



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 15, 2022 at the Village Office, 315 Cottage Walk, Ocean Beach, New York. Meeting is being conducted via Zoom.

EXECUTIVE SESSION: Mayor Mallott moved to go into Executive Session at 9:03 AM from the Village Office, for the purpose of discussing personnel, contracts and pending litigation.

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

Deputy Mayor Blake	Voted Aye
Trustee Hargraves	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 11:10AM by Mayor Mallott. The motion was seconded by Trustee Hargraves, upon call the following voted:

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

GENERAL SESSION: At 11:17 AM, Mayor Mallott moved to open General Session. Trustee Norris seconded this motion. Upon call, the following voted:

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

Following the pledge to the Flag and Roll Call at 11:18 AM:

There were present:	Mayor:	James S. Mallott
	Trustees:	Matthew M. Blake
		Dawn L. Hargraves
		Christopher F. Norris
		Brian J. Power
	Village Counsel:	Kenneth A. Gray
	Village Clerk/Treasurer:	Steven W. Brautigam

Mayor Mallott asked for a moment of silence. We lost a dear friend, Dominick Cafuoco, a friend and long longtime village resident and 50 year member of the fire department, a very close and dear friend, quietly passed away a few nights ago. We send our condolences to the family. I understand services will be at Overton Funeral Home in Islip, NY. Again, just a moment of silence for Dominick Cafuoco.

APPROVAL OF MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON DECEMBER 11, 2021: Resolution No. 2022-001: Mayor Mallott moved as follows:

BE IT RESOLVED that the Minutes of the Board of Trustees Meeting held on December 11, 2021 are accepted as amended

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

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

APPROVAL OF BILLS AND CLAIM VOUCHERS: Resolution No. 2022-002: 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 \$262,247.71, for Gross Payroll from 12/01/21 through 01/11/22

General Fund, in the amount of \$87,022.87, check numbers A26504 through A26525, and

Water Fund, in the amount of \$1,885.82, check numbers F3554 through F3557, and

Sewer Fund, in the amount of \$8,203.36, check numbers G6552 through G6559, and

Bay Front Project, in the amount of \$232,184.84, check number 2016

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 \$ 115,512.45, starting with check number A26526, and

Water Fund, in the amount of \$ 108,765.01, starting with check number F3558, and

Sewer Fund, in the amount of \$ 44,795.89, starting with check number G6560

Bay Front Project, in the amount of \$ 62,277.58, starting with check number 2017

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

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

MAYOR'S REPORT:

1. Good morning everybody! It's a sad day in Ocean Beach with the passing of Donny Cafuoco. He was a good friend and a big part of the village and our condolences to his family.

SUPERINTENDENT'S REPORT: Kevin Schelling spoke

Wastewater: Sewer plant is fully operational.

Emergency Systems and Generator systems operational fuel supplies full.

Chemical supplies are full

Sludge removal complete 9 boat loads – tank emptied

Water: Wells #2, 3 and 4 are operational

All Emergency Systems and Generator system operational with full fuel tank

Chemical supplies are full

Five (5) houses had emergency shutdowns from freezing pipes

Buildings: Renovations of apartment at 504 Bayberry Walk continue

All Buildings winterized

Heat systems operational

Boat House and public bathrooms are open and operational 24/7

Marina: Bubbling units put out on dock (one unit repaired) hoses will be installed this upcoming week and put in operation

Properties: Continue to work with Chesterfield – dock project

PSE&G power cable project

Hawkeye – pole replacements being done around the village

D&B Engineering – mapping of business district for drainage project

Streets: Finished trimming back brush on streets

First snowstorm addressed plowing and sanding

Sand supplies are full

Plowing equipment is ready

Events: Tree lighting December 11th was successful

All holiday decorations removed from Green and stored for season.

OCEAN BEACH VOLUNTEER FIRE DEPARTMENT REPORT: No report given

Mayor, we have an incident report but there's not too much activity here.

