



**INCORPORATED VILLAGE OF OCEAN BEACH**

Minutes of the Meeting of the Board of Trustees of the Incorporated Village of Ocean Beach, Suffolk County, New York held on January 9, 2021 at the Village Office, 315 Cottage Walk, Ocean Beach, New York. Meeting is being conducted in accordance with Executive Order 202.1, as extended - via Video/Teleconference.

EXECUTIVE SESSION: Mayor Mallott moved to go into Executive Session at 10:01AM via Webex from the Village Office, for the purpose of discussing personnel, contracts and pending litigation.

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

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

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

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

GENERAL SESSION: At 11:18 AM, Mayor Mallott moved to open General Session. Trustee Norris seconded this motion. Upon call, the following voted:

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

Following the pledge to the Flag and Roll Call at 11:19 AM:

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

APPROVAL OF MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON DECEMBER 12, 2020: Resolution No. 2021-001: Deputy Mayor Blake moved as follows:

BE IT RESOLVED that the Minutes of the Board of Trustees Meeting held on December 12, 2020 are accepted as presented

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

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

APPROVAL OF BILLS AND CLAIM VOUCHERS: Resolution No. 2021-002: Mayor Mallott moved as follows:

BE IT RESOLVED that bills and claim vouchers, already paid be approved as submitted and as follows:  
General Fund, in the amount of \$177382.23, for Gross Payroll from 12/02/20 through 12/28/20

General Fund, in the amount of \$44,223.74, check numbers A25513 through A25535, and  
Water Fund, in the amount of \$4,857.55, check numbers F3395 through F3402, and  
Sewer Fund, in the amount of \$6,145.72, check numbers G6379 through G6384

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

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

#### MAYOR'S REPORT

1. Good morning everybody. We have some sad news, Ed Mooney the original owner of FI Ferries died at the ripe old age of 91 years old. He was a good man and will be missed.
2. The DOT program for new bulkhead by the tennis courts, had some issues with COVID so they are rescheduling for the end of the month. They are not worried about the timeline and we don't see any issues.
3. The new Well project at 503 Bayberry is moving slowly. We are having a telephone conference. There are no shovels in the ground yet as we are trying to figure out how to put outflow pipe on Bayberry. We are conscious of timeline.
4. We have two Public hearings today for water mains/meters and tax cap override, just in case we need for something unforeseen
5. We are waiting for a permit from DEC for crossovers on Bayberry, Cottage and Ocean Breeze. It's very slow process, as soon as we get it we will start at Bayberry. We have the lumber and crew ready. The 3' knee wall will not be included at this time.
6. We are going through water meter installation inspections.
7. Inoculation's have been done for a lot of fire dept and we are going through police next. I had mine and Steve is having his today. Maintenance Dept has also gotten vaccines. Hopefully we'll all be done by end of January.

#### SUPERINTENDENT'S REPORT:

Wastewater: Sewer plant is fully operational.  
Emergency Systems and Generator systems operational fuel supplies full.  
Planted inspected by Suffolk County Health Dept. - passed  
Final inspection of plant of by contractor and engineers for plant modifications has been completed

Water: Wells #2, 3 and 4 are operational  
All Emergency Systems and Generator system operational with full fuel tank  
Continuing water meter installation of Village owned properties  
Four houses shut off due to freezing  
New water taps installed (4" & 2") for Blue Waters building  
Well #5 meeting with engineers for start of project on Bayberry.

Buildings: Furnace at apartment building repaired and modified  
Furnace room painted and cleaned

Streets: Sanding and plowing of ice and snow addressed (1 major storm)  
Continuing cleaning of street from flooding  
PSEG fixing streetlights from storms

Properties: Bubblers system units put out if needed for Marina

Miscellaneous: Holiday Decorations taken down and stored

#### OCEAN BEACH VOLUNTEER FIRE DEPARTMENT REPORT: Chief Levine spoke

We have 35 members that have been vaccinated. I'll be getting my second shot on Jan. 23<sup>rd</sup>. There will be shots available. We had 158 EMS calls and 162 fire calls, it's the first time we had more fire than EMS. 87 of the EMS calls were in ocean beach, that means we had 150 calls that were outside our district. We have one member in an EMT class and 7 members will be certifying as interior firefighters. When we did the Santa Claus run, we found out there was someone living in Ocean Beach that we weren't aware of. Please call the police or village office to let them know you are here and if you have special needs. There are times that you may need help and we'd like to find you quicker. Mayor; Ian, thank you for your work on getting everyone inoculated, thank you very much. Chief Levine: Jim, is it true you cried when you got your shot? lol

