



# 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 November 19, 2016 at the Fire Island School in Ocean Beach, 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 the Village Office, at 9:00 AM, 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 11:15 AM 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 11:22AM, 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
		Christopher F. Norris
		Brian C. Power
	Village Counsel:	Kenneth A. Gray
	Superintendent of Public Works:	Kevin J. Schelling
	Village Clerk/Treasurer:	Steven W. Brautigam
	Court Reporter	

**APPROVAL OF MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON OCTOBER 15, 2016: Resolution No. 2016-142:** Mayor Mallott moved as follows:

Be it RESOLVED that the Minutes of the Board of Trustees Meeting held on October 15, 2016 are accepted as presented:

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 BILLS AND CLAIM VOUCHERS: Resolution No. 2016-143:** Mayor Mallott moved as follows:

BE IT RESOLVED that bills and claim vouchers, already paid be approved as submitted and 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 \$ 145,250.28, for Gross Payroll from 10/15/16 through 11/11/16, including check numbers 14964 through 14971, and  
 General Fund, in the amount of \$104,725.37, check numbers A21139 through A21190, and

Water Fund, in the amount of \$14,075.64, check numbers F2782 through F2788, and  
Sewer Fund, in the amount of \$8,587.07, check numbers G5624 through G5632, and  
Ferry Basin Capital Fund, in the amount of \$23,734.00, check number 1028, and  
Sewer Capital Fund, in the amount of \$18,421.67, check number 1118, and  
Waterwell/Safe House Capital Fund, in the amount of \$116,732.17, check numbers 1028 through 1029, and  
Windswept Building Capital Fund, in the amount of \$571.37, check numbers 1014 through 1015

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	\$ 300,005.27, starting with check number A21191, and
Water Fund, in the amount of	\$ 27,400.84, starting with check number F2789, and
Sewer Fund, in the amount of	\$ 40,702.75, starting with check number G5633, and
Windswept Capital Fund, in the amount of	\$ 234,650.00, starting with check number 1016, and
Ferry Basin Fund, in the amount of	\$ 369,964.50, starting with check number 1029, and
Sewer Capital Fund, in the amount of	\$ 25,448.35, starting with check number 1119, and
Concrete Capital Fund, in the amount of	\$ 780.45, starting with check number 1031

Deputy Mayor 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

#### MAYOR'S REPORT:

1. The money being spent has been collected over past four years. We are currently having a FEMA Audit – the first of many. The audit will take approximately five months. There is \$10 million dollars involved in the FEMA Project funds. The auditors will be in the office on a bi-weekly basis. They are searching our records for validation of work from the past four years. We feel confident and transparent in the work completed.
2. The work at the Ferry Basin is coming along. The concrete work will be done this week. Bathrooms will be usable throughout the winter.
3. Windswept has mahogany decks. Windswept Phase II – qualifying recommended bidders, bid should be awarded within next few weeks after Thanksgiving. Work will start first week of December.
4. Safehouse renderings are here and setup for viewing. The well is in progress to be completed end of Summer 2017.
5. The concrete program on Evergreen Walk is complete – the contract ends 11/30. There is a new contract for next spring.
6. The yellow tape and detour signs are intended for resident safety.
7. We are going out to bid next spring for the Ferry Terminal and the project is to begin in the Fall 2017.
8. Sewer plant – the electrical work has started.
9. Letters were sent out to all Propane gas users to make application Residential \$50/Commercial \$100 for the permit, upon inspection by Building Inspector and propane tanks must be stored and secured properly.

#### SUPERINTENDENT'S REPORT:

Installed water line across Midway (Wilmot /Ocean) Rd.

Water: Well #4 – Drilling is continuing.

Water connections placed on Surf Road and Surfview Walk.

Installed new hydrant on Surf Road between Bay Walk and Surf Rd.

Repair hydrant on Ocean Road and Bay Walk.

Sewer: Electrical repairs being made) panels removed and temporary panels are being installed).

We have been inspected by SCHD/NYS DEC and we passed inspection.

We dug up and inspected sewer line (Midway and Ocean Road).

Buildings: Winterization of Village Facilities (Ballfield/Village Green/Ocean Bathrooms).

OB Community House has been cleaned out and the floors cleaned. Plan to store senior cart and other items in there.

Marina: Now closed for the season and will be winterized with the bubbler system.

Streets: Concrete work on Evergreen Walk (south 250 ft.) to elevate flooding. Concrete work ongoing on Midway from Ocean Road to Surf Road.

Village trash pails are being stored for the winter.

Snow removal equipment being prepared for use and tested.