OCEAN BEACH POLICE REPORT: Chief Hesse spoke.

There hasn't been a lot going on with the Fire Dept. side. There's not a whole lot going on. It's cold outside just wanted to remind everyone there's a lot of freight on the dock, that's been there for days. The dock is not a storage facility and tickets can be written for that. We have had a lot of material stolen, taken by accident and also returned to Bay Shore for sitting on the dock too long. So, if you're expecting anything make sure you pick it up. We have nine recruits in the Police Academy and they are all doing well so you'll see some new faces this year.

ADDITIONS AND/OR DELETIONS TO THE AGENDA: NONE

STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA): Resolution No. 2022-003: Mayor Mallott moved as follows:

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

Now, therefore, it is hereby

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

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

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

RATIFICATION & APPROVAL OF PERSONNEL: Resolution No. 2022-004: Mayor Mallott moved as follows:

WHEREAS, the Village Board of Trustees is dedicated to promoting an environment of excellence and achievement which encourages the full personal development of those it serves and of those who serve the Village, and

WHEREAS, all current full-time employees have met and exceeded expectations; and

WHEREAS, an equitable pay structure with competitive salaries is essential in attracting and retaining a skilled, motivated work force, thereby increasing the level of service to our community; and

WHEREAS, all full-time employees have been affected by the increased cost of living; and

Now, therefore, it is hereby

RESOLVED that the Board of Trustees approves the following listing is hereby ratified and approved:

<u>NAME</u>	<u>TITLE</u>	<u>DEPT.</u>	<u>EFF. DATE</u>	<u>RATE OF PAY</u>
Administration Office				
Jonneigh Adrion	Deputy Clerk	A1325.100	12/29/2021	\$50.91/Hr.
Bonnie Goldberg	Clerk		12/29/2021	\$23.96/Hr.
Linda Morrisey	Deputy Treasurer		12/29/2021	\$55.66/Hr.
Jacqueline Rulon	Clerk		12/29/2021	\$24.13/Hr.
Building Department				
Michael Mandarino	Building Inspector	A3620.101	12/29/2021	\$73.85/Hr.
DPW				
Luke Dimino	Maintenance Mech	A5110/F8340/G 8120.100	12/29/2021	\$25.92/Hr.
Roland Pratt	Maintenance Mech		12/29/2021	\$27.25/Hr.
Garrett March	Maintenance Mech		12/29/2021	\$27.25/Hr.
Sal Reyes	Maintenance Mech		12/29/2021	\$29.25/Hr.
Brian Marchand	Maintenance Mech		12/29/2021	\$45.00/Hr.
Richard Stretch	Maintenance Mech		12/29/2021	\$27.00/Hr.

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

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

Mayor; As Kenny said we are trying to retain our workforce. Everyone knows what's going on in the world today and inflation rate. This is to retain our workforce and try to keep them on board and happy.

ACCEPT ASSESSOR'S REPORT 2022-2023: Resolution No. 2022-005: Mayor Mallott moved as follows:

WHEREAS, the Village of Ocean Beach's Assessor will prepare the Assessor's Report, setting the Assessments as of February 1, 2022,

Now, therefore, it is hereby

RESOLVED that the Village of Ocean Beach will accept the Assessor's Report, submitted by Paul Petruzzelli, Village Assessor, after review by Steven W. Brautigam, Clerk/Treasurer, for the year 2022-2023.