#### OCEAN BEACH POLICE REPORT: Chief Hesse

Happy New Year everybody. I'm also going to jump on what Chief Levine said, about contacting us and letting us know you are here. We are here if you need anything. We answered 500 calls for the police dept and wrote 300 tickets last year, which is not a lot for us. There's been a couple of broken pipes and some flooding in town. We are still moving forward with police reform. It's all available to review and comment, on the Village website (villageofocbeach.org). All your concerns and emails will be compiled and reviewed by a future committee. All the policies are online, the handbook from NYS, there's a lot of information there that's needs to be gone over by a committee but I'm here to answer any questions that anyone may have.

**ADDITIONS AND/OR DELETIONS TO THE AGENDA: Resolution No. 2021-003: Mayor Mallott moved as follows:**

- 1.) Add Notice of Tax Sale for Unpaid Taxes, as item #12 to the Agenda

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

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

**BUDGET MODIFICATIONS: Resolution No. 2021-004: Mayor Mallott moved as follows:**

<b>20-21 BUDGET MODIFICATIONS</b>		
<b>GENERAL FUND</b>		
<b>To:</b>	<b>Description:</b>	<b>Amount:</b>
A0.1910.FDV	Fire Department Policies	\$ 876 .00
A0.3120.104	Seasonal Officers	\$ 67,300.00
A0.3120.200	Equipment	\$ 600.00
A0.3410.200	Equipment	\$ 1,000.00
A0.3410.201	Turn Out Gear	\$ 2,300.00
A0.3410.441	Equipment Maintenance	\$ 400.00
A0.3410.495	Support	\$ 28,000.00
A0.7140.494	Uniforms	\$ 100.00
	<b>TOTAL:</b>	<b>\$ 100,576.00</b>
<b>From:</b>	<b>GENERAL FUND</b>	<b>Amount:</b>
A0.1910.UMB	Umbrella Insurance	\$ 876.00
A0.1990.499	Contingency	\$ 67,300.00
A0.3120.441	Repair Equipment	\$ 600.00
A0.3410.461	Building Maintenance	\$ 3,300.00
A0.3410.440	Boat Maintenance	\$ 400.00
A0.3410.491	Installation Dinner	\$ 28,000.00
A0.7140.411	Supplies	\$ 100.00
	<b>TOTAL:</b>	<b>\$ 100,576.00</b>
<b>To:</b>	<b>WATER FUND</b>	<b>Amount:</b>
F0.8340.442	Vehicle Maintenance	\$ 1,000.00
F0.8340.446	Equipment Maintenance	\$ 4,000.00
F0.8340.461	Plumbing Supplies	\$ 2,000.00
	<b>TOTAL:</b>	<b>\$ 7,000.00</b>
<b>From:</b>	<b>WATER FUND</b>	<b>Amount:</b>
F0.8340.444	Yard Maintenance	\$ 7,000.00
	<b>TOTAL:</b>	<b>\$ 7,000.00</b>
<b>To:</b>	<b>SEWER FUND</b>	<b>Amount:</b>
G0.8120.442	Vehicle Maintenance	\$ 2,000.00
	<b>TOTAL:</b>	<b>\$ 2,000.00</b>
<b>From:</b>	<b>SEWER FUND</b>	<b>Amount:</b>
G0.8120.445	Motor Repair	\$ 2,000.00
	<b>TOTAL:</b>	<b>\$ 2,000.00</b>

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

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

**ACCEPT ASSESSOR'S REPORT FOR 2020-2021: Resolution No. 2021-005:** Mayor Mallott moved as follows:

WHEREAS, the Village of Ocean Beach's Assessor will prepare the Assessor's Report, setting the Assessments as of February 1, 2021,

Now, therefore, it is hereby

RESOLVED that the Village of Ocean Beach will accept the Assessor's Report, submitted by Paul Petruzzelli, Village Assessor, after review by Steven W. Brautigam, Clerk/Treasurer, for the year 2021-2022.

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

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

**ACCEPT AND APPROVE RECORD OF ACTIVITIES FOR NYS RETIREMENT SYSTEM: Resolution No. 2021-006:** Mayor Mallott moved as follows:

WHEREAS, the Village previously adopted a Standard Workday and Reporting Resolution on March 24, 2018, designating standard workday hours for employees; and

WHEREAS, the NYS Retirement System requires a Record of Activities for Mayor, James Mallott and Judge, William Wexler for a three month period; and

WHEREAS, the following lists the results of Record of Activities submitted.

