



## 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 August 27, 2022 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 9:04 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:

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

No motions or resolutions were acted upon in Executive Session. Executive Session was closed at 11:10AM by Mayor Mallott. The motion was seconded by Trustee Norris, upon call the following voted:

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

**GENERAL SESSION:** At 11:16 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 Arment	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
	Dawn L. Hargraves
	Christopher F. Norris
	Marco Arment
Village Counsel:	Kenneth Gray
Village Clerk/Treasurer:	Steven W. Brautigam, Absent
Village Administrator:	Joseph DiFrancisco

Trustee Norris; If you may, just a moment. Although they have not been down to the beach for many years, an old-time renter of the Flaherty's. Dennis passed away this morning. A moment of silence please. But if you knew him, when you go home tonight, raise a glass. Wish him well on his way home.....Dennis Flaherty

**APPROVAL OF MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON JULY 16, 2022: Resolution No. 2022-075:**

Mayor Mallott moved as follows:

BE IT RESOLVED that the Minutes of the Board of Trustees Meeting held on July 16, 2022 are accepted as amended

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

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

APPROVAL OF BILLS AND CLAIM VOUCHERS: Resolution No. 2022-076: 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 \$617,397.74, for Gross Payroll from 07/13/22 through 08/23/22

General Fund, in the amount of \$190,362.21, check numbers A27088 through A27139, and

Water Fund, in the amount of \$5,239.60, check numbers F3649 through F3657, and

Sewer Fund, in the amount of \$13,203.04, check numbers G6647 through G6654

Sewer Collections Project, in the amount of \$60,465.84, check numbers 1057 through 1058

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 \$ 197,399.58, starting with check number A27140, and

Water Fund, in the amount of \$ 4,081.38, starting with check number F3658, and

Sewer Fund, in the amount of \$ 26,633.29, starting with check number G6655, and

Sewer Collections Project, in the amount of \$ 80,796.63, starting with check number 1059, and

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

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

MAYOR'S REPORT:

Thank you, Chris. All right. Sure. Yeah. Yeah. Well, first of all, thank everybody for coming. We postponed the meeting on August 13th so we could all attend the funeral of ex-Chief Tom Brown, who passed away late last month. I think we mentioned it at the previous meeting that he'd passed, and Matt and I and the rest of the trustees all wanted to attend that funeral in St Patrick's Church in Bayshore. That was the only service that they had for Tom. There was no wake, so we took off that day and reschedule. That's why we're here on the 27th.

This week, we received the check for \$399,000 from the Department of Transportation for our dock work that we did over here on the north dock and the new bulkhead over in front of the tennis courts. That was a successful endeavor, and we will repay what they owed us. I just want to say, we heard you last meeting about the building, and we have taken some steps there. We're going to have Joe Speranza and the planning board. Joe has offered to be part of the review of new plans and lifting plans. Any plans that the building department gets. Joe and Constantine, well why don't you talk about it, Joe, if you would, please. **Chairman Speranza;** Sure. I'll stand in the center that way I get hit from both sides. Is that right? The planning board has some talented people who have always felt they were underutilized by the village. And they're willing to put a little extra forward to look at and to do things like look at plans and give their comments to the building inspector and go from there. That's it. Pretty simple. It's very easy today with electronic communication, so that's all

**Mayor Mallott;** At the same time, Chris Norris, is going to prepare an RFP. Chris, would you like to explain what you're going to do? **Trustee Norris;** Sure. The rough outline and thank you, Joe, for doing that. The rough outline of the RFP will be in two buckets. One bucket will be to solicit the use of an engineering or architectural firm to do plan review to supplement the village's efforts with inspections and to participate in final C of O approvals working with and supplementing our current building department. The other bucket of the RFP will be participation in a workshop to do a general audit of our current building code to evaluate its current state, to recommend some modifications to our code with the understanding that there are certain trends in our community that may be beyond what our aesthetic or the character of our community might represent. Again, getting a professional engineering or architectural firm online to help us in that review, certainly in partnership with some of the volunteers of the planning board as well as the board to come up with something succinct and concrete as it relates to changing current code. So again, we're going to go out RFP, solicit professional backup for some of the efforts that we're doing.

**Maria Silsdorf;** We thank you for all of that. It's my opinion that the Zoning Board of Appeals has also been underutilized in reviewing the number of times that the building inspector has actually referred issues to them. It's minimal over the last few years. How does that fit into this equation? The ZBA, because the building inspector should be declining, permitting things that are in violation of code and referring it to ZBA. It would seem to me that there have been approvals that should have been referred to the ZBA and were not, and it looks like we're using it, but it's not. So, they are still the variance. Mayor Mallott; They are the variance committee and we'll look. We're going to be looking at all of those issues. **Trustee Norris;** there's support in expanding the role of the ZBA. There is support on this board to expand that role. I think it's part and parcel with what I just outlined and what it is. Right. Well, it starts with plan review. Right. **Holly Etlin;** A number of people at the last meeting had asked, given the potential for a pending review, if the board was going to consider a moratorium on issuing new permits for pools until we had completed our review, since we're so out of compliance with the zoning regulations that our neighboring communities have.

**Mayor Mallott;** I don't think there's a flavor for it on the board for changing the current conditions on the on pools. **David Lipsky;** I was going to ask the same question just about a general building moratorium until the process has been completed. And I was also going to ask whether you have a time frame for when you think. Based on when the RFP is issued, you would get a report back from the engineering firm. **Trustee Norris;** I would hope within four weeks to six weeks we'd have a response as it relates to the pools and this is my position. We did evaluate the pool sizes as a percentage to the overall building footprint in our last go round of code review three years ago. Jimmy. Right during that period of time where we introduced sprinklers for all new substantial renovations, regardless of two stories, one story, as well as a re-evaluation of the setbacks and landscaping. Those that know, I'm putting in a pool, full disclosure, but it is aligned with those codes that we established, and it actually shrunk the footprint of my building accordingly. Now, that's not to say and we've heard about the pools. That's not to say that the exercise through this RFP and bringing on a consultant and we still have to get the RFP out and see how much that's going to cost the village. I think that that's a good example of where we can charge this entity. There is a growing concern with swimming pools. What is the analysis that other villages of our ilk do and whether or not there are recommended modifications to current code? Just broadly putting moratorium. I'm not in favor of that until we do that due diligence. **David Lipsky;** But you do have the power, the authority. You don't have to file SEQRA amendments to have a moratorium on the building code. **Trustee Norris;** Speaking for myself, I do not have. I do not support putting a moratorium if whether it's a pool, a setback or anything else, if it's aligned with current code, which we did spend time going through. That's where I am. **George Eastman;** I have a question regarding the pool. Just to put a cap on it, is there any way with water being such an issue just nationally and globally in terms of the amount of fresh water left on the planet, is there any chance to upgrade the code or put in a system where we could require perhaps a change over to saltwater pools where we can draw from saltwater? Saltwater pools are a thing. **Trustee Norris;** Certainly, the case again, speaking for myself, we opted for saltwater pool. For that reason, it was the right choice. It was a better choice. So, I would state the same thing. This is a concern if there is a formulation of a code modification that would require that and it's best for the environment without putting a broad moratorium on pools. By the way, I wouldn't mind the Bay Beach coming back because maybe Eva wouldn't have wanted a pool. Just saying, my point here is let's bring some professionals to the table to review that by just, **George Eastman;** you know, the thousands or millions of gallons over the next ten or 20 years of drinking water, going to fill pools that are emptied at the end of the season. **Trustee Norris;** Don't drink my saltwater. **Mayor Mallott;** Well, wait a minute, folks. This is not this is not. just a second. Okay? This is not the hearing of the citizens and you can speak then. Okay. I want to go through the agenda. Thank you very much. We'll take your questions at the hearing of the citizens. This is the mayor report. Thank you.