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

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

AUTHORIZE & ACCEPT PSE&G CAPITAL PROJECT: Resolution No. 2022-006: Mayor Mallott moved as follows:

WHEREAS, PSE&G Long Island LLC desires the acquisition of an underground utility easement necessary to complete upgrades to their services; and,

WHEREAS, said easement applies to the intersection know as Bay Walk and Surf View Walk at a rate of \$28.76 per cubic foot; and

WHEREAS, PSE&G is also seeking an agreement to utilize part of the ballfield for their staging area;

Now, therefore, it is hereby

RESOLVED that the Village of Ocean Beach Board of Trustees accepts and approves said agreement and easement; 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 conditions and terms of this resolution

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

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

SET A PUBLIC HEARING DATE TO AMEND VILLAGE CODE CHAPTER 106, WATER TAXI'S AND CHARTER BOATS:

Resolution No. 2022-007: Mayor Mallott moved as follows:

WHEREAS, the Village periodically reviews its codes to ensure they are up to date; and,

WHEREAS, the Village wishes to set a public hearing date to amend Village Code Chapter 106, Section 106-4 thru 106-11, Water Taxi's and Charter Boats;

Now, therefore, it is hereby

RESOLVED that the Village Clerk shall schedule and publish notice of a Public Hearings for Saturday, March 19, 2022 at 11:30AM for the purpose of considering said amendments.

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

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

SET A PUBLIC HEARING FOR H2O LIMO, INC. WATER TAXI APPLICATION: Resolution No. 2022-008: Mayor Mallott moved as follows:

WHEREAS, the Village has received an application for the issuance of a Water Taxi license to H2O Limo, Inc.; and,

WHEREAS, the Village wishes to set a public hearing date to consider the application of H2O Limo, Inc. for a license to operate a water taxi service pursuant to Village Code, Section 106;

Now, therefore, it is hereby

RESOLVED that the Village Clerk shall schedule and publish notice of a Public Hearings for Saturday, March 19, 2022 at 11:30AM for the purpose of considering said application.

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

Deputy Mayor Blake	Voted Aye
Trustee Hargraves	Voted Aye
Trustee Norris	Voted Nay
Trustee Power	Voted Aye
Mayor Mallott	Abstain

NOTICE OF TAX SALE FOR UNPAID TAXES: Resolution No. 2022-009: Mayor Mallott moved as follows:

PLEASE TAKE NOTICE that pursuant to a Resolution of the Board of Trustees of the Incorporated Village of Ocean Beach, County of Suffolk, and State of New York, passed at a meeting thereof held on the 15th day of January, 2022, the undersigned Clerk/Treasurer of the said Incorporated Village of Ocean Beach will sell tax liens at public auction, in the manner provided by law, on the 4th day of March, 2022 at 1:00 o'clock in the afternoon of that day and on succeeding days, at the office of the Treasurer of the Incorporated Village of Ocean Beach in the Village Office at Cottage and Bay Walk in the Village of Ocean Beach, New York, so much of each of the following parcels of real estate upon which Village taxes remain unpaid as will be sufficient to discharge the tax, interest and charges thereon, which may be due at the time of sale.

Each purchaser at such tax sale may pay the amount listed to the Village Treasurer within ten (10) days of the sale, and upon such payment, the Treasurer shall give to the purchaser a certificate in writing describing the real property purchased and the sum paid therefore.

The following is a list of the parcels that will have liens on the property once the liens are sold; followed by a statement of the amount of the base tax, not including applicable interest and charges:

<u>Item no.</u>	<u>Property Owner</u>	<u>Amount Descriptions</u>	<u>Amounts</u>
31280	PSEGLI Property Tax Department 999 Stewart Avenue Bethpage, NY 11714 Wires & Cables	Taxes: Advertising: Interest (13% to 3/4/2022): Total Due:	\$ 388.84 60.00 50.54 \$ 656.97
31285	PSEGLI Property Tax Department 999 Stewart Avenue Bethpage, NY 11714 Wires & Cables	Taxes: Advertising: Interest (13% to 3/4/2022): Total Due:	\$ 907.07 60.00 117.91 \$1,084.98
31320	PSEGLI Property Tax Department 999 Stewart Avenue Bethpage, NY 11714 Wires & Cables	Taxes: Advertising: Interest (13% to 3/4/2022): Total Due:	\$25,562.47 60.00 3,323.12 \$28,945.59
732090	Patricia McLaughlin & Rodger Mosconi PO Box 343 Ocean Beach, NY 11770 128-130 Bungalow Walk	Taxes: Utility Charges: Unpaid Refuse: Advertising: Interest (13% to 3/4/2022): Total Due:	\$ 6,110.55 2,466.69 514.00 60.00 1,181.86 \$10,333.10
732760	Kevin & Tricia Gold 449 12 th Street, 2R Brooklyn, NY 11215 280-281 Cottage Walk	Taxes: Utility Charges: Unpaid Refuse: Advertising: Interest (13% to 3/4/2022): Total Due:	\$4 887.73 2,300.26 514.00 60.00 1,001.25 \$8,763.24
733940	Ivan & Hanna Strong 11 Olmsted Rd Scarsdale, NY 10583 521-522 Bayberry Walk	Taxes: Utility Charges: Unpaid Refuse: Advertising: Interest (13% to 3/4/2022): Total Due:	\$5,172.42 2,339.00 514.00 60.00 1,043.30 \$9,128.72

<u>Item no.</u>	<u>Property Owner</u>	<u>Amount Descriptions</u>	<u>Amounts</u>
734020	George Kearney 17 East 96 th Street, Apt 2-B New York, NY 10128 542-543 Bayberry Walk	Taxes: Utility Charges: Unpaid Refuse: Advertising: Interest (13% to 3/4/2022) Total Due:	\$3,955.38 2,173.36 514.00 60.00 <u>863.55</u> \$7,566.29
734820	Dolores Covrigaru 13 Heathcote Dr Albertson, NY 11507-2224 736-737 Ocean Breeze Walk	Taxes: Utility Charges: Unpaid Refuse: Advertising: Interest (13% to 3/4/2022) Total Due:	\$5,969.58 2,447.51 514.00 60.00 <u>1,161.04</u> \$10,152.13
787650	Reliance Globalcom Svcs. 1801 Peachtree Street Atlanta, GA 30309 Wires & Cables	Taxes: Advertising: Interest (13% to 3/4/2022): Total Due:	\$ 55.41 60.00 <u>7.20</u> \$ 122.61

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

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

LENGTH OF SERVICE AWARD PROGRAM (LOSAP) REFERENDUM: Resolution No. 2022-010: Mayor Mallott moved as follows:

BE IT RESOLVED that the following referendum be submitted to the eligible voters of the Village of Ocean Beach at the Village Election to be held on June 3, 2022:

SHALL THE DEFINED CONTRIBUTION PROGRAM PROVIDED IN THE SERVICE AWARD PROGRAM PREVIOUSLY APPROVED BY THE VOTERS OF THE VILLAGE OF OCEAN BEACH BE AMENDED TO PROVIDE THAT THE MAXIMUM ANNUAL CONTRIBUTION TO A VOLUNTEER FIREFIGHTER'S SERVICE AWARD PROGRAM BE INCREASED FROM SEVEN HUNDRED DOLLARS (\$700.00) DOLLARS TO TWELVE HUNDRED (\$1,200.00) DOLLARS.

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

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

AUTHORIZE & ACCEPT L.K. MCLEAN ASSOCIATIES REQUEST FOR ADDITIONAL FUNDS FERRY TERMINAL PHASE III: Resolution No. 2022-011: Mayor Mallott moved as follows:

WHEREAS, the Village currently has a contract with L. K. McLean Associates, regarding the Ferry Terminal – Phase III; and
WHEREAS, L.K. McLean Associates, Inc. has requested additional funds for 2.5 months of inspections. Construction Inspection, 400 hours @ \$100/hr. = \$40,000 and Construction Administration, 50 hours @ \$175/hr. = \$8,750. The total additional funds for this request will be \$48,750.00; and
Now, therefore, it is hereby
RESOLVED that the Village accepts and approves the additional funds request in the amount of \$48,750.00, a copy of the request is on file in the Village Office, dated January 11, 2022; and
It is further RESOLVED that the Village Clerk/Treasurer and Village Mayor are hereby authorized and directed to execute the documents necessary to effectuate this resolution.