Name	Social Security #	NYSLRS ID	Title	Current Term Begin & End Dates	Standard Work Day	Record of Activities Result	Not Submitted	Pay Frequency	Tier 1
<b>Elected Officials</b>									
James Mallott	-XXXX		Mayor	7/2/2018-7/4/2022	6	25.78	<input type="checkbox"/>	bi-weekly	<input type="checkbox"/>
William Wexler	-XXXX		Judge	7/2/2018-7/4/2022	6	2.41	<input type="checkbox"/>	semi-Annually	<input type="checkbox"/>

Now, therefore, it is hereby

BE IT RESOLVED that the Village hereby accepts the Record of Activities submitted by Mayor Mallott and Judge Wexler, to be posted for 30 days and filed with the NYS Retirement System.

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

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

**NOTICE OF TAX SALE FOR UNPAID TAXES: Resolution No. 2021-007:** Mayor Mallott moved as follows:

PLEASE TAKE NOTICE that pursuant to a Resolution of the Board of Trustees of the Incorporated Village of Ocean Beach, County of Suffolk, and State of New York, passed at a meeting thereof held on the 9th day of January, 2021, the undersigned Clerk/Treasurer of the said Incorporated Village of Ocean Beach will sell tax liens at public auction, in the manner provided by law, on the 5th day of March, 2021 at 1:00 o'clock in the afternoon of that day and on succeeding days, at the office of the Treasurer of the Incorporated Village of Ocean Beach in the Village Office at Cottage and Bay Walk in the Village of Ocean Beach, New York, so much of each of the following parcels of real estate upon which Village taxes remain unpaid as will be sufficient to discharge the tax, interest and charges thereon, which may be due at the time of sale.

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

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

<u>Item no.</u>	<u>Property Owner</u>	<u>Amount Descriptions</u>	<u>Amounts</u>
31280	PSEGLI Property Tax Department 999 Stewart Avenue Bethpage, NY 11714 Wires & Cables	Taxes: Advertising: Interest (13% to 3/6/2021): Total Due:	\$ 528.29 60.00 <u>68.68</u> \$ 656.97
31285	PSEGLI Property Tax Department 999 Stewart Avenue Bethpage, NY 11714 Wires & Cables	Taxes: Advertising: Interest (13% to 3/6/2021): Total Due:	\$1,232.41 60.00 <u>160.21</u> \$1,452.62
31320	PSEGLI Property Tax Department 999 Stewart Avenue Bethpage, NY 11714 Wires & Cables	Taxes: Advertising: Interest (13% to 3/6/2021): Total Due:	\$18,475.51 60.00 <u>2,401.82</u> \$20,937.33
734020	George Kearney 17 East 96 <sup>th</sup> St. #2B New York, NY 10128 542-543 Bayberry Walk	Taxes: Utility Charges: Unpaid Refuse: Advertising: Interest (13% to 3/6/2021): Total Due:	\$4,492.80 1,639.00 528.00 60.00 <u>865.77</u> \$7,585.57
734820	Dolores Covrigaru 13 Heathcote Drive New York, NY 10011 736-737 Ocean Breeze Walk	Taxes: Utility Charges: Unpaid Refuse: Advertising: Interest (13% to 3/6/2021): Total Due:	\$ 6,780.68 1,639.00 528.00 60.00 <u>1,163.20</u> \$10,170.88
735290	Baby Breeze Enterprises, II LLC Toby & Annmarie Romano  840-842 Evergreen Walk	Taxes: Utility Charges: Unpaid Refuse: Advertising: Interest (9% to 11/30/2020): Total Due:	\$11,531.52 1,639.00 528.00 60.00 <u>1,780.81</u> \$15,539.33
787650	Reliance Globalcom Svcs. 1801 Peachtree Street Atlanta, GA 30309 Wires & Cables	Taxes: Advertising: Interest (9% to 11/30/2020): Total Due:	\$ 55.41 60.00 <u>7.20</u> \$ 122.61

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

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

**PUBLIC HEARING #1:**  
**OPENING TIME: 11:38 AM**  
**CLOSING TIME: 11:40 AM**

Public Hearing Notes:

Ken Gray explained that this is being done, as it is every year, in the event we need to bust the cap but it was not needed last year as we stayed under the cap. Trustee Norris expressed his support, although I don't anticipate having to use it. Susan Lucks: If there were ever a year to not go above the cap, 2021 should not be the year. People are having a very hard time.

