



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 17, 2020 at the Village Office, 315 Cottage Walk, Ocean Beach, New York. Meeting is being conducted in accordance with Executive Order 202.1 via Video/Teleconference.

EXECUTIVE SESSION: Mayor Mallott moved to go into Executive Session at 10:05AM in person at the Village Office, for the purpose of discussing personnel, contracts and pending litigation.

The motion was seconded by Trustee Norris 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 11:20 AM by Mayor Mallott. The motion was seconded by Trustee Hargraves, upon call the following voted:

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

GENERAL SESSION: At 11:23 AM, Mayor Mallott moved to open General Session. Trustee Blake 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 11:24 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
	Village Clerk/Treasurer:	Steven W. Brautigam

APPROVAL OF MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON SEPTEMBER 12, 2020: Resolution No. 2020-078: Mayor Mallott moved as follows:

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

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

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

APPROVAL OF BILLS AND CLAIM VOUCHERS: Resolution No. 2020-079: 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 \$236,488.00, for Gross Payroll from 09/09/20 through 10/06/20

General Fund, in the amount of \$82,430.37, check numbers A25277 through A25325, and

Water Fund, in the amount of \$25,167.53, check numbers F3350 through F3357, and

Sewer Fund, in the amount of \$8,647.54, check numbers G6341 through G6345

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 \$ 101,283.05, starting with check number A25326, and

Water Fund, in the amount of \$ 16,737.85, starting with check number F3358, and

Sewer Fund, in the amount of \$ 18,607.05, starting with check number G6346, and

Sewer Collections Reno Project in the amount of \$ 9,849.14, starting with check number 1043

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

Noted: Trustee Norris disapproved of only two items - \$15,437.00 Lumber and \$1,600 Design Services.

MAYOR'S REPORT

1. We're very busy, there's a lot going on in the village
2. Want to start with the water meters, we are coming close to the deadline. We are looking to turn off the old water lines end of December, latest mid-January. These meters have to go in and be read so we can monitor usage. We had to do this in order to comply with the grant conditions.
3. On that same thought, you're getting all new plastic water lines, so the grounding for your house may be compromised. Talk to your plumber or electrician for re-grounding your house, so that you don't burn up your tv or computers
4. You see the voting information is on our website and will take place in Ocean Beach at the Boat House. For Election day 11/3, I know the Board of Elections has the location as the Community House but it is the Boat House. We will have signs at the terminal November 3rd 6:00 am thru 9:00 pm. Islip is offering early voting is at 401 Main Street, Islip, New York 10/24 – 11/1. Check the ferry schedules as they normally run an extra boat or two.
5. DOT project will start around November 15th and shouldn't take too long to get done.

SUPERINTENDENT'S REPORT:

Wastewater: Plant is fully operational.

Inspected by Suffolk County Health Dept - passed

One new sewer tap installed

Sewer stops being addressed

Emergency Systems and Generator systems operational fuel supplies full.

Water: Wells #2, 3 and 4 are operational

All Emergency Systems and Generator system operational with full fuel tank

Three new services tapped (1 fire suppression & 2 house service lines)

Hydrant repaired and paint on Cottage

Buildings: New water meters being installed on all public facilities and properties.

Restrooms at Ferry Terminal are open 24/7.

Restrooms at the ocean on Cottage are closed for the season.

Streets: Two streetlights repaired and still working with PSEG to repair others from storms.

Properties: Village Green was seeded and fertilized, railing re-installed.

Area by ocean wellfield (fence replace, gate installed, sand removed and placement of stone for drainage.

Bay swimming area stairs were removed for off-season.

Miscellaneous: Banners removed and garbage pails being stored for off-season.

All bulk pickups complete for the season.

Reminder to transfer water service and install water meters, new deadline is December 1st, 2020.

OCEAN BEACH VOLUNTEER FIRE DEPARTMENT REPORT: Chief Levine spoke

Our call volumes are up, we are at about 300 calls. Our EMS calls down or fire calls are through the roof. We just sent out our fund drive. Thank you for all your support. There are a lot of houses being used that haven't been, so you might want to have your space heaters, fireplaces and smoke alarms checked before you use them. It's going to get cold soon, don't wait to turn off your house. I drove around with Maria, there are a lot of people still out here but I believe there will be a mass exodus when it gets cold, so call your plumber now.

