



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 October 14, 2023 at the Boat House, 625-632 Bayberry Walk, Ocean Beach, New York and is also being conducted via Zoom.

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

The motion was seconded by Trustee 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 11:07AM 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 11:19 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 11:19 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

Mayor Mallott: Will you remain standing for a for a moment, please? To say a prayer for all these poor people in Israel, it's horrific. Thank you. Thank you.

APPROVAL OF MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON SEPTEMBER 23, 2023:

Resolution No. 2023-124: Mayor Mallott moved follows:

BE IT RESOLVED that the Minutes of the Board of Trustees Meeting held on September 23, 2023 are accepted as presented

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

APPROVAL OF BILLS AND CLAIM VOUCHERS: Resolution No. 2023-125: 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 \$103,348.48, for Gross Payroll from 09/20/23 through 10/03/23

General Fund, in the amount of \$18,332.28, check numbers A28280 through A28282, and

Water Fund, in the amount of \$ 1,692.96, check numbers F3845 through F3846, and

Sewer Fund, in the amount of \$ 2,512.46, check numbers G6862 through G6863

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 \$ 200,811.61, starting with check number A28283, and

Water Fund, in the amount of \$ 13,634.94, starting with check number F3847, and

Sewer Fund, in the amount of \$ 26,272.16, starting with check number G6864

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 everybody. Uh, as you can see, we're. Full court press on our and our drainage system. Um. We meet on a regular basis with the contractors. We have a time lapse camera, that can be checked every day. We're moving in the right direction. It's a lot of work, but we're pushing hard to go through it. I'm sure everybody's interested in the placement of the drains. I've asked the contractor to go around the town and draw a circle where the drains are, the 14 drains from the sewer plant to Dehnhoff and put a big D in that circle, so you'll be able to see where the drains are. Everything is being pitched. Towards the drain or away from the drain, or however they have come up with this. Uh, plan.

Trustee Levine: Uh, hey, Jim, just one question about that. Uh, no, we spoke about it in executive session, but the old concrete and the new concrete on the side streets. The old concrete will be taken away, and the new concrete will meet the new concrete going up towards. And that'll all be one part of the same system.

Mayor Mallott: We're getting rid of all the puddles, wherever it they occurred or wherever they were. We're/Our aim is to make those areas drain into a drain and get that water out of here as quickly as possible.

Trustee Levine: And they do it in Long Beach. And it does work. And just give a fact that I thought was pretty interesting. All right. Um, normally in Long Beach, when they had big rains, they would have about 60 or 70 basements that flooded. The past storm that we had like a week ago. They had four. So, because of the pumps that they have, it does work and it does get rid of the water. Thank you. Jim, sorry to interrupt.

Maria Silsdorf: So that Bunny doesn't have to yell at me. Good morning. So, does the 14 drains include the drains in those spots you just mentioned? **Mayor Mallott:** Yeah. **Maria Silsdorf:** Okay, so are they all on Main Street? Like, does that cover Midway or like, the Bungalow spot? **Mayor Mallott:** It just goes to Denhoff. **Maria Silsdorf:** Okay, so the spots that you're talking about with the concrete, that's just Denhoff East. Yes. **Trustee Hargraves:** The project area. **Mayor Mallott:** For right now.

Mayor Mallott: Okay, good. Um. Ferry Contract update. I can't say too much about it because we're still negotiating in good faith with the Fire Island ferries, but it is a contract and a lease, so I don't really want to go into the details of it, but rest assured that this board and the Village Administrator and everybody Kenny Gray and everybody is, is doing the best work that they can to make sure that we have. A respectable contract. So that's as much as I can say about it now. Um.

You'll see that on today's agenda, we have fees and fines and legislation. We've upped a lot of fees after a lot of Uh, consternation and trying to do the right thing. We've changed the fee schedule. We'll go over that. You'll be able to see. When will we have that fee schedule on the website?

Joseph DiFrancisco: Well, it's on there already. Do you mean the new one? **Mayor Mallott:** Yeah. **Joseph DiFrancisco:** Um, sometime next week, after next week. **Mayor Mallott:** So, we're not going to go over chapter and verse here with these fines. **Ken Gray:** Now there are hard copies available to the public. **Mayor Mallott:** Oh, there are already proposed the proposals. **Mayor Mallott:** Not all good. Yeah. Not the, the ones that we changed this morning. **Joseph DiFrancisco:** Yes, just this morning. **Mayor Mallott:** Look at you guys go, unbelievable. Let it be written let it be done. Yes, okay. **Trustee Moritz:** Good job Jack. **Trustee Levine:** Step up. **Trustee Arment:** Will you come to the mic? We've got a lot of people on zoom. **Joseph DiFrancisco:** I know, but just that. **David Lipsky:** The fee schedule also includes the water rates. **Trustee Arment:** No, that's not. **David Lipsky:** Part of this one. **Trustee Moritz:** No, not at this time. **Trustee Arment:** We're not ready quite yet for that. **Mayor Mallott:** We're not changing the water rates yet. **David Lipsky:** But there is a schedule of water rates and sewer usage. **Mayor Mallott:** That's the present time. We haven't gone to a new water rate yet. **David Lipsky:** Okay. Thank you.

Mayor Mallott: Um. We've been looking at the community house. There was a plan to touch up the paint. And refinish the floors. Things have gone a little south on that. We've looked at the ceiling in the community house. The whole ceiling needs to be taped and spackled. There's a lot of cracks in the ceiling. Uh, we're not sure if it's leaking from the roof. If it's leaking from the roof, I'm going to have an engineer come out and take a look at it and tell us exactly what he feels is going wrong now. That roof is 20 years old, believe it or not. Um, you know, you put a new roof on there, a 30-year roof, and put that building where it is out in the middle of the great South Bay, it's cooked every day by the sun, and then it's frozen all through the wintertime. So, I don't know what kind of shape those shingles are in. So, we're going to have an engineer look at that there's no point in painting and taping and spackling the ceiling in the community house and then doing the floor if the roof leaks. So, we're going to have to put things on hold a little bit and start at the top and work our way down. Um. A new roof on that building I would probably estimate somewhere in the \$250,000 range for a roof, and then taping and spackling inside, which is another tremendous job I would say at least another 25 grand to get that done and then another 20 grand to do the floor. So, we're looking at a lot of money, but we can only do one thing at a time, and we'll start. We're having an engineer look at the roof and tell us what he thinks. Okay. Okay uh. I think that's it, Kenny.

ADMINISTRATOR'S REPORT

Ken Gray: Alright Joe, your report. **Joseph DiFrancisco:** Yes. So, over the next few weeks in regards to the sewer project, we're going to be scheduling meetings with the owners of the businesses along the route of where this project is going to be. Along with the contractor to discuss the work that's going to be happening in front of their businesses alongside their businesses. So just want to give everybody a heads up about that. We're going to need to meet with you about some of the stuff going on out there and keep you abreast of all the work that's scheduled. Um, there is one item on the agenda, item number 11, New York State requires every village municipality to have a lactation policy for their employees. So that's why you'll see number 11 on the agenda today. And that's all I have, Mr. Mayor. **Ken Gray:** All right. **Mayor Mallott:** Okay. Thank you.

SUPERINTENDENT'S REPORT: Kevin Schelling spoke

Wastewater: Sewer plant is fully operational
Chemical & Fuel supplies are full.
Generators are tuned up and operational.
Sludge 45000 gallons removed.

Water: Wells #2, #3 & #4 are operational
All Emergency Systems and Generator system operational
Chemical supplies & Fuel supplies full.
Two old water lines shut down.

Properties: Repairs made to exterior Fire House
Ferry Terminal generator sent off Island for repairs.
Storing excess equipment in Community House

Streets: Village trash cans being stored for the winter
Banners removed from poles.

Stormwater

Project: Removed lighting and power lines
Relocate Marina shed to Village Office
Close Transient Marina
Generator throughout Village

Kevin Schelling : Just to go quickly, all three wells are operational. All fuel and chemicals are full, and both generators have been tuned up and everything's fine. There were two old water lines, we shut down another two others throughout the village. We. We are over 50% shut down with the old waterline, we brought it up according to plan. It's fully operational and it's getting inspected this week. And fuel and chemicals are full, the whole generator was tuned up and operational, and we took out 45,000 gallons of sludge and were removed and sent to the mainland. Um, village trash cans are being stored for the winter now that we're taking them off the streets most of them. The banners were taken down from the poles and the Signage around the village has been removed. Um. We made repairs to the exterior of the firehouse, and we had some shingles and rot on the bottom, and we fixed that in house. The ferry terminal generator that the portable one that's used for the police station ferry terminal was sent off to the island for repairs. Um. We're storing our excess equipment in the community house right now. That's where the courtesy carts are going to go soon, we're going to take it away from the police and put them inside. The stormwater project, we've been helping every day. Everything from removing the lighting and power lines around here to relocating Randolph's shed out here, the Marina Shed and moved it to the village office. We closed the transient Marina and put a sign out front. And otherwise, the generators for the firehouse are in. Windswept, everything was tuned up, and everything is operational. And that's it. Jim. **Mayor Mallott:** Thank you. Kevin. **Trustee Hargraves:** Thanks, Kevin.

OCEAN BEACH VOLUNTEER FIRE DEPARTMENT REPORT: 1st Assistant Chief Brennan spoke:

Peter Brennan: Morning, Mr. Mayor. **Mayor Mallott:** Good morning. **Peter Brennan:** Peter Brennan, First Assistant Chief reporting for the Fire Department. Um, to date, we've had 307 call outs. They break down into 119 for fire and 188 for rescue. **Mayor Mallott:** Wow. **Peter Brennan:** Um, our membership currently stands at 51. At the last meeting, I said we had 49 members, we actually have 51. I didn't add in. **Mayor Mallott:** Didn't count yourself. **Peter Brennan:** Well, I didn't count myself in, chief. Um. **Chief Hesse:** We don't count. **Peter Brennan:** No. We don't. Um, that breaks down into 28 for fire, 8 for rescue and 15 combination fire and rescue. Excuse me. Um, we currently have four probies. Three in fire and one in rescue.

Peter Brennan: Um, the report on the firehouse is as follows: the new beam has been put in the ridge beam on the southwest portion of the firehouse they're taping the spackling it right now. Uh. What else? They started to work on the new- **Mayor Mallott:** Are they working today, Peter? **Peter Brennan:** Are they working today? No. They're not, they don't work on Saturdays, Saturdays and Sundays are their day off. Uh. What else? **Chief Hesse:** They started digging out the footings, so. **Peter Brennan:** They started digging out the posts for the main door. So, they're working on the east portion of the south section of the firehouse which is for truck four and truck one. Um, currently we have, uh, we have truck five and truck and ambulance 16 and the firehouse, truck one is in Bay shore and truck five is still in the shop getting repaired. **Chief Hesse:** I believe we might be getting it back next week. Just so you know. **Peter Brennan:** Oh, what else? **Mayor Mallott:** Do we want it back here? **Chief Hesse:** Well, I'll tell you what the what the plan is with that. We have host testing on Thursday so we want all the vehicles here so we can test all the hose. We have some new hose we're going to put on some of the trucks. What I would like to do is trade four and five out. It sounds funny, but there are many members in the department that cannot drive four because it's a manual shift. **Mayor Mallott:** Where are you going to put it? **Chief Hesse:** We're going to put it in Bayshore with truck one. **Mayor Mallott:** Okay. **Chief Hesse:** So that is the plan that may change this coming week, but hopefully we'll have five back and in service next week.