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

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

PUBLIC HEARING #1

OPENED BY MAYOR/Trustee NORRIS

OPEN TIME: 11:34 AM

CLOSING TIME: 11:36 AM

Notes: Ken Gray: This has been done numerous times in the past and is done as precautionary and simply gives us another tool in our toolbox when we do our budget review. For members of the public, it does not mean we will bust the state imposed tax cap but it gives the opportunity to do if they find it fiscally necessary. George Eastman; what is the state tax cap? Is that a percentage? Is there a limit of what can be done under fiscal necessity? Ken Gray; it's usually 2% but it fluctuates each year. Steve Brautigam; I don't have the exact number but it's probably closer to 3%. It depends on assessed value which I don't have now but ranges from 2-3%. George Eastman; Is there a limit on the override. Ken Gray No there is no override limit. George Eastman: Will there be a public hearing Ken Gray, there will be a budget hearing in March for it.

**PUBLIC HEARING – LOCAL LAW 01 OF 2022 TO AMEND CHAPTER 6, SECTIONS 6-1 THROUGH 6-5 – TAX CAP
OVERRIDE FOR 2022: Resolution No. 2022-012: Mayor Mallott moved as follows:**

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. NYSEQRA.

§ 6 - 6. 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, 2022 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, 2022 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. 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.

Section 6. Effective date

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

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

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

PUBLIC HEARING #2

OPENED BY MAYOR/Trustee HARGRAVES

OPEN TIME: 11:37 AM

CLOSING TIME: 11:42 AM

Notes: Ken Gray; this matter went before the Planning Board, they had their own meeting and applicant was heard and application was reviewed. They made a recommendation to approve. Joe Speranza is on the call, would you like to be heard? Chairman Speranza; currently at the Sandbar there are 4 large condensing units servicing the building located in the right of way ALONG THE south of building therefore obstructing access to the fire department and others. The applicant has expressed an interest to relocate the condensing units to the roof of the appendage building on the west side of building. They will be put on the roof and be screened and not seen. It will be painted out with the color of the newly renovated building and trimmed. Access from the second floor will be maintained as a fire exit. This is a win for the village, getting stuff removed from the right away always is. Mayor Mallott; thanked the planning board, Joe and Constantine and all the members. George Eastman; when the units are lifted, will there be any sound mitigation or sound baffling included in the project for vibration or noise? Chairman Speranza, units are self-contained and have it built into them.

ACCEPT & APPROVE SPA #299 – JOHN GUADAGNO – SANDBAR a/k/a ALLIGATOR REALTY, LLC, 470 DEHNHOFF WALK, OCEAN BEACH, NEW YORK: Resolution No. 2022-013: Mayor Mallott moved as follows:

The following recommendation is made to the Board of Trustees for Special Permit Application SPA#299, as submitted, as per motion made by Chairman Speranza, seconded by Member Ragusa.

WHEREAS the Village has received Special Permit Application #299, submitted by John Guadagno, Sandbar a/k/a Alligator Realty, LLC, 470 Dehnhoff Walk, Ocean Beach, NY, as the owner, and,

WHEREAS, applicant submitted a Special Permit Application to consider an alteration/construction to relocate four (4) air conditioner condensing units and site plan review with the Planning Board and Architectural Review Board; and,

WHEREAS, the Village Planning Board/ARB has reviewed said application and has received testimony from the applicant at a published public hearing held on November 20, 2021, and was continued on December 22, 2021; and,

WHEREAS, the Planning Board/ARB recommends to the Board of Trustees Approval of Special Permit #299; and,

WHEREAS, the Board of Trustees reviewed the application and took comment from the public at a duly noticed Public Hearing, held and closed on January 15, 2022; and,

Now, therefore,

RESOLVED, the Board of Trustees approves said application, as per design specifications submitted.

