustee Power	Voted Aye
Mayor Mallott	Voted Aye

APPROVAL OF BILLS AND CLAIM VOUCHERS: Resolution No. 2016-002: 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 \$ 162,060.54, for Gross Payroll 12/08/15 thru 1/8/16, and
General Fund, in the amount of \$ 225,476.59, check numbers 20320 through 20367, and
Water Fund, in the amount of \$ 7,009.85, check numbers F2669 through F2675, and
Sewer Fund, in the amount of \$ 9,060.67, check numbers G5471 through G5478, and
Capital Fund, in the amount of \$ 35,254.46, checks H04#1250-1254.

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 \$ 38,205.71, check numbers 20368 through 20396, and
Water Fund, in the amount of \$ 10,640.75, check numbers F2676 through F2681, and
Sewer Fund, in the amount of \$ 3,520.75, check numbers G5479 through G5484, and
Capital Funds, in the amount of \$161,793.11, check numbers H04#1255 through H04#1258.

Deputy Mayor Blake seconded this motion. Upon call, the following voted:

Deputy Mayor Blake	Voted Aye
Trustee Bendicksen	Voted Aye
Trustee Norris	Voted Aye
Trustee Power	Voted Aye
Mayor Mallott	Voted Aye

MAYOR'S REPORT:

1. The total FEMA money received as of this date is 2.9 million dollars.
2. A Grant was received in our office from Senator Phil Boyle in the amount of \$100,000. We intend to compose a very nice thank you letter.
3. We received a check this week from FEMA in the amount of \$403,000, with more to come.
4. The Village had site visits for the Windswept and Ferry Basin projects this week. The walk through brought out amendments to the plan which are causing a week delay on the Windswept bid opening until February 19th, with more red tape delays on the Ferry Basin project. The contractor does not want to start and then have to stop, only to start again, which is not cost effective. Once he starts in the Fall of 2016, he plans to have it complete by the Summer of 2017.
5. We are working with EFC on more money for the Sewer Plant.
6. At the March 5th meeting, we plan to resolve to take out a Bond for the Sewer Collection System in order to fulfill the requirement for an important application through the state.
7. We have awarded the bulkhead replacement from Cottage to Dehnhoff Walk to the low bidder, resolution to be approved at this meeting.
8. We are going out to bid on the Safe House and New Well – the bid opening is Jan. 28, 2016.
9. We plan to do additional cement work in the Spring.
10. The taxes for 2016/2017 would only be about \$4,500 in total tax increase, however, we need to bust it because of the 2% limit established by the Governor.

SUPERINTENDENT'S REPORT:

The Public Works Dept. has completed laying 720 feet of pipe and fixed two fire hydrants. We have also completed the installation of an additional 700 feet of pipe on Dehnhoff Walk along with two fire hydrants.

Water: The water main is completed on Wilmot Road (tested and activated).
Well #1 has been abandoned and capped for future Well #4.

Sewer: Sewer Plant is fully operational.

Streets: 2 tractors and sand spreader are ready and operational for snow.
Cement contractor ended operations until Spring.
Concrete work around Windswept has been completed.
We are replacing north end of Evergreen Walk with ramp to bulkhead.
4 street lights have been repaired.
Remove and replace battery drum.

Buildings: Repairs have been made to EMT/Paramedic's apartment. The bathroom has been ripped out and replaced.
Trim work is complete in the Fire House.
Temporary lighting has been installed in Windswept Building.

Marina: Both marinas are now closed for the season and the bubbler system is setup and ready.

We did setup and take down of Holiday Decorations on Village Green for Tree Lighting.

O. B. VOLUNTEER FIRE DEPARTMENT REPORT: Report read aloud by Deputy Mayor Blake (see attached) with only one call thus far this new year of 2016.

O. B. POLICE DEPARTMENT REPORT: Police Officer Andrew Becher spoke that the Police Dept. has had 8 walk-ins for incidental first aid matters. All residents must keep the batteries new and operating efficiently in their smoke alarms. The Chief has asked that everyone be aware of parking off the edges of the walks and not to overhang. Please keep the sidewalks clear.

At 11:30AM, Mayor Mallott made a motion to open the Public Hearing to consider the adoption of Local Law No. 01-2016 to amend Village Code, Chapter 6, for the purpose of permitting a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c for the fiscal year commencing June 1, 2016.