**Mayor Mallott** continued his report; Sharks. Drones. All of those things we are we have a new next year we'll have a new jet ski that'll be replace the one that we have. There will be excess. So, the jet ski will be in the water whenever the chief lifeguard needs it in the water. So, I guess it will be in there most of the time. It'll patrol out there. It'll keep everybody as safe as we can make it. We have ordered a drone. Andy, what do you have? A drone. And he's using his drone up there now. He is taking pictures of the water all day. Every day. Just checking that there's no sharks in the immediate area. We've ordered drones for the lifeguards. So, they'll be using and they'll be you have to be registered with the FAA to use a drone so those guys will go, will be taught how to use them. We're getting new radios for the lifeguards and new binoculars for the lifeguards. And we'll do everything that we can in conjunction with the rest of the towns and the villages all along the South Shore that are having meetings about what we should be and what we could be doing because of the current threat that's up there and that we can now see. You know, that's the other thing. We can see it now. We couldn't see it before. So, we don't know whether we've been swimming with sharks for years or not. And again, as Bunny said, would you step up to the microphone and identify yourself, please, so that we know who you are when you're speaking?

SUPERINTENDENT'S REPORT: Kevin Schelling spoke

Wastewater: Sewer plant is fully operational.  
Emergency Systems and Generator systems operational.  
Chemical & Fuel supplies are full  
A few sewer stops & restrictions not too many this year

Water: Wells #2, #3 & #4 are operational  
All Emergency Systems and Generator system operational  
Chemical supplies & Fuel supplies full  
We were inspected by the Health Depart. – passed

Properties: Maintaining the Ballfield & Green  
Cleaned up sand on the tennis courts  
Keep weeding out the wagon park, valet to back of wagon park  
Handled service calls to the Doctor's & EMT apartments  
Built garbage bin for Windswept  
Added additional bike rack at the Boat House  
Installed bottle filling station on Cottage and Ocean View Walks

Streets: Three bulk pick-ups complete, there's two more. \*Reminder we are supposed to pick up small items not furniture.  
Patching continues where needed  
Trimmed back overgrowth & cleaned Midway two times  
Painted the Stop lines where needed

Past Events: Three dock concerts all complete, Fire Chief's Council Dinner, Community Fund Dance, Arts & Craft Show,  
Today is: Sandpiper race and also Film Festival at the Community House.

Upcoming Events: My favorite day: Labor Day, Pancake Breakfast 9/5, Bonfire 9/17 \* Garbage pick-up will be Labor Day Night

OCEAN BEACH LIFEGUARD REPORT: Chief Jill Weinstein spoke.

**August Lifeguard Report:** I'm sorry I couldn't be here today to deliver the report myself, but I'm looking forward to seeing you all on the beach the next week and post season. We've had more red flag days this season than we have had in the past few seasons, so we have been busy. I wanted to thank the lifeguards under me- Assistant Chiefs Nick Stertz and Jon Virga, and captains TJ Delyra, Matt Hobbes and Nicky Virga as well as all the other lifeguards for working diligently to be proactive in preventing major incidences. Our numbers for rescues have steadily been decreasing because of their hard work and dedication to training all the guards to be proactive and see rips as they are forming and acting quickly.

I also wanted to thank the Mayor and Board as well as Chief Hess and all the PD for the support we had this summer. We were stretched thin with the amount of patrons coming over each day and the success of this summer was truly a team effort. Huge thanks to Kevin, Brian and RJ in maintenance for their support as well and helping us maintain our shack/equipment. Lastly, I would like to thank Bunny, Bonnie, Jackie, and Lexie for their endless support in the office. Last year was a blur for me as it was my first year as chief; this year, as I was able to slow down and take more in, I truly was able to notice just how many people from all departments, it takes to maintain a safe beach. #s for August Medical assists: 12 Water Rescues: 11

We came in second place in the Fire Island Lifeguard tournament we hosted on August 4th. This year we became our own chapter as part of the United States Lifesaving Agency and are hoping we can send some of our guards to the National Tournament and Smith's Point tournament to compete next year under this chapter. **End of season dates:** Our last day of full time is September 5th the Bay will be closed for the Season September 5th Weekends: September 10 -11, September 17-18, September 24-26 (Bungalow stand only) We have a small crew available for early October if the weather is nice and the beach stays busy. Thank you again to the OB community for a lovely season.

**Mayor Mallott:** This is Joe DeFrancesco. We introduced him two or three times already, and he's still here. And now he's a candidate for rotten fruit. Would you like to say a few words, Joe? **Joe DiFrancisco;** Sure. So, thank you. I've just completed two weeks here, so I'm still here like the mayor said, I've been familiarizing myself with the village. I was out last night, I don't know if I saw anybody. I've been familiarizing myself with the staff, meeting people around town. I met the new school superintendent this week. So, it's a learning curve. You know, I'm getting a feel for the operation and been spending a lot of time with Kevin and the police department. The chief was kind enough to give me a tour of their facilities. And that's kind of a quick summary of the two weeks I've been here. So more to come. Thank you.

OCEAN BEACH VOLUNTEER FIRE DEPARTMENT REPORT: Chief Levine spoke

What were you thinking? Hi, everybody. We're having a really busy season we're I think that last call might have been our 300th call of the summer. So, it's been busy and it's been serious. I mean, we've had two major fires, two smaller fires, tons of electrical calls. Our EMS division has been going nonstop. We've had four cardiac arrests that we've handled this summer, one in the past. We've had I don't think we had one in like ten years. So, it's been a totally different season. It's a serious year and we'll probably be our busiest year that we've ever had. Working with the Islip Town Fire, Marshal - George and I met with him out here and we're trying to get rid of some of these false alarms that we've been having. We took them around to a bunch of the different restaurants and hotels and stuff. The first one to take action was the Housers and Hideaway. We came up with a plan on repositioning some heads, changing some heads, doing things a little bit differently. A letter was submitted to Mike Mandarino, our Village Fire Marshal. He approved it two days ago. So, they're going to take that action soon. And I think we had a call there last night, but hopefully that'll be our last one of the season. At one of the fires that we had, the one on B Street in particular, there were two young ladies that were pretty much the first ones on the scene there, junior firefighters from a Nassau Fire Department. I was hoping to have them here today and present them with a proclamation from the village, but they were unable to because they're having their pancake breakfast today. But I invited them to our pancake breakfast and I would love a proclamation from the village if we can make that arrangement to present to them that day. **Mayor;** Well, I'd be happy to do that. **Chief Levine:** I'll get you their information. Like Kevin said, Labor Day is our pancake breakfast. Our bonfire is September 17th. The bonfire will announce that time as soon as we know what time is going to be dark. I don't know. I know Dawn was handling the permits and stuff like that, so that should be all set. One last thing. Just wanted to add to what Jimmy said a couple of weeks ago. We lost Tommy Brown. Tommy Brown was a 44 year member of the Ocean Beach Fire Department. He was instrumental when I joined the fire department. He was a second assistant chief. Then he went up to first assistant chief when we took over EMS in 1994. Him and I built EMS, purchased all the equipment, the ambulances, all that stuff with Franklin. And he will be missed in our fire department greatly. With that being said, that's my report. Thank you.

OCEAN BEACH POLICE REPORT: Chief Hesse spoke.