OCEAN BEACH POLICE REPORT: No report given

ADDITIONS AND/OR DELETIONS TO THE AGENDA: NONE

BUDGET MODIFICATIONS: Resolution No. 2020-080: Mayor Mallott moved as follows:

20-21 BUDGET MODIFICATIONS		
GENERAL FUND		
To:	Description:	Amount:
A9950.910	Transfer to Capital Projects (19-20)	\$ 29,500.00
A1910.MAR	Inland Marine Insurance	\$ 160.00
A1910.OFF	Public Official Liab Insurance	\$ 8,851.00
A1910.PRO	Property Insurance	\$ 25,141.00
A3120.111	Overtime -- Others	\$ 1,285.00
A3120.200	Equipment	\$ 30,510.00
A3410.201	Turn Out Gear	\$ 11,000.00
A3410.462	Ferry Ticket Books	\$ 500.00
A3410.495	Support	\$ 10,000.00
A3620.102	Building Department Mech	\$ 27,000.00
A3620.103	Building Department Clerk	\$ 6,400.00
A3620.449	Code Book Software	\$ 1,000.00
A7140.494	Uniforms	\$ 388.00
A7989.201	Supplies	\$ 350.00
A8745.483	Dune Maintenance	\$ 7,800.00
A9785.600	Lease Principal	\$.50
A9785.700	Lease Interest	\$.50
	TOTAL:	\$ 159,886.00
From:	GENERAL FUND	Amount:
A1621.441	Building Maint & Repairs (19-20)	\$ 29,500.00
A1910.LAW	Law Enforcement Insurance	\$ 5,011.00
A1910.RESV	Insurance Reserve	\$ 29,141.00
A3120.110	Overtime -- F/T	\$ 1,285.00
A1990.499	Contingency	\$ 30,511.00
A3410.200	Equipment	\$ 21,500.00
A3620.101	Building Inspector	\$ 33,400.00
A3620.472	Conferences	\$ 1,000.00
A7140.493	Training Expenses	\$ 388.00
A7989.444	Marina Repairs	\$ 350.00
A8745.487	Beach Scraping	\$ 7,800.00
	TOTAL:	\$ 159,886.00
To:	WATER FUND	Amount:
F8340.446	Equipment Maintenance	\$ 12,000.00
	TOTAL:	\$ 12,000.00
From:	WATER FUND	Amount:
F8340.444	Yard Maintenance	\$ 12,000.00
	TOTAL:	\$ 12,000.00

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

AUTHORIZATION TO APPLY FOR OCEAN BEACH VILLAGE JUSTICE COURT GRANT: Resolution 2020-081:

WHEREAS, the Unified Court System has announced that applications will be accepted for 2020 Justice Court Assistance Program Grants; and

WHEREAS, the Village Board of Trustees seeks provide the Court with a storage cabinet, sneeze screens, air purifiers and a First Aid Kit for use in emergency situations; and

Now, therefore, it is hereby

RESOLVED that the Inc. Village of Ocean Beach authorizes the Ocean Beach Village Justice Court to apply for a JCAP grant in the 2020-2021 grant cycle up to \$30,000; and it is hereby

RESOLVED that no work is to be completed until funding of the grant is received by the Village of Ocean Beach; and

BE it further RESOLVED that the Clerk/Treasurer and the Court Clerk are authorized to execute such documents consistent with this resolution.

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 OUT-OF-VILLAGE WATER USER AGREEMENT: Resolution No. 2020-082: Mayor Mallott moved as follows:

A. SCOTT & KATHLEEN DOSEY, 30 SURF VIEW WALK, SEAVIEW, FIRE ISLAND, NY:

WHEREAS, Scott & Kathleen Dosey, 30 Surf View Walk, Seaview, has requested to enter into an Out-of-Village Water User Agreement with the Village of Ocean Beach for the use of water; and

WHEREAS, he has submitted a completed agreement requesting permission to connect the premises to the Village of Ocean Beach's water system, and the appropriate fees have been paid; and

WHEREAS, the Village has determined that it has sufficient capacity to provide the water service without having a negative impact to existing customers;

BE IT RESOLVED, that the Board of Trustees approves the Village of Ocean Beach Agreement with Out-of-Village Water User Scott & Kathleen Dosey, and hereby authorizes the Mayor to execute the agreement granting permission to connect the premises located at 30 Surf View Walk, Seaview, to the Village of Ocean Beach's water 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