Mayor Mallott: I haven't spoken to Laduca this week. Uh, does he have a lead time on the door? **Peter Brennan:** Uh, so the doors are still on order and they've rolled into the second portion, which was originally the main portion of the, uh, structural changes, the construction. So as those doors come in, they're going to put them in. I don't think the doors are available right now, but they're. **Chie Hesse:** They're probably a good five weeks out still. **Mayor Mallott:** So, he's leaving those two doors there on the southeast side. He's leaving them in till they're still. **Chief Hesse:** They're still functional. Yes so, like I said he just dug out the footings to see what was down there. He's doing like a little exploratory right now. He took some of the fascia and siding off some of the sheetrock inside he took off.

Mayor Mallott: What's in there? Is it metal or is it this? **Chief Hesse:** It's concrete footings on the bottom but the structure is wood. **Trustee Levine:** Are they going to be able to do the small doors, the regular bay doors, the single bay door? **Chief Hesse:** They didn't, they didn't really mention it. So, I think the majority of the project, the hard stuff, they want to get done first. **Trustee Levine:** So, all the doors are back ordered?

Chief Hesse: Yeah, yeah, yeah, they're on order. I didn't say it was back ordered, but they said they're on order. **Mayor Mallott:** All right. **Peter Brennan:** Um, yeah. The original was 4 to 6 weeks. You know, we're going into week four with the initial phase, it's reasonable to expect it to take maybe three months or longer. **Mayor Mallott:** Wow. **Chief Hesse:** Yeah. It's going to take some time. **Peter Brennan:** Yeah so we're kind of, you know, we're upside down, down there, but we're still able to respond, you know, for the volume that we typically get at this time of the year. **Mayor Mallott:** We're upside down here Pete, so don't feel alone. **Kevin Schelling:** I know the sewer plant has a fire truck and an ambulance down there. **Mayor Mallott:** Right. **Kevin Schelling:** Yeah. **Mayor Mallott:** Yeah, right. We know where they are. **Peter Brennan:** Yeah, right. It's just you know the chess pieces are moved around a little bit.

Mayor Mallott: So, we have coming up to hopefully, if not next week the week after, we will start to de-water out here. Okay, now the de-watering will go back along here to the Albatross. Then outside, the condos are going to be two settling tanks. The water will go into the settling tanks and then be pumped into the bay. Okay. They're talking about 3 million gallons of water a day. That'll go through there and those pumps will run 24/7 probably for a month at least. So, we're going to have a little problem down in this area here that we should talk about after the meeting and what we're prepared to do and what we will need to do.

Chief Hesse: We discussed yesterday when we did the walk around, just as long as we could stay on schedule with, you know, where the concrete's going to be ripped up and put down and where we could drive. And just so we can tell our drivers where and, you know, they can and cannot go. **Mayor Mallott:** Right. **Trustee Levine:** Is there a 30 day no driving on the concrete once it's poured or anything like that? Or a. **Mayor Mallott:** 30 day? No, three days, maybe three days. **Peter Brennan:** Two days? Yes. Okay. **Mayor Mallott:** 2 or 3 days. **Trustee Moritz:** Depending on the weather. **Mayor Mallott:** Depending on well, you know, these guys have heating blankets so that they'll put on the cement. They're not afraid to lay the cement in cold weather it's just water. **Kevin Schelling:** Biggest one, one hundred feet at a time. They're not one block at a time. They're not ripping up the whole main street. **Peter Brennan:** So, I mean, you know, we'll have a look and see what's happening and we'll do a size up as it happens. **Mayor Mallott:** We'll plan accordingly. **Peter Brennan:** Yeah, no fire, no two fires are the same. So that this doesn't change anything for us. Um, all right, so we have hose testing on Thursday.

Peter Brennan: On Wednesday, the Chief and I are going to the school to give a lecture to the kids on fire safety. Um. **Mayor Mallott:** Stop, drop, and roll. **Peter Brennan:** Yeah, stop, drop, and roll. **Chief Hesse:** Yeah, part of all our fire prevention. Close the door. We bought all kinds of material to hand out to the kids, coloring books and helmets and stuff. So, we're looking for some other volunteers to come down with us and help us out. I think when. **Mayor Mallott:** I think when my son was in that school, they did a stop, drop and roll. **Chief Hesse:** It hasn't changed much. **Mayor Mallott:** They do it? They still do it? **Peter Brennan:** Yeah, yeah, yeah. **Chief Hesse:** Yeah **Peter Brennan:** Don't play with matches. **Mayor Mallott:** Turn the lights down. Scare the life out of the kids. Right. **Chief Hesse:** It's all good. **Mayor Mallott:** Cool, good. **Peter Brennan:** That's it, Mr. Mayor. **Mayor Mallott:** Chief. Thank you. **Peter Brennan:** Thank you. Thanks.

OCEAN BEACH POLICE REPORT: Chief Hesse spoke

Chief Hesse: Yeah. So, you know, police department wise, things are good. Things are starting to, you know, really quiet down after Columbus Day now, um. Just prepping for the winter off season. I know we're talking about some legislation still to deal with the kids next summer. We're still working on it. I think today we came up with some ideas that I'd like to offer to the board, but we have to do that behind closed doors for now. Um, and we're ready to go, you know. **Mayor Mallott:** All right, chief.

Mayor Mallott: Thank you very much. I just want everybody to know that there is a beach renourishment program. Uh, the Fire Island to Montauk Point Renourishment program that is now moving along and hopefully we'll get some beach this year from offshore. It goes from uh, Robert Moses State Park down to Ocean Bay Park. I don't think Point of Woods is included in this. It skips Point of Woods and then goes further east. There's been some conversation that Village of Ocean Beach is holding up this project because of the jetties. That's totally false. Okay. Um, I was on the phone with Eric

Star this week, who is the New York State representative for the DEC. I asked him point blank if the jetties in Ocean Beach had anything to do with the Renourishment program, he assured me that they weren't. The money for removal of the jetties is in the FIMP program, Fire Island to Montauk Point, not the FIMI: Fire Island to Moriches Inlet. Um, he said if those jetties are still there, and they will be there on this Renourishment program they will cover them again. Okay. They'll come back when they see fit to take out those jetties. His opinion was that those jetties don't do much anymore they've never been maintained. So, what they were put there for is neither here nor there. They'll take them out when they're ready to take them out. He did say that they may not all come out. They may just be modified. Um, the DEC is pushing forward for us to get our new well over at 503 Bayberry, which is re-emerged again. The Army Corps of Engineers has revived that program, and they hope to go out to bid by Christmas for a new contractor to dig the well. So that piece of property there will hopefully contain a new well in the not too distant future when that is done the Dec says they will remove the jetties. Okay. Uh, that will be up to the Army Corps of Engineers. They'll it'll be part of their bid package to go out so that there is access for the contractor to finish the job, hopefully with the cooperation of the Fire Island National Seashore. But it's out of everybody's hands now they'll take care of it. Yes David?

David Lipsky: The original reason for not being able to remove the jetty, particularly on the one off of Denhoff, was to protect the well that's up on the beach. Wells number one and two, I think from inundation by saltwater, which would poison the aquifer. And now that we at least have one other, well, that is substantial why can we not advance the closure and grouting of those wells now? You had indicated that we have enough water in an emergency so that the issue of inundation is taken care of.

Mayor Mallott: I don't think the DEC will give us permission to do that first and foremost, because the last thing they want to do is compromise one of those wells. And that's why they're saying leave the jetties where they are until you abandon well number two. When well, number two is abandoned, then they'll come in and seal well one and well two. Okay. They're not going to take a risk the same as we shouldn't take a risk. **David Lipsky:** Well, it's if you grouted up in advance. **Mayor Mallott:** That's above my pay scale. **David Lipsky:** That's what. That's why they. **Mayor Mallott:** Maybe you would like to explain that to the DEC. I cannot. **David Lipsky:** Has there been a discussion with the about. **Mayor Mallott:** No, I haven't discussed that about it. I haven't discussed it with the DEC. **David Lipsky:** It's Eric Star is the guy that you're dealing with? **Mayor Mallott:** Yes. **David Lipsky:** Okay. **Ken Gray:** Anything else, Mr. Mayor?

Ken Gray: Mr. Mayor we have two Public Hearings. Do you want to get those over with now? **Mayor Mallott:** Yes sir.

PUBLIC HEARING #1

OPEN TIME: 11:45

CLOSING TIME: 11:58

Ken Gray: Alright do I have a motion to open the public hearing to discuss the amended fines and fee schedules, as I mentioned earlier. They were put out there and made available. **Mayor Mallott:** Copies are available, so moved. **Trustee Arment:** Second. **Ken Gray:** All in favor? **Trustees:** Aye. **Ken Gray:** Public hearing is open.

Public Hearing Notes:

Mayor Mallott: Fee schedules: we're changing the fines, we're changing the Marina rates, we're changing a lot of rates. They haven't been, hasn't been much change in them in quite a while since 2019. A few of them have gone up but we've gone across the board here and raise them wherever we feel that we can. Is everybody got a copy of the amended permit? **Trustee Levine:** Was the permit, was the fees updated on the website also so the people at home can see the updated fees? **Trustee Moritz:** Not yet. **Mayor Mallott:** Not yet. **Trustee Levine:** Okay. **Mayor Mallott:** It'll be done this week. **Trustee Arment:** Okay. There's a hand up in the zoom from Louis Esposito. Louis. Go ahead.

Louis Esposito: I'm reviewing the fee schedule. And, you know, I see that the Marina boat slip rentals increased dramatically. You know, on average of 30%. But the transient Marina fees did not increase at all, except of holiday weekends. Can you tell me, like, why you feel the homeowners should bear the brunt of that increase?

Mayor Mallott: That's incorrect because I don't know if you have the current one that we just did. **Ken Gray:** She does not. **Mayor Mallott:** You don't have the current rate. **Louis Esposito:** I just printed it this morning, so maybe there's an amended one. **Trustee Hargraves:** Yes. **Trustee Levine:** Marco is going to try to put it up to the screen so you could see where the changes are. **Maria Silsdorf:** Do you want to just read the transient Marina changes. Just answers her question. Yeah. We have an answer.