**#1 PUBLIC HEARING – LOCAL LAW 01 OF 2021 TO AMEND CHAPTER 6, SECTIONS 6-1 THROUGH 6-5 – TAX CAP**

**VERRIDE FOR 2021: Resolution No. 2021-008:** Mayor Mallott moved as follows:

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

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

Chapter 6

**REAL PROPERTY TAX LEVY LIMIT OVERRIDE**

§ 6 - 1. Legislative Intent

§ 6 - 2. Authority

§ 6 - 3. Tax Levy Limit Override.

§ 6 - 4. Severability.

§ 6 - 5. NYSEQRA.

§ 6 - 6. Effective date.

Section 1. Legislative Intent

It is the intent of this local law to allow the Village of Ocean Beach to adopt a budget for the fiscal year commencing June 1, 2021 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

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

Section 3. Tax Levy Limit Override

The Board of Trustees of the Village of Ocean Beach, County of Suffolk, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2021 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

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

Section 5.

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

Section 6. Effective date

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

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

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

**PUBLIC HEARING #2:**  
**OPENING TIME: 11:41 AM**  
**CLOSING TIME: 12:09 AM**

Public Hearing Notes: We have been distributing water meters and plumbers have not been diligent about returning the paperwork. This information is critical as it needs to be entered into the system. Please contact your plumbers to make sure they completed the task. The village has installed new waters main and not everyone has connected to them. You need to get connected. This local law addresses the urgency by setting fines as of May 31, 2021. There will be an assessment of a fine of \$10 a day that you can pay or it will attach to your tax bill, if you don't install.

Mayor: Once the paperwork is submitted by the plumber the village will inspect the installation and then it will be added to the computer. Maria: Can you share which numbers have been completed. Steve Brautigam: There have been 541 picked up and 335 confirmed installed. The outstanding majority is paperwork. We need about 607 meters in total but this has been going on for a couple of years. We'd like to start looking at numbers June 1<sup>st</sup>. Mayor: We need to look at the usage. Maria: Is there a list of who has and who has not done the meters? Steve; yes we have a list and we have been sending out letters and making contact. We can detect immediately if you're using large amounts of water and can tell if there's any leaks. It's a sophisticated system and you can look at usage on your phone. Maria; Can we have the list? David Lipsky: If the houses are closed, why doesn't local law say you cannot open the water without installing the new meter. Trustee Norris, I don't believe we have the time to do that. Tell your friends that the meters need to get done, we are doing what we can by implementing a penalty to induce people to do it. This is the first mechanism we can take. Ann Moltz; I was curious if the letters let the people know the plumbers haven't submitted the paperwork. Steve; We have reached out to the plumbers and they have the lists, they are aware. Andrew Was; Why isn't the plumber paying fine? It's not my fault, there's no incentive for plumber to send paperwork. Steve; It's a contract between homeowner and plumber. Andrew Was: It can't be on the shoulders of the resident. Ian Levine; The Blue Waters is waiting for new mains and the Village is in the process of ripping up concrete on Dehnhoff. Kevin said he installed it the other day. Andrew Was: why aren't we doing a December deadline? Mayor; we have been trying to do this for two years, we have to install the meters in order to use the well. Your comment is irrelevant, you have to get this done. Once we turn on the new system, if you're not connected you will not have water. You have had ample time to get these installed. This is an incentive to get this done. Dana Swinsky: I have had a meter installed but have no idea if plumber sent int paperwork, will we get a letter of approval. It seems it would be easier if the village notified the homeowners. Maria, if I understand the response, you directed me to get a list from Kara and I'll get a spreadsheet. Lisa Lowe: I'm not trying to difficult but if the original date was Dec. 2019, why did it take another full year to take action? Steve; The reason for the extension was COVID and the plumbers were overwhelmed. Ken Gray; there was a delay on the software as well. David: what about the out of village and school do they have meters yet? Steve; Yes the school has hooked up two meters. The out of village users are under same guidelines that they have to hook up. We are doing everything we can to notify the people. The end game is to get this done. George Eastman: Question about the situation on Surf View. Ken we are in a public hearing regarding the water meters. Lisa Lowe; Should you make fines higher? Billy Jean house on Cottage; I've talked to two plumbers and haven't been able to get it done. There's a very limited number of plumbers. Steve: If you want to call the office we can give you some plumbers names. Trustee Blake: I don't know how many of the folks on the phone but I incorporated the install into my close down process and it was relatively turn key. I'm surprised to hear there's so much friction with the plumbers. Mayor; Some are more complicated because they need to move over to the new line. They need to push their plumbers. Peace with my Plumber. Andrew Was; Maybe because you are a Trustee it was so turn key. What type of authorization do you need to do that water line? Mayor, you can put the pipe in. You can dig the hole but you cannot connect to the water main, it must be a licensed plumber.