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

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

PUBLIC HEARING #3

OPENED BY: MAYOR/Trustee HARGRAVES

OPEN TIME: 11:43 AM

CLOSING TIME: 11:46AM

Notes: Ken Gray: Chairman Speranza this went before the planning board and you came back with a recommendation to approve. Chairman Speranza; The applicant is a real estate office. They felt they wanted to open the office so the public can see it while passing by which is not the case right now because access is from the side of the building. What they did is they proposed installing sliding doors on the front of the building and extending the porch and stairs. That was designed by Constantine Karalis, who of course recused himself from the planning board for this application. He's on the call and can answer any questions better than I. We approved it because we felt it was a good addition and well designed and in the interest of the Village. Ken Gray: anything to add Constantine or any questions. Judy Steinman, I am also a member of the Planning Board I believe we recommended there be some kind of a handrail to aid people going up the stairs. Constantine you were at the meeting and I hope that will be incorporated. Chairman Speranza it is code to have handrails on steps and will not get a building permit without it. Constantine Karalis, there are handrails incorporated in the design I proposed.

The following recommendation is made to the Board of Trustees for Special Permit Application SPA#301, as submitted, as per motion made by Chairman Speranza, seconded by Member Steinman.

WHEREAS the Village has received Special Permit Application #301, submitted by Susan McCoy, Fire Island Homes, LLC n/k/a Fire Island Luxury Homes, LLC 786-787 Evergreen Walk, Ocean Beach, NY, as the new owner, and,

WHEREAS, the Village Planning Board / Architectural Review Board has reviewed said application for change of ownership of real estate company and for an alteration/construction of new steps, relocated bench, new planter box and remove platform and site plan review; and,

WHEREAS, the Village Planning Board / Architectural Review Board has received testimony from the applicant at a published public hearing held on December 22, 2021, and,

WHEREAS, the Village Planning Board / Architectural Review Board hereby make a recommendation to the Village Board of Trustees to “Approve” Special Permit #301 application; and,

WHEREAS, the Board of Trustees reviewed the application and took comment from the public at a duly noticed Public Hearing, held and closed on January 15, 2022; and,

Now, therefore,

RESOLVED, the Board of Trustees approves said application, as per design specifications submitted.

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

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

HEARING OF THE CITIZENS:

George Eastman; I seem to be active today. I have a question about what was included in the summary report regarding the issue of the fees for the restaurants and the refund and the way it was described. How were the fees retroactively determined that they were too high and how was the fee generated as being appropriate as \$500 for two years for a business license. I bring it up in context to the rental fees. If someone rents 8 weeks in the summer at \$125 that's \$1,000 so how is the business \$500 for two years. So that's my question just a little background. Ken Gray; answered when you have fees associated with getting licenses or permits they need to be reasonably tied to the expenses associated with. The village is performing a service which includes manhours for processing, etc. obviously have a dollar amount associated with them but the fees you assign to various applications have to be reasonably tied to the expense of the village. It was alleged and argued that the fees were more than our expenses. It's not dollar for dollar. It was pointed out that some of our fees may have been too high. So, the village has made an agreement with the business and we have lowered fees to be associated with our expenses and because we were collecting such high fees for a long period of time so it was agreed that we would return some of that money in good faith. George Eastman; Did the calculations take into account regarding the last few years and the false alarms. Ken Gray; I don't believe that was part of the calculation. We have a mechanism to issue tickets for false alarms. Trustee Blake; I think where we ran into trouble was thinking too expansively around the use of a fee to deal with other issues. The false alarms are we have a specific problem and the solution is to write up repeat offenders and to summons that. That's a direct approach in dealing with that a specific problem not using other things like a permit to account for issues outside of permitting process. George Eastman, I understand, that's very clear. Given the same retroactive look to those fees or fees going forward, has there been an analysis to the recently increased per rental, rental permit. Is there a correlation with the work incurred by the village and the rental fee? Trustee Blake; at the end of the day, if you rent for one season to one family, you do one permit. George Eastman, I'm asking as a general. You just said the current analysis for the restaurant fee was done to determine the new fee. Has that been done for rental fees? For somebody in a weekly situation really gets hit, is it the same allocation of labor hours it takes for the village to do a lease reflected appropriately for the fee. Has it been done? Trustee Blake; It's a volume based thing if you're doing multiple application and permits and processing there's a cost associated to each one and we feel the rental permitting fee structure is proportionate to the amount of work being put into it. George Eastman; I was asking structurally if the same philosophy has been applied to all permitting done by the Village.