Louis Esposito: Is somebody waiting for me? I don't have the changes if you're waiting for me to read it. **Mayor Mallott:** We've just made them this morning. **Trustee Hargraves:** So, the transient fees were increased significantly as opposed to the residents don't have the exact figures Kenny's got or somebody's got them in there. Let me read them and read the numbers for you. **Louis Esposito:** And is this a proposal or is this already approved? **Trustee Hargraves:** We're approving it now. **Mayor Mallott:** We hope to approve it in five minutes.

Louis Esposito: Okay, well, while you're looking at that, looking over all of the fees, I see that it really doesn't seem like to any of the commercial, you know, the businesses, the commercial district or building fees, I don't see any of that had been increased at all. You know, golf cart applications, the application for the permit went up 66%. Other than that, there was no increase to anything. Um, the fines went up for drinking, illegal docking but I really I would love to know the numbers on how many times these fines have been issued to anybody. Public urination, littering and then moving forward on that like I said, nothing on the commercial district at all. No increases. Um, and then I'm just very surprised also that the rental permits remained the same. They didn't go up.

Trustee Hargraves: I think we think we go through this quite often is about that we are restricted as to what we can charge for a permit because it's based on the processing in the village office. So, although I may love to charge \$2,500 for a rental permit, we're not permitted to do that. We are only permitted to charge that what it costs the village, basically to process the application. Do you want me to read you the changes to the transient Marina? **Louis Esposito:** Yeah, please.

Trustee Hargraves: I'm going to read them quickly. From 45 to 80, from 50 to 80, from 80 to 100, from 80 to 160, from 150 to 220. The weekend from 80 to 120, 80 to 120, 150 stayed 150, 125 to 180, 250 to 360, 500 to 750 and 750 to 1,000. The weekly rate, the seven day one from 700 to 1800, from 600 to 1600, from 500 to 1250, and from 350 to 500.

Maria Silsdorf: Significant. **Trustee Hargraves:** Thank you to whoever gave me that. And the increase to the homeowners was significantly less at the request of this board. **Ken Gray:** Okay. Any other questions?

Maria Silsdorf: Maria Silsdorf. Um, so I have three questions. So, in the spring, when we had several situations where the dunes were violated, Marco and I and Lori Bloom on the OBA board were working on signage, and at that point we were uncomfortable stating fees because the board was going to address that. I don't see Dune fees on here, and I'm not sure that's really a village fee. **Mayor Mallott:** Well, it would be a federal, it's a federal offense being on a dunes. So, and I think what we need to do is leave it up to the feds to set those fines. **Maria Silsdorf:** Okay, so then, Marco, perhaps we could just revisit signage, because I think we still, it's the off season when people take it upon themselves to screw with the dunes. We should put those signs up now, I guess so let's revisit back. **Trustee Arment:** Yes, let's get back on that. **Mayor Mallott:** Did we get cameras up there? **Trustee Moritz:** I agree with that, we should.

Maria Silsdorf: Okay alright, so second question on this is, um, facility rentals. I know that Windswept was just rented out this past weekend for someone's private event. I know that Sabrina Cafuoco rented Windswept. **Trustee Levine:** She had a yoga retreat. **Maria Silsdorf:** She had a Yoga retreat in windswept last weekend. **Trustee Arment:** That's news to me.

Maria Silsdorf: Or perhaps I have bad information now. **Trustee Levine:** There was definitely a yoga thing there because when we had to cancel the bonfire, Teen-Swept wanted to open up and had to get permission from Sabrina. **Maria Silsdorf:** She was in there. **Trustee Levine:** To see what time she was going to be done. And she was on the calendar. **Trustee Moritz:** Yes, she had an application. **Trustee Levine:** Yeah, she was definitely on the calendar. **Trustee Hargraves:** Theirs already a fee Schedule in place. **Maria Silsdorf:** So, there's a private event, not a village event. So, is there a fee schedule for that? **Trustee Hargraves:** It doesn't have to be a village event because a homeowner is permitted to use a village building and we have a fee schedule that we, that we put together a couple of years ago actually. So, with a priority. **Maria Silsdorf:** So again, I don't I don't want to speak on the applicant's homeowner status or not, I'm not to know. But is that scheduled to be on here or is-

Inaudible microphones were muted

Trustee Hargraves: Our electric personal. **David Lipsky:** But we have water. **Trustee Hargraves:** I'm sorry they have water. When you're asking about. Why would we? We raise them like. I'll give you an example. This one went from 700 to 1800. Transient only. So, are you asking? The residents went up transient? **Trustee Hargraves:** Very little. What? **Speaker7:** The transient went up very little. **Trustee Moritz:** So no, the transient went up extremely. **Trustee Hargraves:** You don't have the right sheet and it's not your fault. We have a new sheet, and here it is. **David Lipsky:** Okay, I have it here. **Trustee Levine:** The transient Marina. **Trustee Hargraves:** No, Dave, you don't have it. **Trustee Levine:** Went up quite a bit and the transient Marina is one of those things where we're not limited on what we can

charge. **Trustee Hargraves:** Do you have from \$,1800 here? **David Lipsky:** Yeah. **Trustee Hargraves:** Okay, then that's a new one. **David Lipsky:** I thought this previous speaker said that they didn't rate transient rates. **Trustee Levine:** She's at home and she didn't have the revision that we decided on this morning. **Trustee Hargraves:** And I'm sorry, I didn't think you had the correct form, but you do. **David Lipsky:** Okay. And I understand that there's no change to the water usage fee. **Mayor Mallott:** Not yet. **David Lipsky:** No, but the old water usage fee doesn't sound like the actual rate that we've been charged since what the rate we've been being charged for water usage in the residence is based on the tax rate tax assessment. **Trustee Hargraves:** We haven't gotten to that yet. **Mayor Mallott:** That's correct.

David Lipsky: So I guess I'm asking whether when you get to it, because we've been asking for it, whether there's a rate study and whether there'll be changes to some of the line items that go into the water usage fee will review, including a conservation fee, which is what Suffolk County does in and also thinking about changing the base amount, which is like 80. According to this, up to 80,000 gallons when a typical one family residential structure occupied full time, you know, is within 60 to 70,000 gallons.

Mayor Mallott: That's why we made it 80,000 gallons. So as not to be punitive to the people who live here year-round for excess water, but. **David Lipsky:** To be accommodated in a different way. **Mayor Mallott:** Okay, thanks. **Trustee Hargraves:** Before we get together to set the water rate, either you and I will speak, or you'll come and chat with us or do it publicly. And we'll certainly take whatever you have into consideration. **David Lipsky:** Okay. Thank you. **Trustee Arment:** Jonathan Johnson. You can go ahead.

Jonathan Jossen: Hello board. Thank you for taking my questions. I'm looking under the court fines, they look pretty good here. But I'm not noticing because in the village code, there's a noise violation. Is that going to be part of the court fine? You know, noise violation because I'm noticing that, um, that the garbage and associated fines went up by \$125. But I don't notice that there's any fine for extreme noise in the village, because the village code says so. Can we address that as court fines?

Chief Hesse: Well, we address the fines that needed to be addressing noise violations in its section goes up to \$3,000 per charge as a max fine. So, there was no need to touch that one. **Jonathan Jossen:** Okay. **Mayor Mallott:** Thank you Chief. These fines are just, you know, the judge can fine up to these numbers. It's his discretion what he fines these people for court. **Chief Hesse:** Part of the issue also is to update what is a mailable fine. So, after you're issued a ticket, instead of coming to court to try to fight the charge and you just want to mail in your fine, we increase the minimum fine from 125 to the assorted fines that we have on the fine schedule now.

Jonatha Jossén: Thank you. Thank you.

Ken Gray: Any other questions? **Trustee Arment:** Not on zoom, no.

Ken Gray: Do I have a motion to close the public hearing. **Mayor Mallott:** Motion to close the public hearing.

ACCEPT & APPROVE AMENDED FINES/FEE SCHEDULE: Resolution No. 2023-126: Mayor Mallott moved as follows:

WHEREAS, pursuant to Village Code Section 64-6(A), the Village Board of Trustees shall set application fees & fines by resolution,

Now, therefore, it is hereby

RESOLVED that the Board of Trustees sets the current fee schedule as follows:

ALL PERMIT FEES ARE NON-REFUNDABLE



INC. VILLAGE OF OCEAN BEACH

Adopted 12/3/05, 4/22/06, 1/27/07, 5/19/07, 11/26/08, 3/8/08, 4/26/08, 11/1/08, 8/5/13, 1/24/15, 6/1/18, 7/14/18, 1/29/19, 10/14/2023

ALL PERMIT FEES ARE NON-REFUNDABLE

Alarm Permit Fee (Chapter 40, §40-3)				\$100.00	2023
Barbecue - Homeowner Permit Fee (Two-Year Permit) (§87-13)				\$50.00	\$100.00
Boat, Charter Landing Fee (§106-6)				\$100.00	
Water Taxi, Water Limo, Charter Boat Landing Rates				\$470.00 per linear foot	
BOAT/MARINA SLIP SEASONAL RENTAL (Chapter 59 and Chapter A168):					
Jet Ski or Up to 16 ft.:	OB Resident			\$880.00	\$1,000.00
	OB Renter			\$1,000.00	\$1,400.00
17 ft. and over:	Out of Village FI Resident			\$1,500.00	\$2,000.00
	OB Resident			\$70 per foot	\$85.00
	OB Renter			\$77 per foot	\$125.00
	Out of Village FI Resident			\$115 per-foot	\$160.00
TRANSIENT MARINA					
				2022	2023
Daily Monday-Thursday	9AM-5PM			\$45.00	\$80.00
	5PM-11PM			\$50.00	\$80.00
	11PM-9AM			\$80.00	\$100.00
	9AM-11AM			\$80.00	\$160.00
	9AM-9AM (24 hrs.)			\$150.00	\$220.00
Weekend & Holiday Rates	9AM-5PM			\$80.00	\$120.00
	5PM-11PM			\$80.00	\$120.00
	11PM-9AM			\$150.00	\$150.00
	9AM-11PM			\$125.00	\$180.00
	9AM-9AM (24 hrs.)			\$250.00	\$360.00
Friday-Saturday-Sunday	FRI.5PM-5PM SUN			\$600.00	\$750.00
	HOLIDAY FRI.5PM-5PM SUN			\$750.00	\$1,000.00
Weekly Rates (7 Days)	Length of Boat:				
	26 ft. & Up			\$700.00	\$1,800.00
	15 ft.-25 ft.			\$600.00	\$1,600.00
	11 ft. -14 ft.			\$500.00	\$1,250.00
Under 11 ft.			\$350.00	\$500.00	
Jet Ski/Dinghy Rates	9AM-5PM			\$20.00	
	5PM-11PM			\$20.00	
	11PM-9AM			\$20.00	
	9AM - 9AM (24 hrs.)			\$80.00	
NO MORE JET SKIS IN TRANSIENT MARINA					
Wrap Pail				\$15.00	2023 \$25.00

Lists/Fee Schedule



INC. VILLAGE OF OCEAN BEACH

Adopted 12/3/05, 4/22/06, 1/27/07, 5/19/07, 11/26/08, 3/8/08, 4/26/08, 11/1/08, 8/5/13, 1/24/15, 6/1/18, 7/14/18, 1/29/19, 10/14/2023