Public Restrooms – Community House to close December 1<sup>st</sup>.  
 Restrooms open at Ferry Terminal/Police Station for winter use as they are heated.

Garbage Pickup: All Bulk Pickups completed, regular pickup to continue as scheduled for Sundays and Wednesdays.

O. B. VOLUNTEER FIRE DEPARTMENT REPORT: Deputy Mayor Blake and Franklin Silsdorf spoke. The total for the year thus far is 323 calls, the second largest volume of calls. 6 new probationary, well-educated members admitted to the Department. Work to be done on fire contract. We are working on Town of Islip fire contract.

O.B. POLICE DEPARTMENT REPORT: George Hesse, Chief spoke about the on-going concrete work and that he has put on 2-3 extra police department members, Monday-Friday, to control traffic in detours areas. With beach being closed, please exercise caution when traversing through town. Stay out of construction zones, do not walk through, it is dangerous with many, many vehicles. This concrete project will be completed Dec 1.

ADDITIONS AND/OR DELETIONS TO THE AGENDA: Resolution No. 2016-144: Mayor Mallott moved as follows:  
 Deletions: Item #1 – Accept H2M Architects & Engineers Proposal for Specifications & Bid for Water Meter and Billing Software.

Trustee Power 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

At 11:40AM, Mayor Mallott moved to open the Public Hearing for SPA#275-Rachel’s Restaurant, 325 Dehnhoff Walk, Ocean Beach, NY. The motion was seconded by Trustee Power. Upon call, all voted “aye.”

There is a transcript of the Public Hearing, which is made part of and fully incorporated into these minutes.

At 12:35PM, Mayor Mallott made motion to close the Public Hearing for SPA#275-Rachel’s Restaurant and to reserve decision at this time, until the December 10<sup>th</sup>, 2016 Board of Trustees meeting.

The motion was seconded by Trustee Power. 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

BUDGET MODIFICATIONS 2016-2017: Resolution No. 2016-145: Mayor Mallott moved as follows:

<u>2016-2017 BUDGET MODIFICATIONS</u>		
<u>GENERAL FUND</u>		
<u>To:</u>	<u>Description:</u>	<u>Amount:</u>
A1230.472	Conferences	\$ 500.00
A1320.441	Auditing	\$ 5,000.00
A3120.441	Repair Equipment	\$ 1,000.00
A3410.411	Office Supplies	\$ 1,000.00
A3410.494	Uniforms	\$ 68.21
A1230.100	Village Administrator	\$10,000.00
A7989.425	Dock Master Phone	\$ 1,500.00
	<u>TOTAL:</u>	<u>\$19,068.21</u>
<u>From:</u>	<u>GENERAL FUND</u>	<u>Amount:</u>
A1910.LAW	Law Enforcement	\$10,000.00
A1910.PRO	Property	\$ 5,500.00
A3410.201	Turn Out Gear	\$ 2,068.21

A7989.411	Credit Card Fees	\$ 1,500.00
	<u>TOTAL:</u>	<u>\$19,068.21</u>
<u>To:</u>	<u>WATER FUND</u>	<u>Amount:</u>
F8340.452	Chemicals	\$ 3,272.84
F8340.461	Plumbing Supplies	\$15,000.00
	<u>TOTAL:</u>	<u>\$18,272.84</u>
<u>From:</u>	<u>WATER FUND</u>	<u>Amount:</u>
F1990.499	Contingent	\$18,272.84
	<u>TOTAL:</u>	<u>\$18,272.84</u>
<u>To:</u>	<u>SEWER FUND</u>	<u>Amount:</u>
G8120.441	Mechanical Parts	\$1,000.00
	<u>TOTAL:</u>	<u>\$1,000.00</u>
<u>From:</u>	<u>SEWER FUND</u>	<u>Amount:</u>
G8120.445	Motor Repair	\$1,000.00
	<u>TOTAL:</u>	<u>\$1,000.00</u>

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

**RATIFICATION & APPROVAL OF PERSONNEL: Resolution No. 2016-146:** Mayor Mallott moved as follows:

WHEREAS, the Village of Ocean Beach desires to ensure that the Village has the necessary personnel in place to conduct Building requirements and compliance; and

WHEREAS, the Village Board wishes to hire Nicholas Weiss as the Building Inspector, Fire Marshal and Flood Plains Manager,

Now, therefore, it is hereby

RESOLVED that the Village hires and appoints Nicholas Weiss to said position, subject to final approval from Suffolk County Civil Service, pursuant to the following terms of employment:

Starting salary of \$37.00 per hour to be paid from line item A3620.101;  
Employee must complete a three (3) month probationary period working full-time,  
If successful probationary period, salary increase of \$2.56 per hour, effective June 1, 2017,  
37-1/2 hrs. per work week, with unpaid 1/2 hr. for lunch; Work schedule to be set by Village and may include Saturdays/Sundays.