Morning, everyone. How's everyone? As Ian stated, this is one busy season we're having. I mean, as of now, we have 718 calls of service. We should have well over 800 by the end of the season. We've issued 510 tickets already. Several arrests built into that. Tons of garbage tickets. It doesn't seem that us issuing all these tickets is really working at its best because it seems like a lot of the rental homes don't seem to understand that they need a certain amount of garbage pails to handle the garbage that the tenants appoint. **Mayor Mallott:** Now, do you put that down to the people who own the home? **Chief Hesse:** Yes, to the homeowner. They're very well aware of what's going on in their rental homes.

**Mayor Mallott;** Do you think that telling everybody that they need more cans will help and describing the cans because, you know, I'm dealing with this same issue that you're dealing with here. A couple of weeks ago, they probably didn't pick up, I would say, 50 houses. Okay. I got in touch with the garbage man and he sent me pictures. He said, I took pictures, I gave you every address that the garbage was. We were unable to pick it up. Is what the garbage man said? **Chief Hesse;** I received the same email. **Mayor Mallott;** I sent it to you. So, the garbage cans that these people have bought were garbage cans that you use on the mainland where the machine comes around, picks up the garbage can and throws it over and then puts it down. Right. Okay, that can't happen here. Those cans are no good. There's nowhere for these guys to pick up these cans. And they're bigger than 35 gallons and they weigh over £60. These guys are trying to pick them up and throw them up into the truck and they can't. It doesn't work and they're not going to do it anymore. **Chief Hesse;** Those are those big square ones with the fold over tops. Those do not work. You have to have a 32 gallon can with a lid. **Mayor Mallott;** Anything with wheels on it is another is another problem for them to lift that. You need a 35 gallon can with a lid with a bungee cord over the top of it. You can have ten of them. Make sure the garbage is in the garbage can. **Trustee Norris;** Have you written tickets against non-compliant garbage cans? **Chief Hesse;** Yes, sure. I have a squad that goes out every Sunday and Wednesday, and that's all we do. We knock on doors. **Mayor Mallott;** We had a federal judge that we gave a ticket to because his garbage can wasn't in compliance. **Chief Hesse;** But we're knocking on doors, we're trying to talk to the tenants and we're sending notices and tickets to the homeowners. So, I mean, we've written over at least 150 of them already. I mean. **Trustee Norris;** Excuse me, and I should know this is, is there and I know resources are tight. Is there any comparative then if. There is excess garbage, which seems to imply that it might be a rental house. And then comparing that to a permit. **Chief Hesse;** I've been checking. I mean, you know, early in the season, I've been hammering at it. And I got to tell you, I only caught two. Really? Yeah. Two. Two have been charged. **Maria Silsdorf;** What is excess garbage? **Mayor Mallott;** Garbage that's not in the can. **Chief Hesse;** Multiple garbage cans and garbage bags. you know what? You know what the giveaway for a rental house is? Boxes. The boxes. The delivery boxes that the freight department uses and writes the tenant's name right on the side. And then they pile up on a Sunday, usually outside their house. That's a dead giveaway for a rental. And we're checking permits all the time. **Trustee Norris;** I think it would be incumbent on this board after this season, you're in high heat. I think that we should have a conversation about how to look at the current code in that regard, how to modify it and help give you tools for next season to limit the impact. **Chief Hesse;** I think a lot of it is information to these homeowners, too, because a lot of them just don't. I got to tell you, they don't care. **Mayor;** they don't read. **Trustee Norris;** So, I would I would target like after tumbleweed Tuesday that we have a working session on how best to address that for next year. You've got fresh in your mind. **Chief Hesse;** You know let's see you took the drone thunder away from me. The false alarms you took away from me. **Mayor;** Sorry. **Chief Hesse;** That's all good, though. But let's talk about the kids, the kids that are coming out here. I've never in my 30 years here have ever seen the absolute disrespect and uncaring of any authority whatsoever than I've seen this year. So, myself, Maria, we have a little committee going where formulating a letter, we want to send it to all the school districts in Suffolk County to try to get the school districts on board to help us get the word out, to stop really sending your unsupervised kids to Ocean Beach. We know it's convenient. You drop them off at the ferry, you throw them \$100 bucks, and they come over here, they eat pizza, but they're here all day and they're doing nothing but causing havoc here. They're drinking, littering. They're causing problems in large groups, playing their boom boxes, going down (boom boxes - That's an old term) but playing their radios as they're going down the street, on the beach. And if anybody says anything to them, you get a finger or an F You. I've never seen anything like it. And it's taxing on us because we're gathering them up in groups because number one, between 14 and 17 and they're drinking and smoking their weed and with grabbing and bringing them into the police station 10 and 20 at a time and calling parents. Do you know what that does to us and how much that takes away from you as the village? It's killing us this year. And I know last year I had my head handed to me about a curfew. But I'm telling you, next year. At 1:00 in the morning, there's 20, 30, 40 kids on the beach.

**Mayor Mallott;** But they're not our kids they're from the other side. **Chief Hesse;** We still need a curfew. These are our kids. These are all rental kids. And I can't do this job effectively when I'm babysitting. I'm not a babysitter. That's not our job. So, we're going to have to do something. Going into next year. (Applause) **Chief Hesse;** And we're not allowed to hand out spankings anymore. So, I don't know what else to do. **Trustee Norris;** I appreciate the reaction, but I do want to go back to the curfew. And we had that conversation. **Chief;** I know we did. **Trustee Norris;** Dawn and I were in. And a curfew is draconian. I get it. But we don't have adequate tools to address this. And I know that we don't want to restrict our kids, but we have a problem and we have to. It might be something draconian that we have to do, at least for the short term, to solve this problem. **Chief;** parents have to be responsible for their kids, even when they are here. **Trustee Norris;** We'll have affirmative conversations. But the fact of the matter is, there's a problem here. And unless we ratchet up the tools, I don't see it changing. **Chief Hesse;** You know, it's great because it's safe here. There's no doubt about that. It is very safe here. **Mayor;** It's safe for the kids, but not for us. **Chief Hesse;** Not for us. Because when I'm distracted on something else, something else is going on. I know. And it's a problem.

**Trustee Hargraves;** May I just say something about the curfew, though? As much as we were in favor of doing that and you and I and Chris did meet and we did decide that that was what we needed to do with that particular moment. We were then advised by a local attorney that we were not permitted to do it, which differed from the counsel that we received. So, then we were stuck with, can we do it? Can we not? **Chief Hesse;** Well, it's something that we're going to have to look into for next year because we can't effectively do our job the way we are. **Mayor;** We can't police it **Chief Hesse;** I can't police the village. **Mayor Mallott;** Our hands are tied with these kids, because of the age. **Chief Hesse;** You know, I mean, if they're in talks or smoking weed, they're underage. It's things I can do, which we've been doing. I mean, yesterday we scooped how many kids off the beach that were drinking and cheering on the beach, you know, I mean, 20 of them, right? We took 20 kids off the beach yesterday. It's too many. I don't know what else to do. **Trustee Arment;** What

percentage of the problem is happening during the hours that the curfew would cover? What's that? What percentage of the problem, roughly, is happening during late hours verses middle of the day. **Chief Hesse;** So, when the majority of the backpack kids leave it now. It becomes the renters or the homeowners who have groups of kids staying at their homes. For days at a time. And it just they all seem to merge together. They start at the gazebo. We kick them out of there at 11:00 because they're making too much noise down there. Where do you think they're going to go? They go down to the beach, then we chase them off the beach. Then they're at Town Pizza. We're just. It's like playing ping pong. We're just going back and forth. So, we need something. We need help.