AUTHORIZATION & APPROVAL FOR ANNUAL FIRE ALARM SERVICE AGREEMENT: Resolution No. 2020-083: Mayor Mallott moved as follows:

WHEREAS, the Inc. Village of Ocean Beach has five fire alarm systems for their properties and desires to obtain a service agreement to maintain and inspect these systems annually; and

WHEREAS, National Fire & Safety Solutions has provided a service agreement in the amount of \$7,032.00 annually for said services; and

Now, therefore, it is hereby

RESOLVED that the Village accepts and approves the service agreement in the amount of \$7,032.00, a copy of the agreement is on file in the Village Office, dated September, 2020; and

It is further RESOLVED that the Village Clerk/Treasurer is hereby authorized and directed to execute the documents necessary to effectuate this resolution payments to be made from line item A1621.441.

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:

Judy Steinman questioned about the retaining wall. Mayor Mallott: Let's address this issue with the cross over walk on Bayberry that Judy brought up earlier. The cross over needs to be replaced, it's dangerous and we thought a retaining wall in that area would be an advantage for the dune as far as holding back the sand and fire services. It's a 3' small retaining wall to keep everything in place, we have to go to the DEC for a permit. There's a wall that needs to be replaced by the lifeguards/well area and dune because it's falling down. There's a dune on Ocean View and Cottage that is falling down and moving into the street. We thought it would be advantageous to put a small retaining wall to retain the dune. The Bayberry crossover, there has been a wall that's been up for about 40 years as well as the one on Ocean Breeze is also compromised. When these walks were put in in the 60's and 70's, I worked for the village and we put dead men in place which goes behind the wall to prevent it from falling over. We are waiting for a reply from the DEC. First order of business was to assist the Fire Dept and emergency vehicles so they can make the right hand turn safely. Trustee Norris; Clearly we had some dialogue about this. I'm opposed to it, just to be clear. I don't have drawings and no dialogue with the Board. It's already been an expense. This dune in particular withstood Sandy and protected us. From my perspective, I need to see drawings and make sure we are fully permitted. There are rarely hard structures for erosion control areas because in some instances, it will facilitate worse erosion. These discussions are usually done between architects and engineers, etc. although it may be well intended, so in that respect I'm uncomfortable moving forward. I'm ok with replacing in-kind. I think that where I sit we need engineering. Mayor Mallott. Let's see what the architects and DEC say first and see what's allowable and what's not then we will have the conversation again. Judy Steinman; I just want to say thank you to Chris for putting the brakes on this until we know the environmental impact. It surprises me the Board was not consulted on this. Susan Lucks; I think Chris speaks for us we need to have this review in the usual proper way. I really hope you provide plans and drawings to both the Board and Constantine Karalis, who's drawings may also be useful in this project.

David Lipsky. This project started without a permit and there should be an explanation as to why it was partially started without a permit. Also the public needs more information including, having an environmental assessment filed along with the permit. For example, whether these action will impact protected species, as well as the general impact within the dune area. Ken Gray; David we are working with engineers who have submitted applications to DEC. Most of the work proposed is in-kind replacement or maintenance and maintenance doesn't require a permit. Trustee Norris; With respect, if in kind, where there are posts are, if that's in kind, without a retaining wall there for over 30 years or 25 years, I don't see how that's in kind. Again I want to echo, this is all with good intent. I have full confidence the Board will do due diligence with respect to this matter. Mayor Mallott; Thank you Chris. This is a retaining wall, I had a discussion with DEC and engineers that this is to hold dune in place, it's not to destroy the dune. Every walkway and retaining wall has a dead man in it. It doesn't deteriorate it, it helps it. I just want people to understand what that was.