**#2. PUBLIC HEARING LOCAL LAW 02 OF 2021 ADOPTING AMENDEMENTS TO CHAPTER 160 OF THE VILLAGE CODE – WATER AND WATER METERS FINE/PENALTY: Resolution No. 2021-009: Mayor**

Mallott moved as follows:

**WHEREAS**, The Village of Ocean Beach (the "Village") has completed the task of replacing the water mains through-out the Village; and,

**WHEREAS**, the Village desires to abandon the old water mains; and,

**WHEREAS**, the Village has invested a lot of time, effort and money to ensure that the Village can supply clean, potable water to the Residents and commercial establishments of the Village; and,

**WHEREAS**, the Village wants to ensure that all residents and commercial establishments are connected to new water mains and that each residence and commercial establishment has a new meter installed by a certain date; and,

**WHEREAS**, the Village needs a method to enforce non-compliance,

**BE IT THEREFORE ENACTED**, by the Board of Trustees of the Incorporated Village of Ocean Beach, as follows:

**Section 1.** Chapter 160 of the Village Code, entitled "Water", is hereby amended as follows:

...

§ 160-3. Alterations to mains.

A. No person shall make any attachment to or connection with any of the pipes or mains of the Village or make any repairs, additions or alterations to the service pipes, from and including the curb stop to the meter, unless he is an employee of the Village or a person or corporation authorized to do so by the Board or Superintendent. Repairs to, installation of and maintenance of any curb stop shall be the responsibility of and shall be at the expense of the consumer; and all such work shall be inspected by the Village at completion thereof but shall not otherwise be the responsibility of the Village or any employee or agent thereof. The consumer shall be responsible for any damage to the attached water service pipes and connections resulting from the repair or maintenance or operation of the curb stop by the consumer or his authorized agent.

**B. All consumers of Village water services must be connected to the new water mains by May 31, 2021. If a consumer of Village water services is not connected to the new water mains by this date, the Village will assess a penalty of \$10 per day until it is so connected. Such penalty shall be a lien on the property, pursuant to Section 160-11 of this Chapter.**

§ 160-4. Installation of meters.

.....  
G. All services must have a new meter installed by ~~December 31, 2019~~ **May 31, 2021**. If a new meter is not installed by this date, the Village will assess a penalty ~~of \$250, until a new meter is installed.~~ **Such penalty shall be a lien on the property, pursuant to Section 160-11 of this Chapter.**

**Section 2.** The Board of Trustees hereby declares the adoption of this Local Law a Type II action, pursuant to the NYSEQRA and, therefore, no further environmental review is required.

**Section 3.** This local law shall take effect immediately upon filing with the Office of the Secretary of State.

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

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

**HEARING OF THE CITIZENS: 12:09**

George Eastman: I have a question regarding Surf View. Ken Gray; concerning the issues on Surf View Walk and specifically with the complaints. I have been in contact with an attorney for the homeowners we are having conversations. George: Concerns were raised about self-certification as opposed to how our code was written. The issue of self-inspection and how it's inspected, can we be assured there will be compliance with running a bed & breakfast in residential district? Ken; I spoke to building inspector and we've had discussions. Is that the only Bed & Breakfast in the residential area? There's one other. Will this be addressed in future meetings?  
Ken Gray: Yes.

Maria: I wanted to make a brief announcement. The Village turns 100 years old, we have a committee and we are working on a series of events this summer that I think you'll find exciting. Just wanted you to know there's committee is in place. We will be sharing more information as the year progresses. Dave Lieber; Does the house on Bayberry still have boarding license? Cathy Luby; You mentioned work on the new crossovers, will you be able to put seating in. Mayor: We will replace in kind. Regarding mobi-mats, would the Village consider install the mobi-mats east of Bungalow? Mayor; We will take under consideration.