Deputy Mayor Blake seconded the motion. Upon call, all voted "aye". There was a lengthy discussion between residents and the Board of Trustees who are always searching for ways to keep the budget as low as possible.

At 12:02PM, Mayor Mallott made a motion to close the Public Hearing. Deputy Mayor Blake seconded the motion and upon call, all voted "aye." Mayor Mallott then moved to adopt the following Local Law:

A LOCAL LAW TO AMEND CHAPTER 6, SECTIONS 6-1 THROUGH 6-5 OF THE CODE OF THE VILLAGE OF OCEAN BEACH: Resolution No. 2016-003:

BE IT ENACTED by the Board of Trustees of the Incorporated Village of Ocean Beach to adopt a local law to override the tax levy limit established in General Municipal Law §3-c, as follows:

1. Chapter 6, Sections 6-1 through 6-5 are hereby created to read as follows:

Chapter 6
REAL PROPERTY TAX LEVY LIMIT OVERRIDE

§ 6 - 1. Legislative Intent

§ 6 - 2. Authority

§ 6 - 3. Tax Levy Limit Override.

§ 6 - 4. Severability.

§ 6 - 5. Effective date.

Section 1. Legislative Intent

It is the intent of this local law to allow the Village of Ocean Beach to adopt a budget for the fiscal year commencing June 1, 2016 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Board of Trustees of the Village of Ocean Beach, County of Suffolk, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2016 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

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

RATIFICATION & APPROVAL OF PERSONNEL: Resolution No. 2015-004: Mayor Mallott moved as follows:

ACCEPT RESIGNATION FROM SEAN NEIMETH:

WHEREAS, the Village is in receipt of a letter of resignation from Sean Neimeth, O. B. Police Officer, dated November 3, 2015; and

Now, therefore, it is hereby

RESOLVED that the Village accepts and terminates the employment of Sean Neimeth, as described herein, effective November 3, 2015.

Trustee Power seconded this motion. Upon call, the following voted:

Deputy Mayor Blake	Voted Aye
Trustee Bendicksen	Voted Aye
Trustee Norris	Voted Aye
Trustee Power	Voted Aye
Mayor Mallott	Voted Aye

ACCEPT INSPECTION PROPOSAL FROM L. K. MCLEAN FOR ENGINEERING SERVICES ASSOCIATED WITH THE CONSTRUCTION INSPECTION OF THE BULKHEAD REPLACEMENT LOCATED BETWEEN COTTAGE AND DEHNHOFF WALKS: Resolution No. 2015-005: Mayor Mallott moved as follows:

WHEREAS, the Village of Ocean Beach is in receipt of a Proposal for Engineering Services associated with the Construction Inspection of the Bulkhead Replacement located between Cottage and Dehnhoff Walks dated December 28, 2015 from L. K. McLean Associates, PC; and

Now, therefore, it is hereby

RESOLVED that the Village of Ocean Beach shall accept said proposal from L. K. McLean Associates, PC, in the amount of \$18,570 to be paid from line item A7989.444; and

It is further RESOLVED that the Village Clerk/Treasurer and Mayor are hereby authorized and directed to execute the documents necessary to effectuate this Resolution.

Trustee Bendicksen seconded the motion to DENY this resolution. Upon call, the following voted:

Deputy Mayor Blake	Voted Aye
Trustee Bendicksen	Voted Aye
Trustee Norris	Voted Aye
Trustee Power	Voted Aye
Mayor Mallott	Voted Aye

AUTHORIZATION TO ADVERTISE, GO OUT TO BID AND ACCEPT LOW BID FOR NEW WELL AT 175 SURFVIEW WALK, OCEAN BEACH, FROM H2M ARCHITECTS & ENGINEERS: Resolution No. 2016-006: Mayor Mallott moved as follows:

WHEREAS, the Village of Ocean Beach is publishing and requesting sealed bids for the New Well to be located at 175 Surfview Walk, as more fully detailed in the bid specifications prepared by H2M Architects & Engineers; and

Now, therefore, it is hereby

RESOLVED that the Village Clerk/Treasurer is authorized to accept the lowest responsible bidder, as recommended by H2M Architects & Engineers; and

It is FURTHER RESOLVED that the Village Clerk/Treasurer and Village Mayor, following review by Village Attorney, are hereby authorized to execute the documents necessary to effectuate the award and to make payments consistent with this resolution.