Maria Silsdorf: I'm speaking for OBA. We put together a list of ferry concerns in anticipation of the negotiations. I would like to read the first paragraph: "This has been an unusual and interesting year on many fronts. Our ferry service has been the subject of much discussion. Much of this is COVID related, but, not all, and issues have surfaced and solidified that must be addressed in the next ferry contract negotiation that will begin shortly and will conclude in 2021. One thing has never been more clear – our Ocean Beach resident/homeowner's reliance on the ferry company to provide a service level that allows us to enjoy our homes safely and comfortably. And, quite frankly, due to significant increased ridership of daily and other visitors, and a change in the tenor of those visitors, many homeowners are feeling disenfranchised and underserved by current operations. We see an urgent need to remedy this through the next contract". Our concerns fall into scheduling, cost to the homeowner, capacity and safety issues. Most homeowners are disenfranchised with the increase of ridership and are concerned about safety, etc. We are here to help and very much appreciate your attention to these concerns. Mayor Mallott; thank you for your comments and we appreciate your help. Steve Einig. We've talked about this before there was a time before when OB was allowed to use the Seaview ferry. I don't think it would cost anything more or change anything, it's a tremendous service and would like to address that separately; Maria Silsdorf: It is most certainly on our list and hope to address it in the new contract. The ferry company will not honor the ferry tickets on the Seaview ferry and that is up for discussion. Steve Einig: We were always able to use our ticket. The decision to not accept OB tickets for Seaview ferry was made in conjunction with a contract. I spoke to Matt Blake about this and I don't think it's justified not allowing our residents to use the Seaview ferry.

Sue Panzer: This is another topic but our house on Midway by firehouse there is so much flooding, David and I were wondering when you are going to raise the sidewalks. Mayor Mallott: there's a lot of engineering that needs to be done. We have an issue with the fire dept. and don't want to push the water there. They are doing a test for the new well at 503 Bayberry, if it's successful a well will go there and it will have a blow off pipe that runs down Bayberry to the dock in the 2' setback and will give us the ability to join drainage into the blow off and then we can go back to the elevation of Midway and run it down to Surf View and that will get rid of the water. There's a lot of water here and it's hard to get things done but we are working on it.

Andrew Was: It was nice seeing you on the walkway Jimmy. Last month, we talked about A Place in the Sun and spoke to trustees and they say that they are investigating. Have you made any headway, can we get an update? Mayor Mallott; This particular situation is still under investigations. We are talking to lawyers and looking for solutions, we do not want to get into a legal situation. It will be rectified before the new season starts. We are trying to improve the codes as we move forward. Dr. Was are we talking about noise? Steve Einig; Has the permit for A Place in the Sun been renewed? Ken Gray; It gets renewed each year. Steve Einig: I've been told one homeowner made 30 complaints and other homeowners as well. When one reads the statute, it's crystal clear that there are never supposed to be more than 10 individuals at one time. There's an advertisement that show one room that sleeps nine people and four other rooms that sleep one for a total of 13 persons. Has that information been processed? There seems to be a lot of room for the village to investigate. There was never any complaints before in previous years when one person ran as a rooming house. What exactly has been done instead of we are looking into it? Mayor Mallott; Steve, it's under investigation and every trustee is very aware of the circumstances and we are not going to play our hand here on the public forum. Steve Einig; Ok. There have been a lot of people affected by this, it is real it is not imagined it's not just east, west, north and south affected. No one wants to go to the next level.

Trustee Blake: I want to come back to the ridership on Seaview boat. You referenced accurately the last contract which basically made it much more difficult, if not impossible to use an Ocean Beach ticket on Seaview Boat. In the past, they were cross honored. You are correct we monetized that aspect of this, we are actively debating this and just wanted to let you know we appreciate it. Steve Einig: I appreciate that and just wanted to say that since Ocean Beach homeowners buy their tickets in advance, the ferry company gets to start the year with a few hundred thousand dollars. Maria Silsdorf: We have included this idea of cross honoring that's kind of a band aid it not the real problem, which is the Ocean Beach ferry ride is so uncomfortable and hideous for the homeowners in the heat of the season and Seaview is better. Susan Lucks: Let's try doing something along the lines of what Maria is suggesting, let's hope it gets better. Trustee Blake: I think the fundamental piece here is that there's some major issues to we need to address with the Ferry Company. I think we should be able to use our ferry comfortably.

David Lipsky: I have a question, now that we have installed the meter when can we expect usage data and rate information. Mayor Mallott: We have just starting to collect some rough data from the 300 meters that are installed. We are checking meters and leaks but so we are policing it right now and we are getting software together right now and will take a little bit longer. David Lipsky: For the last two years we've been told about this water system. I'm amazed that with. Mayor Mallott: I'm going to stop you here. I just had a conversation with the Trustees this morning, my thought was to turn off the water mains Dec. 1st. That's not viable because I can't shut people's water off with all that's going on (COVID). We are doing the best we can do, including talking about a fine to levy against people who have not changed to the new system. There are a lot of legalese that goes along with everything, rest assured we are working on it. David Lipsky: Don't you have a list of plumbers that have installed the meters? Mayor Mallott; I'm not going to get in a conversation with you in this forum about what we're doing.