BUSINESS LICENSE FEES/PERMITS (Chapter 106)		
Alarm Permit	\$100.00	
Dining & Dancing Establishment or Restaurant License Bi-Annual Fee	\$500.00 - Bi-annually	
Market/Specialty Food Store License Fee	\$500.00 - Bi-annually	
Restaurant License Bi-Annual Fee	\$500.00 - Bi-annually	
Rooming House/Hotel Annual License Fee (Chapter 106 and 106-17)	\$100.00	1 room
	\$200.00	2 to 4 rooms
	\$275.00	5 to 8 rooms
	\$350.00	9 or more rooms
OTHER FEES:		
Photocopy	\$0.25	per page
Rental Permit Fee (Chapter 127)	\$125.00	each new Lease/Rental
Rental Barbecue Permit Fee	No charge	w/1st Rental permit (exp. Dec. 31st)
Sewer Usage Rates (Chapter 139 and 35)	\$400.00	0-80,000 gallons (Minimum)
	\$8.00 per 1,000 gallons (80,001-600,000)	
	\$14.00 per 1,000 gallons (600,001 gallons and over)	
		2023
Sewer Connection	\$500.00	\$750.00
Sewer Usage: Out-of-Village	2-1/2 times Village Sewer Usage Rates	
TENNIS RATES:		
	Priority 1	Priority 2
	<u>Residents/Renter</u>	<u>Non-residents</u>
Hourly Rates:	\$40.00	\$60.00
	Priority 1	Priority 2
	<u>Residents/Renter</u>	<u>Non-residents</u>
Seasonal Rates:	\$450.00	\$675.00
Every Saturday - 1 hour	\$450.00	\$675.00
Every Sunday - 1 hour	\$270.00	\$405.00
Any weekday - 1 hour	\$1,080.00	\$1,620.00
5 times per week (5 hrs.) Mon - Fri.		
VEHICLE, GOLF CART, EQUIPMENT & TRAILERS		
		2023
Vehicle, Application for Permit	\$50.00	\$75.00
Golf Cart / Out of Village Courtesy Cart	\$50.00	\$75.00
Special Use Cart	\$100.00	
Heavy Equipment	\$500.00	
Trailer, Chipper, Mule	\$50.00	
Lost Sticker Fee: (Chapter 156, §156-5)	\$25.00	
Vehicle, Application for Wheeled Vehicle, Other than Auto:		
Contractor Permit Fee: (Summer)	\$200.00	
ESSENTIAL Permit Fee: (Summer)	\$500.00	
Medical/Disability Permit Fee - Annual	\$20.00	
Medical/Disability Permit Fee - LIFETIME	\$100.00	



INC. VILLAGE OF OCEAN BEACH

Adopted 12/3/05, 4/22/06, 1/27/07, 5/19/07, 11/26/08, 3/8/08, 4/26/08, 11/1/08, 8/5/13, 1/24/15, 6/1/18, 7/14/18, 1/29/19, 10/14/2023

Lost Plate Fee	\$10.00	
Water Usage Rates:	\$200.00 (0-80,000 gallons Minimum \$4.00 per 1,000 gallons (80,001-600,000 gallons) \$7.00 per 1,000 gallons (600,001 and over)	
WATER CONNECTION:		2023
	\$500.00 for 1" Tap	\$750.00
	\$750.00 for 1-1/2" T	\$1,000.00
	\$1,000.00 for 2" Tap	\$1,500.00
	\$1,500.00 over 2"	\$2,000.00
WATER METER PARTS:		
Wall Cover	\$10.00	
Water Meter	\$180.00	
End Point (transmitter)	\$100.00	
5' Extension (average)	\$15.00	
10' Extension (average)	\$20.00	
Water Jetting Usage Charge During Construction: (Chapter 160)	\$500.00	2023 \$750.00
Water Jetting Usage: Out-of-Village (Chapter 160: §160-9D; §160-12)	2-1/2 times Village Water Usage Rates	
Wagon Registration Fees:		
Ocean Beach Resident Fee:	\$5.00	
Non-Resident Fee:	\$20.00	
ZONING BOARD & PLANNING BOARD/ARB FEES:		
Planning Board - Special Permit Application	\$1,000.00 - Residential \$1,500.00 - Commercial	
ZBA- Variance Application	\$1,000.00 - Residential \$1,500.00 - Commercial	
COURT FINES: - MAILABLE		2023
Drinking Offenses	\$125.00	\$300.00
Loose dog or no contrivance	\$125.00	
Illegal Docking	\$125.00	\$250.00
Bike riding and associated offenses	\$125.00	
Vehicle and associated offenses	\$125.00	
Garbage and associated offenses	\$125.00	\$250.00
Littering	\$125.00	\$300.00
Public Urination - Mail-in Fine	\$250.00	\$500.00

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 #2

OPEN TIME: 11:59

CLOSING TIME: 12:23

Public Hearing Notes:

Ken Gray: Do I have a motion to open the public hearing concerning Local Law number five of 2023 to amend chapter 96. **Mayor Mallott:** So moved. **Ken Gray:** Do I have a second? **Trustee Arment:** Second. **Ken Gray:** All in favor? **Trustees:** Aye. **Ken Gray:** Motion carries. Public hearing is open. Um this proposed amendment is to eliminate the code. It currently has a cap on the number of garbage cans you can have, um, at your residential location. It's three. Um, so I think it's been the consensus of the board that we should lift that cap and just remove it so that all the garbage gets out of here and people aren't penalized for having more than three garbage cans. Anybody have any comments?

Mayor Mallott: Which is never enforced anyway. We want the garbage off the street.

Trustee Levine: I have a couple of. I'm sorry, Jim. **Mayor Mallott:** Go ahead. **Trustee Levine:** I have a couple of issues. The first issue I have is that I see a problem whereas if we're not going to charge for excess garbage, it could affect some of the other residents. **Mayor Mallott:** We don't say that. **Trustee Levine:** Well, I'm okay. Okay. **Mayor Mallott:** We're not we're just in. First of all, I want to get the garbage off the streets. **Trustee Levine:** I understand that.

Mayor Mallott: As far as addressing to get it clean and get it in cans that'll be the Police Department's job to enforce that. That part of the code that everything is in the deer proof cans. Okay, then we'll look going forward, as we do with the water charges, we'll know better who's renting their house by the amount of water and by the amount of garbage that they're producing, so that we can hopefully find a formula that will increase your garbage bill. If you're renting to 15 people in your house a week, as opposed to you and Maria being in your house, you only need two cans a week.

Trustee Levine: Right. **Mayor Mallott:** Okay. I don't think anything will go down. **Trustee Levine:** I get that.

Mayor Mallott: Don't be looking for money back.

Trustee Levine: I'm not looking for things to go down. I'm looking for that if you're renting your house week after week and you have ten garbage cans outside, maybe adding to the rental permit, another 15 or \$20, a separate a separate fee. And then my second question around my house is a lot of rental houses. And the problem that I see there that they're having is that when they leave on Sunday, they have to be out of their house by 11:00. So, at 10:30 in the morning, everybody's putting their garbage out and it sits out all day. Whether there's deer straps on them or whatever, they still get knocked over. They still eventually will get opened. **Mayor Mallott:** That's the homeowner's problem. **Trustee Levine:** Let me finish. It is the homeowners problem and maybe we can look at changing our building code to allow the bins like they have in other communities that the garbage cans are put in and put them closer to the street. So, this way the garbage guys can just take them out of there.

Mayor Mallott: Kevin what was the setback? **Trustee Arment:** Is it just two feet back? **Trustee Levine:** It's got it's got to be back like five feet off the street garbage bin. **Kevin Schelling:** Yeah. Right off the street we own two feet.

Trustee Levine: Right. But so, you know in Seaview they have their, their, their bins two feet off the street. Maybe we can look at making it closer so this way the garbage guys don't have to go onto private property to get to the garbage cans. And then this way we don't have the messes.

Mayor Mallott: We can talk to, if we need, a building code change, we can do that to make it easier. You know, the other thing is to say, everybody needs to have a container to put their garbage in.

Trustee Levine: It's an option. It's just to keep the streets cleaner and you don't have garbage cans going all over. **Mayor Mallott:** But if I've got 15 cans, then I'm going to have to put them out. **Trustee Arment:** Yeah. **Trustee Moritz:** It's only two pails usually fit in those. **Trustee Levine:** Thank you.

David Lipsky: I can comment? **Trustee Arment:** This is a public hearing, yeah, come on up.

David Lipsky: I think this is exactly the wrong way to go. Um, we're, you know, should be a climate smart community and limit the amount of garbage that people generate. I think we can, there are a lot of communities that have solved this problem quite easily by having you have to purchase from the village, designated cans or stickers or other means to have a usage fee. Um. And I think that it would be very easy to implement that within the current garbage contract or any future contract to limit the number of cans. If you need an extra can for whatever reason, then you pay a permit fee, not a permit fee, a usage fee and get a sticker from the village and if that sticker is not on the can, it doesn't get picked up by the contractor.

Trustee Arment: David, I think that's an interesting idea, but I don't see that as mutually exclusive from this. You know, what I think we need to avoid here is right now people don't have enough cans, and then they just put their garbage in bags on the street, and then it gets torn open and makes a mess.

David Lipsky: In the future they're not going to have enough cans there. It's just, you know, we're encouraging, you know, the wide use of recyclables that are get dumped into the recyclable can and other cans and we're encouraging, you know, wastage of food waste and other things because people are, you know with multiple rooms are and 10 to 20 tenants in the house are going to generate a lot more garbage. And even though we have a problem now with enforcement and proper storage and of the garbage, if we have an unlimited number of cans, we're still going to have that problem. And it'll be, you know, just encouraging more of the weekly rental people not and the owners of those houses not taking responsibility for proper management of garbage. I think we should limit it to three and have a usage fee if you are desperate to have additional garbage removed. We could even have, you know, each house could get ten stickers for the one or two cases when they have a party or something and then you pay for it. You go to the village office; you buy a book of five tickets. **Trustee Levine:** Is it a one-time fee or is it a fee every time you use the can?

David Lipsky: It. It could be a one-time fee, would be a larger fee or a one-time use of the can. And maybe you get five free ones if you're, you know for the occasional need to go up to four cans.

Trustee Levine: Thank you. **Mayor Mallott:** Thank you.