No overtime, unless authorized and preapproved,  
There is a 2-month waiting period for Medical, Vision and Dental Insurance.  
Employee to contribute 10% toward the Major Medical Plan which will be deducted from his pay.  
Employee to be eligible for two (2) weeks of vacation, per year pro-rated as of June 1, 2017.  
Start date to be set by Village, upon Civil Service approval.

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

AUTHORIZATION TO ATTEND STANDARD & POOR (S&P GLOBAL) STATE & LOCAL GOVERNMENT CREDIT FORUM:

Resolution No. 2016-147: Mayor Mallott moved as follows:

WHEREAS, it is the Village's desire to provide specific training from Standard & Poor - Bond Credit Rating System to the Clerk/Treasurer; and

Now, therefore, it is hereby

RESOLVED that the Steven W. Brautigam is authorized and approved to attend the Standard & Poors (S&P Global) State & Local Government Credit Forum, on December 1, 2016 at 55 Water Street, New York, NY, at no cost for class to include transportation and incidentals, to be paid from line item A1230.472.

Trustee Bendicksen 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

APPROVAL OF 2017 ZONING BD. OF APPEALS & PLANNING BD./ARCHITECTURAL REVIEW BOARD MEETING

DATES: Resolution No. 2016-148: Mayor Mallott moved as follows:

Zoning Board of Appeals

Planning Bd./Architectural Review Board

January 7, 2017	January 21, 2017
February 4, 2017	February 18, 2017
March 4, 2017	March 25, 2017
April 1, 2017	April 15, 2017
May 6, 2017	May 13, 2017
June 3, 2017	June 17, 2017
July 8, 2017	July 22, 2017
August 5, 2017	August 19, 2017
September 9, 2017	September 23, 2017
October 7, 2017	October 21, 2017
November 4, 2017	November 25, 2017
December 2, 2017	December 16, 2017

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

OUT-OF-VILLAGE WATER USER AGREEMENT – 46 SURFVIEW WALK, SEAVIEW, NY: Resolution No. 2016-149: Mayor Mallott moved as follows:

WHEREAS, Carene Wallace, has requested, by submission of the attached completed agreement, permission to connect their premises to the Village of Ocean Beach's water system; and

BE IT RESOLVED, that the Board of Trustees approves the Village of Ocean Beach Agreement with Out-of-Village Water User, Carene Wallace; and

It is further RESOLVED that the Mayor is authorized to execute the agreement with Carene Wallace granting permission to connect their premises, located at 46 Surfview Walk, Seaview, Fire Island, to the Village of Ocean Beach's water system.

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

SET A PUBLIC HEARING DATE FOR TAX CAP OVERRIDE: Resolution No. 2016-150: Mayor Mallott moved as follows:

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

WHEREAS, the Village of Ocean Beach desires to explore the ability to increase taxes in excess of the NYS limit,

Now, therefore, it is hereby

RESOLVED that the Village sets a Public Hearing for December 10, 2016, at 11:30 AM, for the purpose of considering a local law to give the Village the ability to surpass and override the Tax Cap Limit.

Trustee Bendicksen 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

TEAR DOWN HOUSE: Resolution No. 2016-151: Mayor Mallott moved as follows:

WHEREAS, the Village has become aware of an abandoned home in Ocean Beach, namely 123 Bungalow Walk; and,  
WHEREAS, the residence has been inspected by Building Inspectors showing deterioration of structure and has become a fire hazard; and,

NOW, therefore, it is hereby

RESOLVED that the Clerk/Treasurer is authorized to retain an Engineer to prepare bid specifications to secure the property for proposed demolition and to advertise for bid.

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

APPROVAL TO ADVERTISE FOR O. B. FIRE DEPARTMENT GARAGE DOORS: Resolution No. 2016-152: Mayor Mallott moved as follows:

WHEREAS, the Village of Ocean Beach is publishing and requesting sealed bids for the replacement of the garage doors of the Ocean Beach Volunteer Fire Department, as more fully detailed in the bid specifications prepared by H2M Architects and 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 and 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 Norris 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

RATIFICATION & APPROVAL FOR H2M ARCHITECTS & ENGINEERS PROPOSAL FOR SPECIFICATIONS & BID FOR VILLAGE HALL – PHASE II: Resolution No. 2016-153: Mayor Mallott moved as follows:

WHEREAS, the Village of Ocean Beach is in receipt of a proposal dated September 23, 2016 from H2M Architects & Engineers for Village Hall – Phase II, a copy of which is on file in the Village Office; and

Now, therefore it is hereby

RESOLVED that the Ocean Beach Board of Trustees hereby accepts the contract/proposal, in an amount not to exceed \$29,385.00 to be paid from line item A1621.441.