Joanne: Who's on the ferry negotiating committee any homeowners? Mayor Mallot the BOT is your representative.

Kristin Galsy: Thank you for responding to the situation with A Place in the Sun. I sent a letter and the impact is felt well beyond the adjacent properties.

Aviva Grasso: I don't think there's a report from the police this morning any progress addressing electric bikes and scooters buzzing around. Mayor Mallott: They are not legal, the Chief is confident our code addresses it.

Rob Asen: Regardless of the status of the investigation has their permit been renewed? They have not filed for a new permit yet, so we are not taking any action until they file an application. Mayor Mallott: We are still investigating the complaints. Micheline Rossin: I live two houses away from A Place in the Sun. I never made as many noise complaints as I have this summer. It's noise, cursing, screaming and all hours of the day. It's unbearable when the wind blows in my direction it's worse. I don't know why the Building Inspector isn't going in there. Rentals are a revolving door, there's garbage all over the place. I've made complaints at 3:00 pm, where years ago I would wait until 10:00 pm. Matt Blake: On behalf of everyone I can tell you this issue is the utmost important for us and we are proactively looking at it and will have a decision on this in the coming weeks. It's on our radar and we are looking to solve this issue ASAP. Micheline Rossin: Were tickets issued? Trustee Blake: Yes, there were a number of tickets, which is evidence in our favor should be decide to take action. Rossin: Did they go to the homeowner? Ken Gray: Noise tickets go to the individuals, garbage goes to the homeowners. Mayor Mallott: We have to be on legal solid ground when we take any of these issues into consideration. We don't want the Village to get into a lawsuit we can't win. Rossin: 989 was also an issue in the beginning of the season. I made complaints. The kids were cursing, carrying on drinking and you could hear them running up and down the stairs. They also had 50 people on the deck one day. I am aware they got tickets, thankfully they got the hint.

Jill Brady: I just had a question about the ferry contract. Will tickets purchased last year still be honored? Mayor Mallott: Yes they will the date on the tick is recognized for maybe two years.

Maria Silsdorf: I've mentioned this, I think three or four months in a row about extending the smoking ban in Ocean Beach forever. Mayor Mallott: In the current situation, there's no smoking. Will we ever rescind? probably not. We'll talk about permanent ban with our attorney.

Steve Einig: Good point about the ferry tickets. What's the downside in honoring the tickets?

Josh Bloom: There's nothing from stopping anyone from using the Seaview ferry, you just need to buy tickets. Sally Shapiro: As Fire Island Ferry is the only ferry provided to our community, how plausible is it to expect any citizen negotiation request to be seriously considered? The Village Board is doing negotiations and they are the mouthpiece of the Village residents and constituents.

Chris Elton: Our family is one of many affected by A Place in the Sun. Mayor Mallott: We got his letter, thank you. Ken Gray: I think we have a pretty clear picture of what's going on down there. Dr. Simpson: Ian or anyone know who can inspect fireplaces? Mayor Mallott: Home Depot has a fire log that you can burn in your fireplace it takes the creosote out of the chimney. You can always look through the Yellow Pages. Trustee Norris: Just to be clear, if you have any concerns, call a professional.

When will stop signs in the cross streets at Midway happen? Mayor Mallott: In the Spring.

Robert Asen: I know there have been a lot of comments about A Place in the Sun. We have a similar situation at 976, which I was able to work out. What is the expectation of OBPD to be proactively addressing these issues while on patrol? Is it expected that they'll be going an knocking on doors or do they rely on the homeowners complaining to address this? Mayor Mallott: We advise you to be the complainant and to call the police. Robert Asen: I would ask OBPD be encourage to be more proactive and assertive. Mayor Mallott: We will keep that in mind, thank you for your comments. Dr. Was: I think it's ridiculous that homeowners are policing homeowners. If police can't police, why can't we hire security guards that aren't part of the police force? Mayor Mallott: Thank you Dr. Was.

Would the Village post the documents and plan that was submitted to the DEC on the Village website and make them available? Mayor Mallott: Yes, sure.

ADJOURNMENT: Mayor Mallott moved to close the meeting at 12:27 AM. Trustee Blake 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