Maria Silsdorf: Good morning, Maria Silsdorf again. So, I appreciate this because it's intended to address the short-term issue of making sure that all the garbage is in cans. Right and that the fact is that there's garbage all over the streets and we all hate it. So, I appreciate that in the very short term, I think that's necessary at this moment. But I don't think that even begins to solve the larger problem of the fact that we are on a very fragile, eco sensitive island and doing anything to encourage more garbage creation is clearly a step in the wrong direction. I also think it's wrong because as a woman who lives in her house you know, half the year and creates one can of garbage, ultimately seeing my neighbors in their rental houses and I have no objection to them renting their houses, we've had good experiences. The amount of garbage that they put out clearly dwarfs the amount of garbage I put out. And in the future, negotiations with our garbage contract, increased usage is going to cost more, and I'm going to be bearing the cost of other people's increased garbage. So, I **Mayor Mallott:** You missed a little bit of what we were saying. **Trustee Levine:** That was all said in the beginning. **Maria Silsdorf:** Okay, well then forgive my repeating it, but. **Mayor Mallott:** That's okay. **Maria Silsdorf:** But it's a public hearing, so I'm speaking my peace so, but forgive me I had to take no call if I'm being redundant.

Maria Silsdorf: Um, thirdly, I think that our issue, our efforts at recycling, which would cut down on general garbage, have been a little feeble, and I think there's a great opportunity, I've been hearing talk from my own association, the Ocean Beach Association. I know VOBEC has had a lot of conversations. There have been a lot of members of our community that have asked repeatedly for recycled pails throughout the village. I don't know, were there recycled pails in town this past summer? **Trustee Levine:** No. **Maria Silsdorf:** And I had heard several times that part of the \$50,000 give back to the chamber was going to be used for recycled pails. I believe I heard it here in a meeting. Uh, recycle pails can be placed throughout town, recycle pails can be placed on the beach. Um, bulk pickup happens a few times during the season, but it starts late and it ends early compared to other communities. There's a lot of stuff that could be bulk pickup versus Private Carter or General Garbage. So, I think there's a tremendous opportunity to improve our garbage situation. And again, I realize this is being done to prevent the garbage being strewn all over the streets, and I get it but it's really just a band-aid

as I see it, and very short term and very short minded, quite frankly. So, thank you. **Trustee Arment:** Uh, Lisa Lowe. Go ahead.

Lisa Lowe: Hi. I just wanted to talk to you all about this because I really think you're going in the wrong direction to allow for unlimited cans. But if you would actually go in and read your code, it does say it's three and one for brush and then your recycling container on a Sunday. But it also goes on to say if you need more, you can pay for having more. It's already in your code. But the thing is, you're just going to let people put out 50 garbage cans, there will be no fee received. You need to read your code because it's already covered in your code, where it says you can charge a fee for the additional cans. **Mayor Mallott:** Thank you.

David Lipsky: This is Dave Lipsky again. One other thing to consider is that I don't know that it necessarily requires the police department to be the enforcement agent. I think the village should think about appointing a solid waste management person within the building department or other who can be a code enforcement person, and someone who can ride around on a bike during the week on days when garbage is being put out and check how many cans and make sure that there you know, if the deer are knocking them over, that you photograph it and pick up the garbage and then charge the homeowner for that fee. And it could be, you know, anyone that could do that job.

Mayor Mallott: College kids.

David Lipsky: Well, and you could probably get a grant for it from the I think we identified something like that, didn't we, Joe? There was a grant for improving solid waste management. **Joseph DiFrancisco:** That, yes, I do, but I'm not sure if there was any type of code enforcement related to that, but it could be. Yeah. **David Lipsky:** But it could be. It would support the personnel for code enforcement.

Trustee Levine: Mr. mayor, I just wanted to ask you one more time. I think you said it already, but you did say that once we do this, we can then examine who's using garbage and excess garbage. **Mayor Mallott:** I think the water usage will give us a better idea of, you know, the rental houses. And, you know, the water usage is obviously going to double or triple in some of these houses, which will, should improve our budget because there will be excess water will be charged for these houses, excess sewer will be charged for these houses. And we'll be able to get a better look at garbage.

Trustee Levine: And possibly excess garbage as well. **Mayor Mallott:** Possibly excess garbage. **Trustee Levine:** So that's all something that can be looked at in the future and exactly we can also look and see who's not getting the rental permit. Yeah, that that we've been looking. **David Lipsky:** At Lipski again. **Trustee Moritz:** It could also be monitoring. **David Lipsky:** Someone could go around and just count the garbage cans. **Trustee Levine:** We've done that in the past. **David Lipsky:** Right. So, then you have a pretty good idea of the distribution of large.

Trustee Hargraves: So, I have two questions myself. How did this come about that we would be changing this? And is our collector refusing to pick up more than three pails? **Mayor Mallott:** No, he's not.

Trustee Levine: Dawn, I think I started the conversation a couple of months back. And basically, what it was, is for the past years that I've been coming to these meetings, it's always been said that whatever garbage you have, put it out. We need to get it out and off the island. **Mayor Mallott:** So, health and safety.

Trustee Levine: So, the issue was and after talking to some of my neighbors who rent their houses, they're afraid to get extra garbage cans because they're only allowed a certain amount. So, we needed to change the law to accommodate that and to show that if you have five garbage cans, you need five garbage cans worth of garbage, you need to have five garbage pails. Otherwise, the streets are becoming, you know, a mess after the deer get into the bags. **Trustee Moritz:** They'll just be putting the bags out. **David Lipsky:** So, buy five. **Trustee Levine:** Well, that's what we're trying to figure out for. Well, I think the reason why I - **Mayor Mallott:** Work out a payment method first.

Trustee Levine: The reason why I asked the mayor the question a second time was because I just needed to get it through my head that we are going to look at it in the future and if there is excess garbage, just like excess water and excess sewage and excess everything else, the people that are having the excess will be billed for it. So it doesn't penalize everybody else who's in their house that doesn't have excess.

David Lipsky: So that's part of the change, isn't it? **Mayor Mallott:** Not yet. **Trustee Moritz:** This is the start.

Trustee Levine: We first want to see what there is, but we want to get the streets cleaned. We don't want, you know, people putting bags out. We need we need it to say that you can have four garbage cans. We're not saying that you're not going to get charged for it in the future, but we're going to look at it and see what has to be done.

Mayor Mallott: I would rather have an argument. You build me too much for my garbage. Okay. How come you're charging me another \$2,000 for my garbage? That's the argument that I would rather have than have all this garbage strewn all over the place and tell people they got to go get a sticker for a can, and you can buy this can and you can do that can listen, you got too much garbage. Obviously, you're renting your ass out to 15 people. This is 15 people's garbage on a Sunday night and a Wednesday night. Okay. You've got to pay more for your garbage, this is what we're charging you now, come and fight that.

David Lipsky: Well, that's why if you have a sticker that you pay for then you can figure out, right now, you know, how much garbage you're taking off during the season. **Mayor Mallott:** We don't know how much garbage we take off.

David Lipsky: You don't know how many know of the garbage bins that have been pulled out altogether? **Mayor Mallott:** The garbage man won't give you a tonnage on garbage. That's his tick meal ticket. **David Lipsky:** He'll know how much that is, how many trips have been taken with a garbage truck. That's part of this, the, you know, basic information. **Mayor Mallott:** We've looked for tonnage for a long time. No garbage man will give us the tonnage that goes off. **Trustee Arment:** Lisa Lowe. Go ahead again.

Lisa Lowe: I would just like again to remind you all your code says three pails, one bundle, and then it goes on, you can put out more and we will charge you for the additional pails and bundles. So, you all already have that opportunity. Everybody can put out an additional pail, it says that in your code and you should be charging them for it.

Trustee Hargraves: No, the village can actually do it in what it says: charges for additional pails and bundles shall doesn't say may, shall be assessed against the property and if you don't pay it, it gets added to your tax bill. **Lisa Lowe:** Exactly, you've already got it in your code. You don't need to raise it to 15 pails or 20 pails. It says three as normal and if you want more, you're going to pay for it.

Trustee Hargraves: I think the greater concern for me is that do you think people that are renting their homes and not getting permits, or know that they're limited to three pills to begin with? **Lisa Lowe:** No. **Maria Silsdorf:** The homeowner renting the house limits themselves to three pails. That's the that's the problem Ian spoke of, so I'm sorry to butt in. **Mayor Mallott:** If you're getting \$15,000 for your home, your garbage is going to go up, your water is going to go up everything is going to go up, you're going to pay for it. So, when we get to that stage, we've got to find it the quickest and easiest way possible. I would rather somebody come and tell me they're being charged too much for their garbage.

Maria Silsdorf: Jimmy 100% agree with what you just said, and I would just suggest, since it's October 14th and we have no rentals in the next few months, rather than addressing this today and I'm not one to kick things down the road, but it would seem like you have time now to figure out what the larger, more appropriate answer is rather than passing something that, quite frankly, you've had several people who I respect and are far more knowledgeable than me say that they feel this is going in the wrong direction. So, you've said yourselves that you need a more comprehensive approach to the larger houses, with large numbers of people renting as it relates to garbage, sewer, water. And I would add illegal rentals because there's no rental permit.

Mayor Mallott: The first problem I had is a health problem. **Maria Silsdorf:** I agree with you, but it's not going to happen in the next six months. **Mayor Mallott:** I'm trying to put a Band-Aid on that. People say, oh, I can only put three cans out. I don't want that, I want everybody to be able to say, listen, here's my garbage it's in good condition for garbage. It's got a lid on it, the lids are not going to come off, I don't have a plastic bag on it that the deer just ate and it's all over the place. Okay, I can enforce what we've got, I'm working with the police department here who have issued almost 70 tickets this past summer for garbage on the streets and garbage at the houses, so we're working towards it. I think that getting rid of the three can limit. Is the way that we should go. That's my suggestion.

Trustee Arment: I think between looking at the code and what Lisa Lowe is saying, what Dawn is saying, I think we actually, the way this code is written, I think Lisa's assessment seems correct that we actually are not technically limiting it. We're just saying if you exceed three, you'll be charged. **Mayor Mallott:** But we haven't. **Trustee Hargraves:** And the collector's not refusing to pick up whether you have 1 or 15. So I don't, I understand the argument about health and safety,

but if Brownie is still picking up all of the garbage, regardless of how many you have, I think that there's a solution. I don't think that this is it.

Trustee Arment: Suzanne. Liberty. Go ahead. **Suzanne Liberty:** Hi. Can you hear me? **Trustee Arment:** Yes. **Suzanne Liberty:** Two questions. I don't know if you're aware that there's some kind of hacking going on into this meeting, and that there have been, like, just appeared again, somebody with the initials ***. A little while ago, there were some kids on a bus, and then right after that, there were some horrific slitting of throat videos. So, somebody is hacking into this meeting. Um, number one and number two, very simple question. Um, is recycling now that we're off season, being thrown into the general trash on Wednesday nights, or I guess my general question is, is recycling efforts still going on in this off season? **Trustee Moritz:** Yes. **Suzanne Liberty:** That's my question. Thank you. **Mayor Mallott:** Yes.