**Trustee Arment;** could the amount of officers that would be required to enforce a curfew, instead be just harassing them everywhere they go, if they're violating laws. **Chief Hesse;** If we have a curfew in place and it's something that's on the village books, I could write the parent for allowing that kid to be out. Right? **Trustee Arment;** Right Oh, yeah. But, you know obviously, that's a severe measure it's. **Chief Hesse;** because the kids don't listen. Right. **Mayor Mallott;** the kids don't listen to the parents, obviously and the parents don't care. **Trustee Arment;** But we're talking about a lot of manpower here and so could that be better allocated to prevent the problem in other ways that wouldn't have the downside of a curfew? **Chief Hesse;** You know, I would like to say, just for the mere fact that there's a law on the books and is an enforcement component to it, that the parents would take it seriously. **Matt Blake;** Chief so the average age the average age of these kids, is it the 14. **Chief Hesse;** I would say 12 to 17 years old? Because at 18 you're an adult. **Trustee Blake;** So these are minors. Yeah. So can we put something in place where we say you cannot be unaccompanied minor here. **Chief Hesse;** That's a legal thing. That's what that's something that we're going to have to really do some review on. But next, I'm telling you, going into next year, we're going to have to have all these problems solved. Because this year we really I'm telling you, I got my caught with my pants down with this one. I didn't ever expect to see that many kids here this year. **Sue Fitzharris;** Is there something we could do as homeowners and support you? What? Other than call you, we feel bad too.

**Chief Hesse;** But you have to do that. You know, you got to let us know what's going. You know, I don't know. You know, there could be some legal things that we can do that we could all work together and do. So, it's going to be a lot of research this year. You know, we got to see what the legality is. So, I don't know. I don't know what to do. I'm just telling you what my problem is?

**Mayor Mallott;** Not every kid is a bad kid, you know what I mean? But you need all you need. All you need is a couple of bad apples and we get it all the time. And I have a book in the village office called The Bathroom Book. Okay. If you want to see what goes on in this town, (you don't) all you got to do is look at these bathrooms and what happens to them. We've put a camera outside the village office facing the men's bathroom by the gazebo there, (which I have) that George can watch what goes on in there, because that turns into a bar, it turns into a weight room, it turns into destruction. You know, these kids are all out there doing it.

**Chief Hesse;** it's not even that they have to be bad. But, you know, 30 kids on the beach sitting there listening to music. I mean, I really don't have a problem with that. But you do. You know, it's noise, it's garbage, it's other things, but there's nowhere else to put them, so they have to go somewhere. So, all we're doing is chasing them around. **Andrew Waz;** Seaview has security guards. **Chief Hesse;** They chase them in Ocean Beach. **Andrew Waz;** We could Probably three security guards for the price of one cop. It would be a lot more effective because we're not going to shoot them. **Mayor Mallot;** There's nothing you can do with them. **Andrew Waz;** I watch them on the ocean, stop them swimming and direct them away. We can also find a way to direct them. **Chief Hesse;** Do you know how many times they had to go into Seaview to help security with that? Right. **Mayor Mallott;** You're talking about 100 kids. Okay. From 7:00 at night till the morning. **Chief Hesse;** They're roaming the streets until 4:00 in the morning. In packs. **Trustee Blake;** But it's also the daytime. It's an issue. It's not just the nighttime. It's not just the night, but the daytime. We're trying to work out with this thing with the school districts, because these are the days you have your day trippers and then you have your night kids. **Mayor Mallott;** Most of the day. Kids are here, they go to the beach, they go to the beach till 4:00 – 4:30. **Chief Hesse;** You see them - drinking, smoking weed, playing their ball. They made the Newspaper this year. **Mayor Mallott;** They come back to town and go to the pizza parlor. Can we get a sign that says on the mainland, I know people think signs don't work, but guess what? It's something to enforce and refer to. I will tell this to everyone I know under age 21 the law is the following and what the repercussions are just so that when a kid walks on the ferry, Maybe the one smart kid is like guys, I don't want to have my license taken away. I don't want this to happen. I think I like that idea. If you are under the age of 21. These are the repercussions. **Chief Hesse;** we take away so many fake I.D.'s. Homeowner; I'm just saying give a warning that, hey, you were warned. You know what I'm saying? under age 21. **Mayor Mallott;** But there's nothing we can do with the kids except call their parents. **Chief Hesse;** That's what we've been doing. **Mayor Mallott;** Half of the parents don't give a shit. They'll argue with you. Excuse my language. **Chief Hesse;** you know, up to a certain point, you could write some of these kids tickets and we do, you know, 16, 17 years old. But with the juvenile reform now, I mean, you're an adult at 18. You know, you can't be arrested, but you could still get a ticket. It's so confusing what the politicians have done to this state. And it's crazy. And that's what we do. I mean, that's what I've been saying. We do, we've been doing that. We do it do it in groups. I do it to adults. **Homeowner;** Can we increase fines? **Chief Hesse;** That's not up to me. The fines have nothing to do with me. **Trustee Hargraves;** We increased the fines. We raised them to the max of, I think like \$2,000 from what they were at \$200. So, that's certainly something that we can look about increasing. We did it across the board. So, any fine that had been \$200 in our code was increased to \$2,000. But for a select few. We don't have a code. (inaudible background talk) We don't have it in our code. **Mayor Mallott;** You're not arresting kids and taking them to the court. That doesn't work. I don't know if you can fine a parent. **Trustee Hargraves;** Kenny and I are talking about that now. **Chief Hesse;** Listen, I'm just talking out of frustration, guys. All right? I apologize. But it is becoming frustrating because all I'm doing is receiving complaints and getting my head handed to me, and I need help with certain things. **Mayor Mallott;** That's why you get the big bucks. **Chief Hesse;** I do. You know what? I do need some help with this. **Trustee Norris;** All right, Chief. The garbage, let's put

this on the agenda for constructive meeting with the board and you and your lieutenants, so. Sounds good. Really. Drill down. All right, maybe we have a Mr. Fuchs at the table too. Yeah. All right. Thank you.

**Ken Gray:** Is there anybody from the lifeguard here? **Mayor Mallott:** Do we have anyone from the lifeguards? No. They're doing a great job and making plenty of rescues. **Homeowner:** they did publish their hours. **Mayor Mallott:** And we're looking to extend the hours for the lifeguards next year because 5:00 pm, when they come off the beach, the beach is still packed. **Trustee Norris:** Apparently, there are hundreds of kids still up there. **Mayor Mallott:** Jill and I are talking about extending the hours and changing the hours for the lifeguards. We're also looking to get a company here to clean the bathrooms on a regular basis, probably four times a day, to go around and clean the bathrooms and make sure that they're as clean as they can be. Kevin and I are going to be discussing garbage pickup in town. Our current garbage man, Mark Stang, is in the process of selling his company. It hasn't gone through yet. We'll be meeting with the new guy when he takes over and hopefully refining the equipment that they're using. So, there's not so much spillage on the street because there's a lot of spillage going on. And this year because there's been no rain. The streets are filthy, dirty. Obviously, we have to think about what we do about that in the future as far as equipment for the village goes in cleaning the streets. I know that downtown here, we're all doing our best out in front of our businesses to keep them clean. I myself have a power washer that we use every Sunday night and power washes streets all around the Albatross. I know outside the pizza parlor I see **Homeowner:** There's cups, Gatorade bottles, everything. **Mayor Mallott:** Yeah, they're supposed to pick them. They're picking them up. **Homeowner:** In front of Scoops in every pizza place. It's the fast food places not the restaurants. **Mayor Mallott:** Well, we're trying to get there, but George has got his hands full with all the kids and all the all the sirens and everything else that goes on. **Chief Hesse:** they are supposed to maintain their own garbage in front of their steps and clean the streets. **Mayor Mallott:** And we will remind them afterwards. **Chief Hesse:** and the only person I know of that's doing it is Harvey he's been out there power washing around his building. **Mayor Mallott:** I have George. **Chief Hesse:** I've seen Pete out there. **Mayor Mallott:** No, not me. But those days are over for me. **David Lipsky:** How it works in the Parks Dept. is the code enforcement unit, we have a solid waste management unit within the village, and they enforce the garbage and the cleaning of the street. That's how New York City does it. **Mayor Mallott:** We'll discuss that to. Thank you, Kenny. Let's move on.