Chief Hesse; so you know the rental fees used to be \$400 and dropped down now to \$125. George Eastman; Right, I didn't start renting until recently and it was \$100 when it started now its \$125, not unreasonable just asking. Andrew Waz; can somebody write up an analysis for the business districts permits versus the rental permits so we can see it in writing what the hours and what the procedures are. Can we have that done? Trustee Blake I think we are trying to get their arms around the question. For a clerk to produce and process application there is time and energy involved; Andrew Waz; Yes for the first permit but for subsequent permits the leg work has been done initially the next one is just a rubber stamp. People tell me in the office you already had one so the next one will come quickly so there has to be a difference between and the time it actually takes to do it. Judy Steinman, I wanted to remind people in the commercial district, granting of a permit involves more than administrative it involves inspection of safety facilities, fire, smoke alarms and they are not administrative. It is physical time put in by the Building Inspector or fire inspector whoever is delegated to do it. It is

much more than just filing papers and I think we need to be reminded of that. There are safety issues involved in the granting of any permit and it's more than just a matter of time on the clock but the physical involvement of safety officials and that would be involved with the size of the fees.

Jonneigh Adrion; Being a clerk in the office, the rental permits are on a program that is generated electronically and those permits are easier to produce but they are not rubber stamp I just want to correct that. Every permit has to be review applied individually, reviewed individually and issued individually. The business permits are more laborious on the village's side as and that's why it's more expensive is because it's not produced electronically it's all done by hand and the applications are submitted in hard copy and not done electronically. I just wanted to clarify that so that everyone has the right information. Andrew Waz, so it seems the business permits are more laborious and yet less expensive that seems to be a little bit of a conundrum. Jonneigh Adrion; that's not true because we only issue one business permit per year not we don't do it every week. Rental permits are done sometimes every week I just want to clarify that. Andrew Waz; Can someone do an analysis to see what the two procedures are like so everyone can be clear. Trustee Power: Dr. Waz you just heard from the person that processes the permits what the difference is. We covered this for an hour and half last meeting. The permits are charged by what the cost is to process the permits. It's not a revenue generator for the village that's what they cost. Every rental permit costs \$125 whether you get 12 for a year or 1. Business permits are processed once a year are now bi-annually. That's why they cost what they do. We are not going to spend another 10 man hours putting together a needless survey, you just heard from the person who processes them. Andrew Waz; I just heard that they are done electronically generated. Trustee Power; What you heard was that each permit is processed individually if you'd listen to the answer to questions you asked. It was just answered by the clerk that processes them.

Patty Brahe - OBYG I wanted to thank the BOT with their help with the ferries with the ferry schedule changes last year and I appreciate their help and also for extending our license for Windswept. January is very exciting we plan our next season the dates will be June 27 – Aug. 19. I will put my email address in the notes. We will be opening registration and applications for staffing. If you know of anyone looking for a summer job, please apply.