Trustee Arment: And then regarding the meeting: so, we have a public zoom link, that's how everybody is able to join. We have to have a public zoom link, and so what happens is people think they're being funny or whatever they think they're doing will scrape the internet and find these links and join meetings and harass them. One thing we can do is we can periodically change the link, which will make it less likely for them to harass us the way they have been doing. So that's something we'll look at for the next meeting. **Suzanne Liberty:** Thank you. I mean of all weeks it's particularly offensive. **Trustee Arment:** Yeah, I can only see a handful of them, I didn't realize that was going on in their video. So, for the next meeting, we can just turn off video, because no one can see it up here. So, there's no real no real reason for, for participants to, to have their video on. So, we'll disable that as well. Thank you. **Suzanne Liberty:** Thank you, Marco.

Trustee Levine: I think her first question was, how is the separating of garbage done during the winter differently than during the summer? Isn't it brought to a different place during the- **Mayor Mallott:** No, I don't think so, it all goes to the same place. **Trustee Moritz:** Yeah, our recycle bins it's not- **Mayor Mallott:** It's driven off, it goes off by boat. **Trustee Levine:** I was under the impression that it went to a collection point on the other side, where they then separate it. **Mayor Mallott:** We've been told that it's separated on the other side. Yeah. **Trustee Levine:** Versus during the summertime. It's separated here, and then the garbage is brought to the dump. **Trustee Moritz:** No, it's separated there. **Trustee Levine:** Even in the summer? **Trustee Moritz:** Yes. **Trustee Levine:** Okay, I stand corrected. **Trustee Arment:** All right. Lisa Lowe, go ahead. Go ahead.

Lisa Lowe: Yeah, I just wanted to respond to the lady who had just spoken. So recycling is never picked up on a Wednesday night, whether it's the summer, the spring, the fall or the winter, if you put it out on Sunday, it is collected, it is recycled. And yes, whether it is the summer, spring, winter or fall, it is always sorted over on the other side. And what maybe you guys don't know is one week they take the cardboard off and one week they take the cans off because they're at the Town of Islip and Islip only picks up your cans and plastic one week and picks up your cardboard the following week. But if you put it, if you put your recyclables out on a Wednesday, they will never be picked up, they will go into your garbage. **Trustee Arment:** Thank you. **Lisa Lowe:** Thank you.

Trustee Arment: All right, no more hands are up. Do you want to close the public hearing or? **Mayor Mallott:** Move to close the public hearing. **Ken Gray:** Okay. Do I have a second? **Trustee Levine:** Second. **Ken Gray:** All in favor? **Trustees:** Aye. **Ken Gray:** Close. Do we have a motion to adopt Local Law Number Five of 2023? **Mayor Mallott:** So moved. **Ken Gray:** Do I have a second? **Trustee Levine:** Second. **Ken Gray:** All in favor? **Mayor Mallott:** Aye.

Trustee Levine: I'm going to vote with the hopes that once we get these numbers, we're going to look at them and start charging extra for the extra garbage. So, I'll vote aye. **Ken Gray:** Okay. Um. **Trustee Hargraves:** I think that there's a better statute. In fact, I just went online now just to see what the Village of Patchogue has and there's, I think, some better language that we can, that we can use that puts the onus on the owner/renter.

Ken Gray: Okay. So, is that a no? **Trustee Hargraves:** That's a no. **Ken Gray:** Marco? **Trustee Arment:** No. **Ken Gray:** And Jen? **Trustee Moritz:** No.

ADOPT LOCAL LAW 05 OF 2023 – AMENDING CHAPTER 96 – Garbage, Rubbish and

Refuse: Resolution No. 2023-127: Mayor Mallott moved as follows:

§96-7 Charges for Collection

Number of pails and bundles allowed.

(1)
Each residence or apartment in the Residence District and each residence or apartment in the Business District shall be entitled to the collection of ~~a total of three~~ thirty-two-gallon pails and one bundle of cardboard or brush as set forth herein for any one collection day. Each commercial establishment shall be entitled to the collection of ~~a total of three~~ thirty-two-gallon pails and one bundle of cardboard or brush as set forth herein for any one collection day. ~~In the event that more than three such pails and one such bundle are put out for collection by any residence, apartment or commercial establishment on any collection day, there shall be a charge for said additional pails or bundles. In any case where any building or commercial establishment contains more than one apartment or separate business use, pails shall be marked to indicate the appropriate apartment or separate business use.~~ For the purpose of this section, a rooming house, a hotel or a commercial establishment shall constitute a single entity.

(2)
A "commercial establishment" is defined as a separate and distinct business entity, according to accepted accounting standards.

B.
The Village of Ocean Beach has determined that the cost of garbage collection shall be financed by the imposition of contractual user fees. The Village shall establish a system of user fees to determine the appropriate rates to be charged for every parcel in the Village. Such system shall be based upon the New York State Office of Real Property Services Property Classification Codes. Such rates and system shall be set as necessary from time to time by resolution of the Village Board of Trustees. Pursuant to New York State Municipal Home Rule Law § 10, Subdivision 1a(9-a), such user fees shall be placed as a direct assessment on the Village real property tax bills.

C.
The Board of Trustees from time to time shall also determine the appropriate charges for all bulk refuse placed for collection and such similar refuse which is not placed in pails. At least monthly, records of said additional charges shall be mailed to the property address and to the address of the record owner as listed on the Village tax assessment roll.

D.
Records; authorized collectors; applicability.

(1)
Records of charges shall be kept by the Village Clerk based upon the records of the Sanitation Department, which records shall be presumed correct.

(2)
Employees of the Village, or persons designated by the Board of Trustees, are the only persons authorized to collect garbage, rubbish and refuse in the Village.

(3)
Section 96-3, Recyclables, of this chapter shall be applicable to all properties located in the Business District.

E.
Charges for collection shall be assessed yearly and shall be placed as a direct assessment on the Village real property tax bills.

(1)
Charges for additional pails and bundles shall be assessed against the property, and responsibility for payment of the same shall be the obligation of the property owner.

(2)
Charges for additional pails and bundles shall be assessed yearly and shall be placed as a direct assessment on the Village real property tax bills.

F.
Charges for collections shall constitute a lien upon the real property. In the event of the failure or refusal of the owner of such property to pay any such charges when due, the unpaid amount thereof, together with interest thereon from the due date thereof, shall be included in the annual tax levy of the Village upon such property for each fiscal year, and the amount so levied shall be collected in the same manner as other Village taxes. The lien shall be prior and superior to every other lien or claim, except the lien of an existing tax or other lawful charge imposed by or for the state or a political subdivision or district thereof.

G.
Third day pickup. The Board of Trustees finds that certain properties located within the Village have a greater need of garbage collection service based upon their property classification codes, the special licenses they maintain to operate and the types of services they offer and provide. During the summer season (the Friday immediately prior to Memorial Day of each calendar year, then restarting the first Friday immediately prior to the Fourth of July and continuing every Friday

thereafter and ending on the Friday immediately prior to Labor Day of each calendar year), these properties, as determined by the Village of Ocean Beach Board of Trustees, generate substantial amounts of garbage, rubbish and refuse which the regular two-times-a-week garbage collection service is not adequate to service. The properties, thus identified, become burdened with accumulations which detract from property values and create a detriment to the health and safety of the general public and to those persons working on, in or about such properties. The Board finds that the providing of refuse collection service during those aforementioned Fridays during the summer season will enhance the value of those properties and that such an additional day of collection is a day of vital service to be provided to such properties. The Board further finds that the cost of providing said additional day of collection service shall be considered a contractual user fee and shall be imposed by the method outlined in § 96-7B of this chapter.

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

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

ADDITIONS/DELETIONS TO THE AGENDA): Resolution No. 2023-128: Trustee Levine moved as follows:

1. Delete Item #12 – Authorize & Approve Quote for Community House Floors
2. Add Item #18 – Authorize & Approve Water Taxi, Water Limo & Charter Boat Landing Rates

Mayor Mallott 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

STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA): Resolution No. 2023-129: 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 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 OCEAN BEACH LACTATION ACCOMMODATION POLICY: Resolution No. 2023-130: Mayor Mallott moved as follows:

WHEREAS, the NYS Legislature has adopted legislation which requires all New York State public employers to adopt a policy for lactation accommodations which ensures a private room, proper break time and refrigerated storage for nursing employees; and,

WHEREAS, the Village has developed such a policy, as required

Now, therefore, it is hereby

RESOLVED that the Village of Ocean Beach Board of Trustees hereby adopts the Village of Ocean Beach Lactation Accommodation Policy, and,

It is further RESOLVED that the Village Clerk is directed to post said Plan on the Village web-site and to include it in the Employee Handbook, as per the requirement of the legislation.

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

AUTHORIZE & APPROVE QUOTE FOR COMMUNITY HOUSE FLOORS:

~~WHEREAS, the Board of Trustees is in receipt of a three proposals for the sanding and re-finishing of the floors in the Community House, which are on file with the Village Clerk; and~~

~~WHEREAS, the Board of Trustees has reviewed the proposals and wishes to award the job to Cernilli Remodeling, as the lowest bidder.~~

~~Now, therefore, it is hereby~~

~~RESOLVED that the Board of Trustees hereby accepts and approves the quotes submitted by Cernilli Remodeling, in the amount of \$17,840 to be paid from line item A1621.441.~~

AUTHORIZATION TO SET A PUBLIC HEARING FOR PROPOSED NEW TREE LEGISLATION: Resolution No. 2023-131: Mayor Mallott moved as follows:

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 Environmental Commission would like to introduce and have a public hearing for new tree legislation;

Now, therefore, it is hereby

RESOLVED that the Village Clerk shall schedule and publish notice of a Public Hearings for Saturday, November 18, 2023 at 11:30 am for the purpose of creating new tree legislation.

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 WATER ASSOCIATION (NYWEA) 2023 ANNUAL SYMPOSIUM: Resolution No. 2023-132: Mayor Mallott moved as follows:

WHEREAS, it is the Inc. Village of Ocean Beach's desire to give encouragement to its employees, 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 Kevin Schelling, Superintendent of Public Works and Richard Schelling, Waste Water Plant Manager, are authorized to attend NYWEA 2023 Annual Symposium in Brentwood, NY on October 19th, 2023, costs to include \$50 class registration, to be paid from the following line items F8340.493

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

ACCEPT & APPROVE DONATION OF POLARIS ATV FOR OCEAN BEACH POLICE DEPARTMENT:

Resolution No. 2023-133: Mayor Mallott moved to table:

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

WHEREAS, the following persons and entities have offered to contribute the donations set forth below to the Village:

<u>Name of Donor</u>	<u>Item</u>
Miller & Caggiano, LLP	One Polaris Ranger XP 1000 NorthStar Edition Premium

WHEREAS, there are no terms or conditions of the donation item; 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 donated item 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 donors donation.

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

NOTES:

Trustee Hargraves: I have a question before we vote on that. Um, as this is a law firm in Suffolk County, do they have what, if any, connections do they have to the village, and have we ever hired them?

Mayor Mallott: Where'd this come from, George? **Chief Hesse:** He's a big contributor to law enforcement agencies all throughout Suffolk and Nassau. He's donated boats to the East End police departments, police cars, and actually-

Mayor Mallott: Tax write off. **Chief Hesse:** Maybe, I don't know what he does internally, but he's done this for many police departments. **Mayor Mallott:** How much is this thing worth? **Chief Hesse:** Probably close to 30, 40 grand?