ADDITIONS AND/OR DELETIONS TO THE AGENDA: Resolution No. 2022-077: Mayor Mallott moved as follows:

1. Add Item #13 – Authorize & Approve Proposal from Scott Falley Associates for ALS/BLS Supply Services.

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

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

STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA): Resolution No. 2022-078: 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 Blake seconded the motion. Upon call, the following voted:

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

RATIFICATION & APPROVAL OF PERSONNEL: Resolution No. 2022-079: Mayor Mallott moved as follows:

WHEREAS, Steven W. Brautigam, Clerk/Treasurer, at the time of hire, has provided a report to the Board of Trustees detailing and listing new hires to be paid under general funds appropriation code, Police Officer A3120.104, not to exceed these budget line items, and has requested ratification and approval by the Board of Trustees for said new hires; and

Now it is hereby

RESOLVED that the following hires listed are hereby ratified and approved, pending completion of documentation, in order for paychecks to be released:

Name	Dept.	Seasonal	Call-in As Needed
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<u>Police Officers</u>	<u>A3120.104</u>	<u>Start Date</u>	<u>5/14/2021 - 9/12/2021</u>	<u>Hours</u>	<u>9/13/2021 - 5/13/2022</u>	<u>Rate of Pay</u>
Lopez, Maxwell L.		8/27/2022	Seasonal	As Needed	Call-in As Needed	\$26.00/Hr.

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

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

**ACCEPT & APPROVE PROPOSAL FROM H2M FOR OVERHEAD DOOR REPLACEMENT AT THE VILLAGE FIREHOUSE BUILDING:** Resolution No. 2022-080: Mayor Mallott moved as follows:

WHEREAS, the Village of Ocean Beach is in receipt of a proposal from H2M Architects + Engineers to prepare professional architectural and engineering services for overhead door replacement at the Village firehouse building, dated August 8, 2022,

Now, therefore, it is hereby

RESOLVED that the Ocean Beach Board of Trustees hereby accepts the proposal, a copy of which is on file in the Village Office, in an amount not to exceed \$5,500.00 to be paid from line item A3410.446.

It is further RESOLVED that the Village Clerk/Treasurer and Mayor are hereby authorized and directed to execute the documents necessary to effectuate this resolution.

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

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

**AUTHORIZATION TO APPLY FOR OCEAN BEACH VILLAGE JUSTICE COURT GRANT:** Resolution No. 2022-081: Mayor Mallott moved as follows:

WHEREAS, the Unified Court System has announced that applications will be accepted for 2022-2023 Justice Court Assistance Program Grants; and

WHEREAS, the Village Board of Trustees seeks to undertake the scanning and archiving of court records; and

Now, therefore, it is hereby

Be it RESOLVED the Board of the Village of Ocean Beach authorizes the Ocean Beach Village Court to apply for a JCAP grant in the 2022-2023 grant cycle up to \$15,500.00.

Be it further RESOLVED that the Mayor and 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 Arment	Voted Aye
Mayor Mallott	Voted Aye

**ACCEPT & APPROVE PROPOSAL FROM SCOTT FALLEY ASSOCIATES FOR ALS/BLS SUPPLY SERVICES):**

Resolution No. 2022-082: Mayor Mallott moved as follows:

WHEREAS, the Board of Trustees desires to contract Scott Falley Associates to provide professional services, specifically to oversee the villages emergency medical supply stock, which includes monitoring of all medications & expiration dates, replenishment of all supplies, and all required compliance reporting to New York State, and

WHEREAS, the Board of Trustees has received a proposal from Scott Falley Associates in the annual amount of \$10,000 plus out of pocket expenses for parking and ferry transportation,

Now it is hereby

RESOLVED that the Village of Ocean Beach Board of Trustees hereby accepts the proposal for services.

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



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

**Mayor Mallott:** Would you like to address this Chief? If you could describe just describe it. **Chief Levine:** The Ocean Beach Fire Department is an advanced life support agency. We have narcotics. We have advanced life support drugs. We have advanced monitors and equipment. Years ago, we had somebody that monitored for us that we hired and did all our state paperwork when we were down on narcotics, would run to the hospital and pick up the narcotics. We now do not have someone available to do that. So, we're going to have to hire someone. Hank was doing it but he announced that he's not going to be able to do it after this year. So, this is to replace Hank and Marty. We're the last ones to keep an eye on the drugs that are. It's to keep us compliant with the state. Yes. Thank you

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

**Andrew Waz;** As a representative of the Ocean Beach Renters Association, I feel that the renters permit fee is in excess. As did the Chamber of Commerce find fees for their permits are in excess. The fees for the rental permits here in Ocean Beach, do not reflect what the surrounding community is or towns on the mainland. So, the Renter Association is proposing that we have one fee, one per year of \$150 flat. That is in compliance with every other surrounding community. Saltaire has no rental permit fee, and the fact that the Ocean Beach Chamber of Commerce did point out that this fee is illegal and it is a tax Mayor: that's not true. **Andrew Waz;** So is doing so is the rental permit fee also in essence representing a tax. All right. Second thing. **Trustee Hargraves;** Dr. Waz, just one second. Just so I understand. So, you want one fee for the entire year, not per rental. **Andrew Waz;** One flat fee everybody else, \$150 flat fee. Some people have no fees. Because it's illegal. **Mayor;** Listen, this is not this is not question and answer. **Dr. Waz** asked the question and we've taken it. Thank you, Doctor. **Andrew Waz;** Now, one other thing. One other thing I have. I still have time. One other thing. The swimming pools. There is nothing wrong with a physical swimming pool. It doesn't cause anybody any harm in the neighborhood. Correct. It's what the people are entitled they feel entitled to do when they have a swimming pool, which is circulation based noise, which is loud parties, which is light, which is music. And until you can enforce that, which there is codes here in the village to enforce that. Until you have the nerve to enforce that, anything you do about swimming pools, it's just pure BS. Thank you, Doctor. Anybody else?

**Andrea Nimberger;** Mine is two-fold but they tie into each other. But I do have two questions that because I still don't quite understand what the Village Administrator does. And to the best of my knowledge, we still have Steve as a consultant, but I don't believe he's. **Mayor Mallott;** No, that's wrong. **Andrea;** Oh, is it? **Mayor;** Steve is the Clerk/Treasurer and he's still the Clerk/Treasurer? **Andrea;** Okay, last meeting. **Mayor;** Just a minute. Okay. Bunny is the Deputy Clerk. Linda is the Deputy Treasurer. When we get, Joe is a brand new Village Administrator. When we get to a place where we feel comfortable, we will promote Bunny to Clerk. We will promote Linda to Treasurer. Steve Brautigam will then be out of a job. Understand? **Andrea;** ok approximately when. **Mayor;** Approximately, as soon as we as soon as Joe feels comfortable with that transition. And hopefully we can he can still call Steve on occasion to get his expertise on some area that he needs it on then. **Andrea;** I mean, he's got a great support staff without paying Steve additional funds. **Trustee Hargraves;** We're looking to push that transition along. **Trustee Blake;** So, just to. Steve was in a job for over a decade. Oh, yeah. There's a lot of accumulated knowledge. **Andrea;** That I'm sure Bunny knows and everybody else that is in the office. **Trustee Blake;** Well. I think some of it is. **Mayor;** When Joe feels comfortable. **Trustee Blake;** So, what we're trying to do is ensure that as much as that knowledge that can be bestowed on Joe and the rest of the team, that happens and we're trying to build a little bit of time to allow that to happen. That's it. Okay. Next question. **Andrea;** Most of us learn on the job.