Trustee Power seconded this motion. Upon call, the following voted:

Deputy Mayor Blake	Voted Aye
Trustee Bendicksen	Voted Aye
Trustee Norris	Voted Nay
Trustee Power	Voted Aye
Mayor Mallott	Voted Aye

RATIFICATION & APPROVAL OF LOW BID FROM TERRY CONTRACTING & MATERIALS, INC. FOR BULKHEAD REPLACEMENT BETWEEN COTTAGE & DEHNHOFF WALKS: Resolution No. 2016-007: Mayor Mallott moved as follows:

WHEREAS, the Village had previously advertised for bids from qualified vendors to perform replacement of the Bulkhead between Cottage and Dehnhoff Walks; and

WHEREAS, it has been determined that Terry Construction & Materials, Inc. was the lowest responsible bidder for such services,

as per the recommendation of L. K. McLean Associates, PC; and

Now, therefore, it is hereby

RESOLVED that the Ocean Beach Board of Trustees hereby accepts the contract/proposal submitted by Terry Contracting & Materials, Inc., in an amount not to exceed \$393,109.00 to be paid from line item A7989.444, which bid cost came in at \$115,841.00 below the engineer's estimate.

Deputy Mayor Blake seconded this motion. Upon call, the following voted:

Deputy Mayor Blake	Voted Aye
Trustee Bendicksen	Voted Aye
Trustee Norris	Voted Aye
Trustee Power	Voted Aye
Mayor Mallott	Voted Aye

HEARING OF THE CITIZENS:

Gina Ragusa represented the Quality of Life Committee and thanked the Mayor and Board of Trustee members for their continuing support. The Committee asked if the Village would post their recommendation letters sent to the Mayor and Board on the Village website. It was decided the matters need to be finalized first. Bike Riding, Garbage and Noise in the residential areas remain the matters of concern. The Mayor has asked for an air conditioning upgrade to zoning code which will allow for the a/c splits on the outside of the house in setbacks as they are quieter, smaller and one unit allows for 6 a/c units inside the home. This makes good sense when you compare this to 6 window units in terms of noise and curb appeal.

The Village is always looking for ways to reduce its overhead for both property insurance and health insurance (Medicare) and the Water/Sewer Plant and the various operating costs including sludge removal.

It was asked again that Village meetings be streamed to allow for those unable to attend the meetings to tune in. When we refurbish the website, this will be considered.

It was suggested by a resident that the freight be switched so that the resident's merchandise be unloaded on the south dock and contractor's material be relocated to the north and east docks. The Mayor stated he would discuss this matter with Mr. Mooney, F. I. Ferries owner.

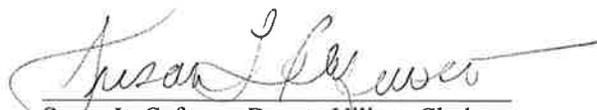
There are several dead pine trees at the foot of Bayberry Walk and Ocean View Walk and a resident asked that these be removed.

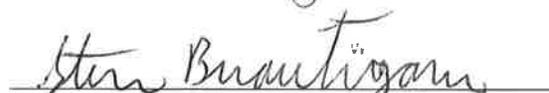
David Lipsky, VOBEC, has previously requested for a moratorium on swimming pools. He also asked that code allow for an increase in the lot size thus permitting pools and to disallow medical reasons as a hardship. He asked the Village consider matching Islip regulations on this matter. He further mentioned that one cannot search Village records to access how many variances have been granted or not granted with regard pool installation. Village Counsel stated one could gain copies of all minutes, but that it cannot simply be searched by looking for pools separately. This kind of software is rather costly.

The salary for the Mayor and Board members was again protested.

ADJOURNMENT: Mayor Mallott moved to adjourn the meeting at 12:35PM. Deputy Mayor Blake seconded this motion. Upon call, the following voted:

Deputy Mayor Blake	Voted Aye
Trustee Bendicksen	Voted Aye
Trustee Norris	Voted Aye
Trustee Power	Voted Aye
Mayor Mallott	Voted Aye


Susan L. Cafuoco, Deputy Village Clerk


Steven W. Brautigam, Village Clerk/Treasurer