Trustee Arment: Can you tell us why you need it? **Chief Hesse:** We need an in-season patrol vehicle. You know, we had mules and gem cars in the past, they're gone. You know, they expire, everything gets eaten up on the beach. And, you know our budget is tight as it is. And I budgeted for a quad and a Polaris this year, which the board turned me down for. We need it for nighttime patrolling on the beach, we have one quad left and it's on a thread. So, we need the equipment, and this gentleman is willing to donate it to us. We use it for transportation, we use it for patrol, we use it for a lot of things.

Trustee Levine: George, is it very similar to the Polaris that's being used right now by Suffolk County for their patrol?

Chief Hesse: It's small in a net, but yes. **Trustee Levine:** Thank you.

Trustee Arment: So, I'd like to speak on this for a minute. Um, you know, obviously it's hard to turn down a donation, but I'm going to vote against this and I'll explain why this is one of those three seat wide, extra-large gas powered carts.

Mayor Mallott: Like the lifeguards have? **Trustee Arment:** Yes. **Chief Hesse:** And like smaller than that. It's not a three across, it's a two across. **Trustee Arment:** You sure looked up the model. That's what it looks like a three.

Chief Hesse: It's two across.

Trustee Arment: Yeah, well, I think this village has too many of those already. I think we have to keep in mind that any vehicle that's going to be used by a village department is going to therefore be used all summer long, that's what it's for. And we need to be very mindful of how many of these we have on our streets. I think we've all been walking down the street and having to move over for one of these giant gas-powered carts that have no emissions requirements compared to

trucks. So, they pollute like crazy, they're very loud, they're very large, and I feel like getting another gas-powered cart at this stage on this island is moving in the wrong direction and goes against what this island stands for. So, I believe the correct number of these to be used by the village generally, ideally, is zero. And even though we do have some in use, I'd like to phase them out. And so, I think this can be solved in other ways with other types of vehicles, smaller vehicles and electric vehicles. So, I will fully support us giving you the budget in the future to get more appropriate vehicles. If you need quads, let's look into that. Those are smaller and you know, but the reality is, if there's another one of these giant Polaris's in the fleet, it will be going around up and down the streets all summer long, and that's too much.

Trustee Levine: George, what's the model number? **Chief Hesse:** I don't have it in front of me. I didn't know you guys were voting on it today. **Trustee Levine:** Do you have a model number?

Trustee Arment: It's in here, it's something 1000. Yeah, the Ranger XP1000 North Star Edition Premium.

Chief Hesse: It doesn't go up and down the streets as you think all day long. We use it sparingly because we understand that sometimes it's loud. You know, we make arrests elsewhere in the village other than in town. We need a vehicle that we can transport those people instead of walking them through town. You know, we had a lot of them on the beach this year, a lot of violent suspects and subjects. I can't put them on the back of a quad, you know, and tell them to hold on. You know, it's just not feasible for us. We mostly patrol on bicycles and foot because that's how we like to get along and get around. But we do need a vehicle that we could transport, you know, sometimes we have eight kids we transport them. You know, there's a lot that goes into it, we tried the electric thing years ago with the gem cars. They did not work; they lasted a season, and they burned out. The salt air killed them.

Trustee Arment: Many things have changed.

Chief Hesse: I don't want to be the test subject. You know, I know what works here. And this is what you know, kind of what we talked about, and we chose. **Trustee Arment:** In next year's budget get me a two seat wide electric version and I'll support that that. Yeah, come on up.

Tiffany Arment: In addition to that, a lot of the problems with the big electric cars is they sit idle a lot. **Trustee Arment:** The gas you mean, sorry. **Tiffany Arment:** The gas? Yeah, the gas, the big cars. They just sit there idle for a really long time while everyone's conducting business. They leave it unattended, idle running. It stinks, it's loud, it's just it's a lot. It's a lot. And there are plenty of carts that if you need to transport people from the beach to town, there's like, there's like golf carts. **Chief Hesse:** We utilize those also. **Tiffany Arment:** So, I'm just saying that there are other options. It's not like the only thing. So yeah, obviously. **Chief Hesse:** This would be used strictly by the police.

Trustee Arment: I mean, the reality is these vehicles are designed for use on farms, not on sidewalks. And we have to be very mindful. You know, the appeal of this village to so many people is it's a place that you can walk around and bike around and be free without cars and gas fumes. And the more we do to invade that with large gas-powered vehicles on our walks, the more we violate the spirit of what this place is for.

Ken Gray: Did we have a motion to accept? **Trustee Arment:** Not yet. Not yet. **Ken Gray:** All right. Any other comments from the board?

Trustee Moritz: Well, there is an electric XP Polaris Ranger. **Trustee Arment:** Yeah, there's a whole bunch of electric options now. They're lifted, they're very powerful. They fully exist, and they exist in a wide range of models and sizes. So, I think we can we I would love to support the police department's needs using a vehicle that's more appropriate for our beach.

Chief Hesse: So let me ask this. If we table this and I do more research and present something that might be more conducive to the needs and wants, I'll present it. **Trustee Levine:** So, you're not locked into this vehicle?

Chief Hesse: I'm not locked into it. **Trustee Moritz:** Oh, excellent. **Trustee Arment:** I was under the impression it was already bought. **Chief Hesse:** Oh, no no no no no. **Trustee Arment:** Oh, great. Then let's work on that.

Chief Hesse: It's just a motion to accept the donation. It wasn't, you know. **Trustee Arment:** Look, I will always champion the removal of gas-powered vehicles from this island and the replacement of an electric alternative. And I know that, I know electric alternatives don't exist for every type of vehicle we need. But for the ones that do have good alternatives that exist, we should be using them every time.

Chief Hesse: All right. So, I'll do more research. And I would like to ask the board to table it. And we'll go into the next meeting. And by then I should have something. **Mayor Mallott:** Motion to table the Polaris ATV.

Trustee Moritz: Thank you, George.

ACCEPT & APPROVE DISPOSAL OF SURPLUS JET SKI: Resolution No. 2023-134: Mayor Mallott moved as follows:

WHEREAS, the Incorporated Village of Ocean Beach owns the following equipment:

2010 Yamaha Jet Ski VIN#YAMA32880404

WHEREAS, the Superintendent of Public Works has determined that this jet ski has no present or future use to the Village; and

WHEREAS, the Village Board of Trustees has determined that this equipment has no present or future use to the Village and has determined that this equipment has no value,

Now, therefore, it is hereby

RESOLVED that the Superintendent of Public Works is authorized to execute and process such documents that are necessary to the disposal of said jet ski consistent with this resolution.

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 LONG ISLAND VILLAGE CLERKS & TREASURERS ASSOCIATION (LIVCTA) OCTOBER MEETING: Resolution No. 2023-135: Mayor Mallott moved as follows:

WHEREAS, it is the Inc. Village of Ocean Beach's desire to give encouragement to its employees, 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 Joseph DiFrancisco, Village Administrator, is authorized to attend LIVCTA's October Meeting in Port Jefferson, NY on October 19th, 2023, costs to include \$35 class registration, to be paid from the following line items A1230.472

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

AUTHORIZE & APPROVE WATER TAXI, WATER LIMO & CHARTER BOAT LANDING RATES: Resolution No. 2023-136: Mayor Mallott moved as follows:

WHEREAS, the Board of Trustees held a duly noticed public hearing on May 20, 2023 to set the fee for water taxi, water limo, and charter boats landing licenses; and

WHEREAS, the Board of Trustees would like to set the appropriate fee for a Water Taxi, Water Limo and Charter Boats landing license at \$470 per linear foot; and

WHEREAS, it has been determined that Fire Island Water Taxi, LLC operates and uses 100 linear feet of area; and

WHEREAS, it has also been determined that the applicant, H2O Limo Inc. will need 40 linear feet of area to operate in a safe environment; and

WHEREAS, for safety reasons there shall be a 20-foot minimum buffer between the two operators as discussed during the public hearing on Saturday, May 20, 2023; and

WHEREAS, each of the applicants are required to maintain the fortified dock and for the 40ft of H2O's area. The village will get a quote for that work and H2O Limo Inc. will be responsible for paying of that fortification; and

WHEREAS, the requirement for any of the operators that come into Ocean Beach for the Water Taxis, Water Limo and Charter Boats purposes, shall have insurance requirements of \$1 million per occurrence, \$5 million in the aggregate and a \$10 million umbrella policy; and

WHEREAS, it is required that should they navigate cross bay, they will need a cross-bay license issued by Suffolk County Legislature.

Now, therefore, it is hereby

RESOLVED that the rates and terms, as stated above, for Water Taxi, Water Limo and Charter Boats are approved.

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

HEARING OF THE CITIZENS:

Trustee Levine: Can I go first, Ken? I just wanted to, my name is Ian Levine and I'm a trustee. No, I just wanted to thank Northwell for stepping up today. We've always given out flu shots actually a little bit earlier in this in the off season, but our regular provider was unable to do it. Northwell stepped up and they just completed. They did over 40, they did 43 shots. Um, and they ran out of some of the over 65 shots. So, they're coming back in a couple days. They're going to give those two shots to those people because they ran out. They had 35 reservations and guess ten walk-ins or something like that. So, thank you Justin. **Mayor Mallott:** Thank you Northwell. **Trustee Levine:** Thank you, well no; thank you. Good Sam. **Chief Hesse:** They did it today, we set them up. They're good to go. Thank you. **Trustee Levine:** Northwell was unable to do it. **Chief Hesse:** And he's willing to come back and do shots for the few that missed theirs. So, Jim, if you need one, let me know the over for the 65 and over, shot Jim.

Maria Silsdorf: Thank you Ian. And thank you Good Sam, I have a couple of thank you's as well. This is Maria Silsdorf, president of the Ocean Beach Association. We conducted a clothing drive two weeks ago when there was hideous flooding. So, thank you to those that waded their way over to the clothing drive. For those of you who saw it, we had probably, um, well, we had over 100 pounds of clothes, and it was a very sizable donation that we made to Beacon Veterans Home in Bay Shore so thank you to them for taking it. And thank you to Fire Island Ferries, who quite frankly transported it across on their ferry and then repackaged it so that Beacon could easily pick it up on the mainland. So, thank you to them. Also, the OBA has partnered with the Ocean Beach Fire Department we've had a very successful food drive going on. We're interested as people close their house and in the interest of minimizing garbage and feeding people. So, we have two good objectives here. We have now collected food for three weekends, we have siphoned off some of that food to food insecure families here on Fire Island, quite frankly, as well as made a very sizable donation so far. And there will be more to the coffee center food pantry at Saint Patrick's in Bayshore. So, thank you to everyone for both of those things. So again, I'm trying to connect the dots as we always do clothing, drive, food, driveways of getting stuff off this island that doesn't result in garbage and does good, good deeds. So, thank you everyone.