**Andrea;** So, you were talking before about the planning board for the building and the planning board and all the new inspections to help the building inspector. How do we ensure that he's going to be following everything that's going to be presented to him? You mentioned a lot of things that were going to be done architecturally and everything as far as people that were bringing on new teams that were. **Mayor;** I don't understand the question. **Andrea;** ok, we're going to try to get a better understanding of the codes. **Mayor;** No, we're not going to try and get a better understanding of the code. We know what the code is. We're going to have another two or three more sets of eyes on every set of plans that the building inspector has so that everybody is on the same page. As far as enforcement goes and before a CO is issued. **Andrea;** ok so my question is, is Mike still the person that is in charge of signing the code or other people involved in that as well? **Mayor;** He will be in charge of signing the seal when it's approved by everybody. **Trustee Norris;** plans approved, inspections conducted, final inspection, validating that what was built is aligned with the plan, plans that were approved and the code. **Andrea;** So, why do we need him? **Andrea;** Why do we need Mike if we're going to have more eyes that were trusting might be better, that might be more truthful and might be more accurate **Mayor;** Because they're not. You know, the planning board has volunteered to do this. They're not going around to physically inspect when Mike has to inspect. Mike has to do a framing inspection. He has to do a foundation inspection. He has to do a rough plumbing inspection. He has to do a rough electricity inspection. He has to do an

insulation inspection. All of these things need inspections. Okay. These are not going to be put on to the planning board to do. But Joe and Constantine and Joel have been in this business. They practically wrote the code. These guys, they're going to be someone looking over Mike's shoulder to make sure that there's no mistakes made. Thank you Jim.

**Byron Chenault;** According to the records in the village, he hasn't done an inspection in three years. **Andrea;** That's why I'm asking why we need him. **Mayor Mallott;** I don't understand what you're saying. **Byron Chenault;** I FOILED the documents for his records for inspections but the document records for inspection. 2020, 2021 and 2022 but they're not found. **Mayor;** this is the first I've heard of that. **Byron;** It's a FOILED documents this is not the first you've heard of it, it's FOILED documents.

**Susan Fitzharris;** So, my comment and my request, it's really a request, is right in tandem with Chief George and Chief Ian. And I think we all agree is the huge problem right now is safety and the volume of kids coming this way. And what's happening is my family and I are and a lot of my neighbors, we've been (Susan & Chris Fitzharris, Ocean Breeze). We've been here for 15 years on the house and safety, the roads, the roads, the streets are so full of volume from not just the rentals that day trippers, as you name it, that I don't even feel safe walking on the streets coming here. I mean, the volume is so intense that we have to find a way to cut back somehow and manage the situation. So, we are requesting because we also had a situation for bicycle riding to be going back the way it was. I love riding my bike. I love my yellow bike, but I'm concerned about the safety. There's a concern. thank you. The concern is the safety. Safety? So, without bike riding, I don't care what anyone says, but logically speaking, there'll be less interactions, problems. I've spoken to the police and the Chief and there are numerous accidents that are unreported. I can tell you that my friends and family, no one respects the laws. Nobody has bike lights they don't even have. They don't even have the rings. The bell rings. They don't really have anything. And what's happening at night, people got hurt. People are walking and they got hurt. They get knocked over. That's pitch black these streets at night. And when we walk at night where I'm afraid to walk my dog, they come flying by. So, we can't go back to the moratorium of during the summer to have no bike riding at all on weekends. We're only talking about Can we at least limit at pass 5:00 at night when it's 5:00? Can we at least limit that Midway, no bike riding on what? Can we walk our bikes? There's got to be something no one's going to pay attention to half the time. But at least this a ruling. It's something to enforce. Our daughter had a concussion. I was in the hospital all day because of bike riding and she got sideswiped. We had to rush her to South Side. She had very she hurt her head twice on the cement because someone came from her behind the last bike of a bicycle. (inaudible section) **Chris Fitzharris;** The weekends, Friday, Saturday, Sunday nights, no bikes during June-July. **Sue Fitzharris;** We prefer during the day for the weekend. But whatever you can do to find your own agenda. We greatly appreciate it.

**Byron Chenault;** Thank you. All right. To follow up on my question, I submitted three foils with responses from the village 2020, 2021 and 2022, list of inspections, permits issued and fees collected by the building department. There's no records on file. So, there is no nobody heard about it because the records say the foil says there's no records. So, we're talking about Mike doing inspections. Is he doing inspections? That's my question. Is he doing inspections? Because there's nothing documented within the village of Ocean Beach that says he's done an inspection in three years. **Trustee Norris;** Mr. Mayor? Mayor; We'll, look, **Byron;** You said that, you said that in June. In June, you said you were going to look into it. Has anybody at the front table looked into why there's no building records on file in the village? **Mayor;** So, your foil was answered. **Byron Chenault;** There's no, where are the records? Everybody that builds, there's no records. Where are the records? of inspection records? **Mayor;** I'll look for the records. **Byron Chenault;** So, then how our permits are being issued if there's no inspections being done. Chris, I have a question for you. Maybe you'll be able to answer it. What you suggested. I appreciate having additional eyes come in. Look. See what's going on. I have confidence in that. I have zero confidence in the inspector that's here now to follow through with it. None. My other question and again, these are questions I'm not is why not get an inspector that's planned, certified, that's competent, and do that like other municipalities **Trustee Norris;** that will be part of it. **Byron Chenault;** But now the question is and I don't know if you Ken answer this. If inspections are being done and there's no records, I got issued three violations. But according to the village when I FOILED it, there's nothing on file. Where are the where? Where are where did these documents go? **Ken Gray;** I don't know the answer to that question. **Byron Chenault;** I just hope everybody here understands that when you put stuff into the village, there's nothing, there's no records, it's gone. **Mayor Mallott;** Byron, turn this way, please. **Byron Chenault;** Well, I'm asking this. I asked a question in June, and everybody said in June, you're going to look into it. **Mayor Mallott;** We'll look into it again thank you.