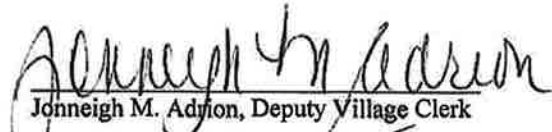
Judy Steinman; can we have an update on Stormwater Mitigation project work. The original discussion work was to begin soon. Has the project been finalized contracts been met? Where are we? Ken Gray; we are expecting a shovel in the ground in September 2022. Trustee Norris; we spent a lot of time talking about it, we've drilled down on the final design of the wetlands and pumpstation which will be below grade, the control house will be above grade. Constantine has sketched C-1 that will be going to D&B on Monday just to lock in the finalization of that plan to finalization of that plan. Most of the stuff underground will not change, with this milestone being hit we will continue with the design for RFP issuance and award with shovels in the ground on Tumbleweed Tuesday 2022. We have some issues above grade as it relates to the wagon park and tennis court to refresh and reimagine those without losing square footage for the recreational side. For all intensive purposes we are on schedule. So hopefully we won't have to put on high waders maybe mid-calf waders and George will appreciate not having to use his kayak to get to the station. Judy Steinman; do you have a cost estimate? Trustee Norris we have published the cost estimates for the past 4 or 5 years. The overall estimate for Phase I it's south of the \$12 million dollar number posted. Obviously, we have to put it out to RFP but keep in mind it is EFC funding for the most part. There is a co-pay for us but it's de-minimis but we will lay it out once we get the RFP out. I will tell you the EFC is anxious for us to spend their money and everyone on this board is excited to spend it. So, we are forging ahead. Trustee Hargraves the final iteration will be posted on the website. Judy Steinman, my request is that you keep us informed as soon as you can, I know there's no meeting in February but that does not prevent you from putting stuff on the website. Trustee Norris we will have that as well as the power point from the summer. That gives you more detail on wetlands. Other than wetland which will be foliage and the control house, everything else is below ground. You won't see other than a manhole cover.

Stephanie Cassell; thank you for the two tennis courts, as you know that's always a big one in our family. I do have a question about the right away with PSE&G right of way at Surf and Bay Walk, is that an underground right of way is there a structure going up. Also, is the ballfield staging just a temporary for the winter? Ken Gray it's an underground easement and the ballfield use will be done by May. Trustee Norris yes just a point of clarity the easement is on Surf View. It's going North no where near your house Judy. Judy Steinman; I know that I was on a webinar about the wind project and I'm very much aware of that. Mayor Mallott, the wind project? Judy, Yes sir that is why it's being done. Mayor; and Ocean Beach was a part of that webinar? Judy, The overall plan was part of the webinar and was presented by the construction people. I'll send you references if you'd like. Mayor; I'm surprised we weren't part of that. Thank you it's not going anywhere near your house just going through garbage area under the sidewalk.


George Eastman regarding the use of the ballfield, is there appropriate protections that when they are done with the ballfield they will return to us in the condition delivered? Ken Gray that's a specific condition that it's restored to its prior condition. Andrew Waz is the application for the water taxi is that exclusive is that separate from the Ferry boat contract. Is that correct, is that an exclusive contract for the water taxi. There's a pretty big development of Uber water taxi's that would offer competition and offer more of a choice for the public to take. Can that be a consideration. Ken Gray there is no exclusivity water taxi rights. Judy, don't they need landing rights? Ken Gray yes that's what they are asking for that's what the license is for basically a landing license. Judy that should answer the you just can't hire a boat and say I'm an Uber taxi at our docks. Andrew Waz; Yes, but Uber taxi would negotiate landing rights. Judy, Ok but they just can't do it willy nilly. No.

ADJOURNMENT: Mayor Mallott moved to close the meeting at 12:11 PM. Trustee Norris seconded this motion. Upon call, the following voted:

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



Jonneigh M. Admon, Deputy Village Clerk



Steven W. Brautigam, Clerk/Treasurer