Maria Silsdorf: Now, as Maria Silsdorf, I just want to mention that Kevin Schilling and Joe de Francisco, I think, are acutely aware of the fact that we had a terrible mosquito summer here. The mosquitoes were worse than ever, and I think we were all under the impression that the Vector Control from Suffolk County was spraying each week, and only through the work of Ellen and one of our residents and Richie Schelling, who called and like, really interrogated them. We learned that they weren't mosquito spraying, although we had believed they were. They were doing some sort of larva testing or something. So, um, mosquitoes carry incredible disease, everyone knows about that. Um, and I just want to make sure that we are. And Suffolk County vector control. I spoke to them after Ellen and Richie had. They admitted they hadn't had the resources, so they hadn't been doing the spraying. So, it was, we just they came and Richie had the golf cart ready for them each week, and they were here and they were doing some sort of larva testing. I do not know. I didn't know enough to even ask that question. But they were not mosquito spraying. We know that.

Chief Hesse: What was going on too is many of the residents were complaining about the spraying and if they didn't want spray. **Maria Silsdorf:** That's not what happened this year though. **Chief Hesse:** I rode with the guys one day. And they were telling me they can't spray in a certain amount of footage right in that house.

Maria Silsdorf: That's correct. But at the very end of the summer, after Richie called, they finally came out once and did one application. But during the large part of the summer, June, July and August, they did not spray. So, my point is simply, we need to get out ahead of it and we need to start setting it up. I guess they said they had not received calls from residents or the village up until that point. So, I just want to make sure we're proactive because it was a hideous season for mosquitoes. So, thank you.

David Lipsky: Just on that the Suffolk County does larva counting, they count the number of mosquitoes. It helps to trigger, and they also check for West Nile virus and other mosquito borne disease. And that triggers the start of spraying. The first step is for them to spray a larvicide which is fairly benign, it's the same type of stuff that you use in mosquito dungs. Um, but then if the problem continues, they'll go to adulticide sprays, which and a lot of people have no spray things forms, you know, that helps prevent widespread spraying. So, it does help if we alert them that there's a problem because they don't know that they're counting in Ocean Beach. I think they're counting out in Point O' Woods or in the Pines and maybe Saltaire, but we can opt for them to set up a-

Mayor Mallott: We can ask the vector control company, but again they were short staffed. They couldn't do it and as we heard here, that, you know, if there's six people on a block who don't want to spray, they're not going to spray that block. **David Lipsky:** Well, that's a problem, right? **Mayor Mallott:** Uh, if there's a health emergency Vector Control will spray. **David Lipsky:** If they find West Nile they will spray. And that will probably be aerial spraying and with the spray pack. **Mayor Mallott:** Yeah, they walk through the Summer Club.

David Lipsky: So, stepping up here Dave Lipsky again to address a process issue. Jimmy, you said that you're going to start with the de-watering, but actually the permit. While the permit in general has been approved, there is a public comment period on the permit, de-watering, that expires on October 19th. And the reason I'm concerned is that probably very few people in the audience know about that, that there is a public comment. Period. **Mayor Mallott:** We read your concern.

David Lipsky: Um, so and part of the concern is that while it is published in the Environmental Notice Bulletin, because that's a state permit that you're getting, and advertised. It's supposed to be advertised by the village in the newspaper of record, which I understand is Islip Bulletin. Most people, I think, don't read the Islip Bulletin, particularly the public notice section of it. So, I'd like to the board to consider in the future that anything that comes up for a public permit, um, where there's a public comment period that the Islip Bulletin thing be posted in a timely way on the village website so that at least residents are aware of it. One of the problems with that permit is that in order to know what the issue is, if there is any issue, you have got to go to the DEC office and is still on a part time basis, they're still have out of office time periods. You know, so I called the state and got from the state the documents that are associated with the dewatering permit. But that's difficult to do and so that type of information should at least be held in the village office so that people can look at it in the village office. So, I think our process and transparency of information for public comment should be improved a little bit. **Mayor Mallott:** Thank you. **Trustee Arment:** Thank you. Jonathan Johnson, go ahead. Hold on. All right. How about now?

Stephanie Jossen: Hi there. Hi, it's Stephanie Jossen. This is regarding the ferry schedule, we moved to a 7:30 boat when the schedule changed. And for those of us who commute by trains, it's a very tight connection. Even requesting a ten-minute slide to maybe a 7:40 or an 8:00, would just make things a lot easier and less chaotic, especially with it being the last ferry. And I'd also like to say last night, because I was on that boat with only a ten minute. I know ten minutes is more than enough to get there, but it is a ten-minute window and I called ahead, and the captain was actually waiting in the parking lot for the David's van. And he was very kind and just wanted to commend them on that level. But a request for a ten-minute, fifteen-minute, half hour, whatever it is differential also to give Seaview residents who might miss their ferry an opportunity to take the boat. It's not a big ask, it's just a logical move. And I think Jonathan has a question, too.

Jonathan Jossen: This has to do with what the chief was asking for. I fully support, you know, he definitely needs a vehicle to get around and get around quickly. We did have that large issue at the beginning of the season, at the end of the

season with all these kids there. But the real interesting thing, Marco, is there are other gas-powered vehicles that are being used by residents because there's one on my block at Surf Road. That's number one. Number two, it seems every contractor has 3 to 5 vehicles, so it seems the permits are given out way too inexpensively for them to have so many permits. I see gardeners with five permits. I mean, so maybe we're talking about congestion in too many carts on the street. Maybe we should start with that and not have everybody. I mean, I see people that don't even need carts get a cart because they're in contracting or something. I've been out here for a long time, and I could see who needs them and who doesn't. Why don't we start that way to get the carts off? I mean.

Trustee Arment: I actually very much agree with you on that. I think these are multiple problems. You know, it's easy for me to be up here and say, I don't really want the, you know, a village department to have one more. It is a harder thing, I think, especially politically, because not everybody agrees with this, but it is a harder thing and something that I would love to phase out, both extra wide carts, the ones that have three seats across that are wider than a standard golf cart, and also all gas-powered carts. I would love to phase those out village wide. That's that just it takes a little bit more, you know, going around and talking to people, trying to figure out if and how I could possibly get that done, but that is absolutely spoiler alert, something I want to do and possibly soon. What I would propose for that, ideally this is just, you know, off the cuff here so forgive me for any omissions or anything, but what I would propose for that is I think if you already have one, you can keep it for the rest of its life, but no new ones would be allowed to be registered. And then we would phase them out, you know, gradually that way. I would love to get that done. And then for all gas powered and extra wide carts.

Trustee Levine: During the summer, there are no gas-powered carts allowed. **Trustee Arment:** That's true, except for all the village ones that drive up and out. So that's again different issues, but addressing the same problem. **Trustee Levine:** I don't think the village has. I think the fire department does and the police is talking about it. **Mayor Mallott:** Lifeguards and the lifeguards. **Trustee Arment:** Yes, Police, fire and lifeguards all have them, and they're all used pretty heavily. **Mayor Mallott:** Those gas-powered vehicles come under the same restrictions as motor vehicles. **Trustee Arment:** Except for the emission standards, they really don't. And noise. And I think- **Chief Hesse:** For the Village code, they are exempt. But yeah, that's something I'm sure you're going to revisit. **Trustee Arment:** Yeah, long term I would love to phase them all out, but you know you've got to start somewhere.

Jonathan Jossen: No, but I'm talking I mean I was going on to the next level. I mean I'd love to, I guess I'll have to FOIL it, how many how many carts are out there by contractors, I mean electric. I'm just talking about electric carts, I mean, there's got to be over 150 carts out there. Every contractor has 3 to 5 carts. The gardeners all have 3 to 5 carts. And you're always pulling over all the time. I mean, how do we regulate how many carts a business can have? I mean, because it is, you know, we now allow bicycle riding all the time, which is wonderful. Well, you know, maybe that's got to happen, but there are just too many carts out there. How do we regulate that?

Mayor Mallott: Most of the cards that you see driving around all summer are restricted in the times that they can drive. First and foremost, and secondly, they are Essential Service. Essential Service electric, Essential Service plumbing and Essential service HVAC and refrigeration. So, they're essential service people, they do need three carts. There's a lot of people here and a lot of stuff going wrong. If your fridge goes out, you don't want to be told there's nobody that can drive a cart over to your house. We can't get there today because the guy's driving around on a bike like we used to drive around on a bike. You know, there's a lot of people here. There's a lot of things that need to be taken care of immediately. And that's why they're called Essential Service. So, there are quite a few of those, I would say probably Essential Service twelve. **Chie Hesse:** There's a few, yeah.

Mayor Mallott: It looks like a lot of golf carts, but it really isn't for the amount of people that empowers to where there's no driving. There's no driving when the kids are going to camp. There's no driving when the kids are coming home from camp. There's a small window of opportunity to pick up freight in the middle of the day. And then, I think, restricted again at 3:30 onwards to go to the boat. **Trustee Arment:** Yeah, but Jonathan, I fully agree. If we can minimize all cart traffic, that's also a goal that we should have. Because look, you see me out there walking my dog all the time. I really get annoyed when I have to keep moving over for carts. Some of them are essential, though, and so it's a matter of finding that balance. But I'm absolutely up for exploring it and seeing where we can save some.

Mayor Mallott: You know, there's no construction here in the summer, so there should be no construction carts on the walks.

Trustee Levine: Peter, just state your name. Go ahead. **Mayor Mallott:** Pete. I'm sorry. **Peter Brennan:** Peter Brennan, I'm a contractor and I'm also a gardener, as Jonathan describes it. I have one electric golf cart, I have permits for two golf carts, but I have one electric golf cart. And I haul as much as contractors when they're building houses, so it's not 3 to 5. You mentioned it 2 or 3 times. It's inaccurate. And I agree with Marco, and we'll be happy to use only electric in the future. And there are gas carts that have been used, but I've got one, I have one and many guys have one. Thank you.

Mayor Mallott: You know back in the day, that's all there was, you know. And now times are changing and things are changing all the time. Is an electric vehicle, you know, able to do what a gas-powered vehicle is? **Trustee Arment:** Yes, very much so. **Mayor Mallott:** Marco says yes, it's a little more expensive, but. **Chief Hesse:** I want to drive your vehicle. Marco. **Trustee Arment:** Come on over. **Chief Hesse:** I want to show you what we do. **Trustee Moritz:** It's wonderful. If I may, can I revisit David's comments about us not posting about the DEC, it did go up on our website on October 2nd and it did- **David Lipsky:** I went to the Village office asked about it and then it went up. **Trustee Moritz:** It's dated. It's dated October 2nd. **Trustee Arment:** All right, there's no more. Hands up. **Mayor Mallott:** Motion to close. **Trustee Arment:** So moved. **Trustees:** Aye.

ADJOURNMENT: Mayor Mallott moved to close the meeting at 12:55 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



Jacqueline Rulon, Deputy Village Clerk