Dana Swinsky; sent a comment about her plumbers message which was beach bay plumbing. Steve; We will send out letters for the people who have met the conditions of the plumbers. David Lipsky: Question regarding construction on overpasses and whether the permit submitted, does it include the retaining wall? I requested a copy from DEC and they sent me the application which included the entire project, can you clarify what work what will be done? Why isn't it on the website or in the village office? Mayor: as you may have heard we are waiting to hear from DEC. We don't expect to hear for a few weeks, when we get it, we will decide what we are doing. We will put a hold on the retaining wall. Lisa Lowe; in terms of the application when are you planning on installing the wall? Mayor; I have everyone's comments and will take it under consideration.

Judy Steinman: The issues is not with the crossovers but with the retaining wall. The dune going east is in excellent condition and has mature growth, so I question the need for a retaining wall. You are proposing in kind but you're putting a structure that doesn't exist. It's my understanding the use of dead men in inappropriate. I think when the project was conceived nobody looked at the environmental impacts, it seemed like nobody really cared about them. Mayor: That's unfair to say. You have no faith? I'm really disappointed that you would say that to me. Judy: Jimmy I am just asking that the board reconsider this part of the project. Dana Swinsky, I think this is silly to make this personal, remember the trap bags that have now shredded and polluted waters. I think it's fair to want to look a impacts of construction, etc.



David Simpson; I completely agree this is not meant to be personal nobody is questioning your commitment but I would also say. Mayor; I'm not doing anything until I know what I can or cannot do from the DEC. David Lieber; Will we have a public hearing on it? Mayor; No I don't think we need a public hearing. Homeowner: The permit application included a wall, are you going to withdraw and change it? Mayor: I'm going to wait and see what the DEC says before I do anything. I'm not building anything detrimental to the dune or anything else. The walls being replaced are already there, we took a wall down on cottage because it was in danger of falling. When we find out what the DEC says, we'll know what we can do.

David Simpson: I think what the residents are asking, when the DEC responds and should they give the go ahead on crossovers and retaining wall. I think that's the commitment we are looking for. Cathy Luby; Are we negotiating a new ferry contract? Mayor: not at the moment because of COVID the negotiations haven't started. Cathy: Can there be a request on the mainland side for seniors to accommodate them? That would be helpful. Mayor: That will be one of our efforts. Maria; We collected requests and have put it together and that issue is on that list. Homeowner: You're telling us they'll be full transparency but the posts were installed without a permit. Mayor; I wasn't aware we needed a permit. David; it would be helpful if we could post full application on the website.

Andrew Was; Where do the trustees stand on this issue? Trustee Norris with conversations with the board and mayor I'm confident the work for the overpasses where we are re-building structures, those efforts are affirmative and fully supported by this Trustee and a number of citizens I spoken to. With regard to the retaining wall, I'm confident that aspect will not move forward until we have full plans, and a thorough and transparent conversation. I understand the historical protection I have full confidence that we will not just build a wall. Matt what's your position? Trustee Blake: I am in favor of replacing existing elements, the support structures are dilapidated and those structures need to be cared for. I do have bias to let nature take care of itself, so I would approach the retaining wall proposition cautiously. I wouldn't recommend getting into something like that. My preference would be to not go down that road. Trustee Hargraves; I am in favor of replacement of in-kind and not in favor of the wall at this time until we have more information. Andrew Was; I think it seems to be a failure in all requests.

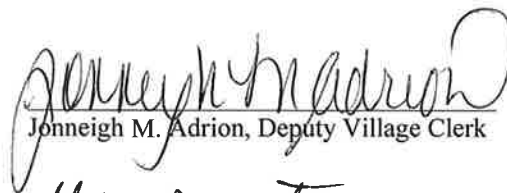
David Simpson: I would like to applaud the administration for ramping up vaccination program. There is a tremendous amount of vaccine denial, as people have indicated that they wouldn't take the vaccine. They are putting themselves and others at risk. Perhaps we can have some information on the website.

Judy Steinman: Thank you everyone who has commented I think we need to remember among our own citizens there are truly some experts to use and advise with. I hope the village will utilize these talents. Thank you everyone.

Lisa Lowe: In terms of the Garbage contract, is it out yet? As soon as it goes out can you post on the website. Steve; It goes out next week. Steve Einig; I just wanted to thank the village for the job they did during the snow storm, the guys were out all night clearing the streets.

ADJOURNMENT: Mayor Mallott moved to close the meeting at 12:53AM. Trustee Norris seconded this motion. Upon call, the following voted:

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

  
Jonneigh M. Adrion, Deputy Village Clerk

  
Steven W. Brautigam, Clerk/Treasurer