**Lenny Aronica;** Thanks. Hi, chief. By the way, you can say boom box. Look around the room. We know what a boom box is, but you introduce yourself. **Lenny Aronica,** I live on Ocean Breeze. Bought a house about six years ago. So, you did a pretty radical, what? I would say radical building code change a few years ago ok. **Mayor Mallott;** As far as What do you refer to? What? What do you refer to? **Lenny Aronica;** No. Well, all the building codes. You changed the sprinklers. **Mayor Mallott;** We didn't change setbacks. **Lenny;** Egress uh. **Mayor;** That was fire prevention, that we took care of. **Trustee Norris;** So, yes, we did do a revision. **Lenny;** You did a revision. So, it seems like every time we get some complaints around here, I understand you guys are elected officials and you're supposed to do what the elected people want you to do. But it seems that we get this knee jerk reaction every time we get a few complaints here or there or what it is. I think the main issue. **Mayor;** we try and stay away from knee jerk reaction. **Lenny;** So. I you know, I bought me and my wife have a house. We don't rent it. We buy, we live in it. We stay in it. We just bought a piece of land that we're building out of the house on. And yeah, we'd like to put a pool in because we're going to have grandkids someday. We think it'd be a cool idea to have a pool near the beach for my grandkids, and I'm trying to follow the code. The problem is, every time this knee jerk reaction comes around is that we try to change the codes for a few people here and there or whatever and I have no offense of people

complaining about pools, not complaining, but I think it's a cold code enforcement thing. And I honestly think you guys should take this away from the police chief because I don't think he needs to do it. And you should have a code enforcement person walking around writing tickets for that kind of issue. Other municipalities do it. I think we should be able to do it too. I would just stress to the board and know you guys are elected officials. I appreciate, by the way, I don't want to run for elected official, honestly. Right. I don't want to do the chief's job. I don't find jobs. Right. I think you guys are all doing a good job. I just would stress that we stopped changing the code every time someone has a problem with it, it seems like there's a rental issue, right? With rental garbage, with rental noise, with rental parties. And it seems like you need to figure out how to fix that. And I don't I don't know how to fix that. But you shouldn't take the rights of way of homeowners that want to do certain things with their property under the current code that they spend hundreds of thousands of dollars, sometimes millions of dollars, to buy property and buildings to be able to do that. **Mayor**; I agree. **Lenny**; Okay. To be able to just change things around.

**Mayor**: Okay. I think we have, as Dr. Waz pointed out, a noise problem. That's all. I think that if we have pools and let's just say 10:00 at night. **Lenny**; the pumps should be off. I mean, yes, **Mayor**; you don't need the drop off because if you have a new pump, a good pump, it doesn't make any noise. **Lenny**; No, I would say that I just I just wanted to stress to the board that these knee jerk. **Mayor**; You wanted to thank you. **Lenny**; I'm not saying. Listen, you're elected officials. You should be thankful anyway, because, quite honestly, I don't want to run. If someone else wants to run, we're a democracy, you can run. so that's fine. **Mayor**; But if you're up here two more minutes, then you volunteering. **Lenny**; I will. I will try to sit that. It's just that. Can I just ask you one thing? **Trustee Blake**; Is your comment in relation to what Chris said that we're looking at the code again is that **Lenny**; honestly, my comment is against now all of a sudden want to scrutinize the plans. You know, you hire an architect, right? And you spend hundreds of thousands of dollars on property. You spend thousands of dollars with the architect. You think you know the code, how the code is interpreted. Every architect thinks they know how the code is interpreted. Now, maybe that's right or wrong, but now you're going to have more sets of eyes on the on the plans. Right? So now it's my planning. I understand. you say that, but I don't know that's to be 100% sure. **Mayor**; Okay, I'll cross my heart and hope to die. Not to change it. Okay. To make sure they are within the code. **Lenny**; No, no, and that's fine. And I'm confident my architects follow the code. So, it's just that now you're now you're saying other, other things, you're going to you're going to **Mayor**; Wait. You know, the code is a living, breathing thing. Yes. We have to change it. The issue with the bathrooms. Okay. Too many bathrooms in a house. Yes. Yes. You're only supposed to have three bathrooms is the most you're supposed to have. Yes. Well, if you have 20 people in the house and one bathroom, the toilets are going to flush that many times. Yes. If you have 20 people in a house and six bathrooms, still the same amount of flushes. And anything that's new now is code efficient. Using less than a gallon. It's a new house. There's no leaks. There's water efficient. Everything that **Lenny**; I agree with, I agree. I agree with everything you said. I think the issue with some of the community here is more around, like I said, code enforcement and the rentals. I don't rent my home. I live in it. **Mayor**; Thank you. It's good talking to you. Thanks.

**Jonathan Jossen** our here forever. And this is an easy one. No, complaints. **Mayor**; Tennis? Jonathan; What projects are planned for September, October, November and December. **Mayor**: none. **Jonathan**; So, you're not doing what's being put until next year? **Mayor**; It doesn't seem so. Now we have an issue with bidding and an issue with materials. It seems like we have to almost order the materials now for a stock this time next year. **Jonathan**; So, I was talking to that gentleman and he told me now all of a sudden there's more grant money available. Is that what you were telling us? **Mayor**; There's tons of there's tons of grant money out there. It's just getting it. **Jonathan**; Well, it's positive for us. **Mayor**; Well, we have a 12 and one half million dollar where \$3 million of that or three and a half million. That is a grant. The rest would be whatever's left out of that \$7 Million/\$8 Million would be a 30 year loan. No interest from the from the EFC, which is basically FEMA. If we run out of money for that project, then we have to go back to the EFC, submit what we've done, get their approval and ask them for more money to finish what we need to finish here, which is the whole sewer collection. Jonathan; It's my last, my last. So, in other words, come jet, come December 31st, the January 2nd, I can apply for my tennis and I'm going to get it the next the next year. **Mayor**; Yes. **Jonathan**; Thank you very much. You're welcome.

**Lisa Lowe**; Yes, my name is Lisa Lowe. And I'm just wanted to ask and it's sort of in the same bucket. I'd like to know where the final storm water is being built, because there was a lot of discussion last year and I don't think the final plans are actually **Mayor**; the final plans are done. **Lisa Lowe**; but they're not on the website where I can see them. Jimmy. Could you post them, please? **Mayor**; Well, yes. We're waiting for the final drawings, the drawings that will go out with the bid that we hope is going to go out in September Okay. The bid process will be in September. It'll be out for a month, two months, whatever the engineers feel is good. And then we should get a bid from the people that are going to do it, we will award the bid to whoever is going to make sure the bid docks are on. And then once we get that diagram, you'll be able to see what it is. But right now, the diagram is for the for the pump stations to be out here. There'll be all that ground level where the tennis court fence is. It will be in that area there. We're going to steal a couple of feet from that tennis court and a couple of feet from the Wagon Park. And that'll be where the tanks and the pump house would be next to this little building here. And the rest of it will just be drainage within the village. And we hope to be getting because this is a sewer program we're going to build, the drainage system will be on the north side of the walk and the sewer system will be on the south side of the walk. So the whole of Main Street will be redone. While we're doing that, we're putting in a brand new sewer line for when the change comes over, and we hope to get every manhole that's in town here replaced. At the same time, we're doing the drainage system. We'll give you pictures when they're ready. Got it.

**Lisa Lowe**: One last question. No, it's I think it's a good one. The village of Ocean Beach Environmental Commission is working with Dawn on rewriting the garbage code. So, I think that will help you guys and maybe give you some information. **Mayor**; We don't need

a limit on garbage cans. **Lisa;** Yeah, I think you do, Jimmy, but. That's a different question. Long topic for a different discussion. **Trustee Norris;** The board is addressing your recommendation. **Mayor;** Shut me down. Yes, sir. Can I help you?

**Seth Ben Ezra;** Hi. My name is Seth Ben Ezra. I'm an owner here for 15 or so years. Two things from the conversation today. One, garbage cans and maybe recycling cans on the beach. Kids definitely leaving garbage like we've never seen. We were just in San Diego. They have cans and recycling cans everywhere. And it's a pain in the neck for the garbage guys to pick up. But maybe they're a little more encouraged to drop their water bottles. It's what we're supposed to have is water bottles and these kids leave them everywhere. Anyway, that and the other thing is full time police and our police department, the full timers here, there's probably only a handful and probably getting close to retirement. My kids grew up out here, you know, summers and off season. And the fact that they knew the full timers, I think makes them more respectful. Hopefully we make them more respectful. But there are so many police out here, which is great. But I wonder what we do with the full timers. Can we have more full timers or is there a plan so that the kids that are grown up out here see people, you know, like we used to see each other's parents and pay attention. Hopefully they see police that they know and recognize and pay attention. Thank you. Ben.