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

APPROVAL TO ACCEPT MAY 31, 2016 AUDIT PREPARED BY CULLEN & DANOWSKI, LLP: Resolution No. 2016-154: Mayor Mallott moved as follows:

WHEREAS, the Village of Ocean Beach is in receipt of the Audit from 6/1/2015-5/31/2016 for the Village of Ocean Beach, Village Justice Court Funds, and a single audit from the Certified Public Accounting firm of Cullen & Danowski, LLP; and

Now, therefore, it is hereby

RESOLVED that the Village accepts and approves the Audit dated 5/31/2016, as submitted and prepared.

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

APPROVAL FOR ATTENDANCE AT SUFFOLK COUNTY VILLAGE OFFICIALS ASSOCIATION (SCVOA) DINNER:

Resolution No. 2016-155: Mayor Mallott moved as follows:

WHEREAS, it is the Village's desire to give encouragement to its employees in an effort to gain knowledge and improve proficiency in their village's work and attend SCVOA's annual meeting; and

Now, therefore, it is hereby

RESOLVED that four (4) persons are authorized to attend the annual meeting in Patchogue, NY, to be held on December 8, 2016, for \$75 per person to be paid from line items A1210.472 and A1230.472.

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

AUTHORIZE ATTENDANCE AT LONG ISLAND'S CLIMATE SMART COMMUNITY COORDINATORS (CRS) USER

GROUP: Resolution No. 2016-156: Mayor Mallott moved as follows:

WHEREAS, the Village encourages its staff to seek professional development in regard to Floodplain Management on a municipal level;

Now, therefore, it is hereby

RESOLVED that Steven W. Brautigam, Clerk/Treasurer, is authorized to attend the Long Island Climate Smart Community Coordinators (CRS) User Group Meeting, at Cameron Engineering & Associates, LLP in Woodbury, NY, on January 9, 2017 at no additional cost to the Village.

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

ACCEPT PROPOSAL FOR PROFESSIONAL SERVICES FROM LK MCLEAN ASSOCIATES, PC, FOR WINDSWEPT – PHASE

II: Resolution No. 2016-157: Mayor Mallott moved as follows:

WHEREAS, the Village is in receipt of a proposal dated November 14, 2016, for professional services of from L.K. McLean Associates, P.C. to provide construction support and site representation for Phase II of the Windswept Building Rehabilitation at 161-164 Ocean Road, Ocean Beach, NY; a copy of which is on file in the Village Office; and

Now, therefore, it is hereby

RESOLVED that the Village of Ocean Beach Board of Trustees, hereby accepts the proposal, in an amount not to exceed \$68,500.00, to be paid from line item H01-1621210.

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:

The citizens present at the meeting brought up such topics as:

Quality of Life Committee: Smoking ban in playground. To expand the public areas in future for a total cigarette ban. The Board will discuss this further.

The rental permit issue was raised with regard to the activities that exist on the various websites, like VRBO, AIRBNB and ideas how to enforce code. Police Chief remarked that the Village can only enter a home if there is a complainant. Collaborations Inc. Village of Ocean Beach Board of Trustees Meeting

with real estate and legal counsel to rectify and update our rental permit process is essential. A resident explained that Islandia has a law relative to rentals – simply stated: in order to be able to rent out your home, you must be a homeowner for 5 years and pay a yearly fee of \$1,000. Fines start at \$1,000 for first offense and \$5,000 thereafter.

Deletion of item regarding Water Meters– The Village is going back to H2M for further documentation. We have not had any discussion with Suffolk County Water Authority. The water meters will be owned by the Village.

Public comments being accepted regarding the breach and whether it should be closed. How will it affect the traffic at the east end? FINS seem to favor leaving the breach open. OBPD belongs to the council and they have discussed the increased effect of the vehicle traffic through our Village.

There was conversation regarding the crossovers.

ADJOURNMENT: At 1:10PM, Mayor Mallott made motion to adjourn the meeting. 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

  
\_\_\_\_\_  
Susan L. Cafuoco, Deputy Village Clerk

  
\_\_\_\_\_  
Steven W. Brautigam, Village Clerk/Treasurer