**Edie Hynes;** Hi, Eddie Hines. I have two questions. First one is when you do repairs, the concrete repairs, could you keep in mind on the corner of Evergreen and Midway? They had replaced a pipe years ago and it's kind of fracturing a little bit. So, whether you're walking my husband is in a scooter is very dangerous. Right. It's just it needs to be rectified. **Mayor;** We'll address it. **Edie;** Thank you. I appreciate it. Also, the issue with the ferry tickets. The company is holding everybody hostage. Yeah, I know. So. Is there a way that I mean, I know that it was mentioned in, I guess, notes from the beach that they were looking at property at possibility and Sayville. Is that a viable possibility? **Mayor;** You know, I mean we can talk for hours about the ferry, but. Looks like, you know, the ferry is treating us very badly. **Edie;** They are. That's the point. **Mayor;** However, trying to. Trying to spend \$30 million to find somewhere else with our own ferries, our own landing area, our own parking lot close to the trains. You know, there's enough there's not much out there that you can do; **Edie;** I know Sayville is close. I happen to live in Sayville, so that would be wonderful for me. Well, it doesn't matter. **Mayor;** Sayville, we've spoken to the Sayville Ferry and he's not capable of doing what Ocean Beach does. Right. And he's a little afraid of the ferry company. And I don't mind saying this out loud. You know, if he were to give us a number to do it, the ocean, the Fire Island Ferries would go in over to Sayville and undercut his price. You understand what goes on? **Edie;** I definitely do. **Mayor;** So, they put him out of business. **Edie;** And again, you're talking \$5. I have no idea how much extra a buck, but obviously it goes up every year, as does everything I know. Is it true that the village makes money on each book? **Mayor;** We have a we have a soft cost fee, a processing fee. And I think we're going to be talking about getting rid of it or lowering **Edie;** it's pennies. It's really kind of the principle is in my mind now, do we have showers here? Public showers, **Mayor;** not yet. **Edie;** So, if in fact, I thought they were I had no idea. But if they do end up getting them, maybe money can be generated from those showers. And put toward the variables. **Mayor;** Again, it's a good idea, but it's a location. You want to shower outside your house? I don't think so, no. **Edie;** Oh, come on. Not really. I thought I for some reason, I have no idea why I was told that they were by where the public bathrooms are. **Mayor;** there are no shower plans. **Edie;** So, then that's the end of that. That's the end of that idea. Thank you.

**Ken Klein;** Good morning. **Mayor;** Good afternoon. **Ken Klein;** well, whatever. I'm going to ask a question. It may have been answered already. I have a question about that house on Ocean Road. Yes, sir. There is absolutely zero setback for the second story. Plain, simple. No question whether they were plans, no plans, whatever. It is in total violation of our code. Forget the bathrooms and I and I hear your analogy of the low flush toilets and all that at us. Why can that building remain the way it is? **Mayor;** Because I think the whole building is set back on the second story. **Ken Klein;** It's setback. 22 feet. It is? The first story is 22 feet back. **Mayor;** Yeah. **Ken;** but the code doesn't say that. The code says the second story must be set back eight feet from the first story and the first, plain and simple. It is a total violation of the village code. And Chris, you know, in the city, if you violate the code and they did it, they made them rip three stories off of building. That building should not be allowed to be occupied the way it is. A stop work order could be issued by you. Jimmy doesn't have to be by the building inspector and it could be approved by the board. Okay. Thank you.

**David Simpson;** Good evening. David. (David Simpson, Ocean Breeze). A number of folks in the community have approached me asking me to give a very quick update on where we are with COVID. And I'd like to make just a quick comment and then a recommendation to the community, because clearly we're in a lot better place with COVID than we were a year or two ago. But we are nowhere out of the woods. And the relaxation that everyone is experiencing, no masking forgetting about vaccines, I believe, is misplaced. And I'll try to tell you why. What we are seeing now in our hospital among the task force is that the new variants, BA-2, now BA-4 and BA-5 of Omicron Prior vaccination is not very effective and most patients were now seeing coming in with COVID have been previously vaccinated and they're breaking through. And so, what I'd like to advise is that there is now new vaccines that are going through. The FDA will be approved very soon, probably in the next month or two. That will have effectiveness against particularly BA-4 and BA-5. And even though most of us are protected because we're not going to get very sick, even if we do have COVID, frankly, most people don't even know that they have it with a little sniff or sneeze. We're putting other people at risk, the elderly, the immunosuppressed. And in this small island, if we want to protect all of each other, I would very strongly recommend keeping this in mind. And when the new vaccine becomes available, I would strongly encourage as many people as possible to make avail of it. Thank you. Thank you doctor.

**Dave Lipsky;** this is a quick question really for Kevin. There have been concerns about water usage out on the East End. There are already water restrictions because of concerns about that. And I'm wondering whether anyone's looking at the carrying capacity of the village in the summertime with all of the crowds and people that we have, and particularly the wastewater treatment plant. It's my

impression from walking around that the amount of odor coming out of the plant is a lot greater and more frequently we're getting those odors. And it really is a question of whether there's so much water being treated. And with all of the fresh water in that mix, whether the treatment is not as good as it could be and it hasn't been and hasn't been optimized as well as it could be, and hence the odors. **Kevin Schelling**; All right. Which one you want? First to water the wastewater. **David**; Let's try wastewater. **Kevin Schelling**; Okay. The wastewater. The reason the plants smell smelling more this year is because it hasn't rained. Usually, I'm diluted by millions of gallons of water. The plant is actually doing what it's supposed to be doing. It's a sewer plant. And that's. I don't have to say it nice. It does stink. Most years, my sewer plant puts up with almost 100 million gallons of fresh water coming in from leakage from the rain and everything else. This year, it hasn't gotten it. It's actually becoming a sewer plant this year and actually treating what it's supposed to be treating. That's why you smell it more this year than ever before. It's not the amount coming. I'm getting less water coming in, but what's in it is amazing, I can tell you. I've gotten some good gifts this year. Someone recently, I guess, flushing towels down the drain. Our pumps, we take our pumps up out of the stuff and there's a towel wrapped around the blade. So, the pipes are working pretty well. But that's why the plant smells more this year, because it's actually treating more and it's doing the right thing. I'm putting out almost 97% pure in the bay. Okay. Now, if you want to hear the water answer. We have not used an extreme amount of water out east, a water that long. Some homeowners out there use 7 million gallons a year of what are their lawns. We don't have that problem here. We have three wells. We have not used more than one well in action this summer. It's close to when we took care of the Seaview fires. Actually, the water came from Ocean Beach that put out those fires. And we have not tapped our water supply. We are just fine. Thank you. So, you okay? Yeah. Great. Thank you.

**Edith Charlton**: My name is Edith Charlton. I'd like to follow up on the numbers on the houses. I haven't noticed any on my street going up and it's important enough that it is in our codebook. **Chief Hesse**; Yeah. We went around. What? We gathered all the information for the houses. I take this one on the chin. I yet to because I have been so busy and have gotten around to it. I actually. My daughter took it upon herself. **Edith Charlton**; You said something about a letter. **Chief Hesse**; I have to write a letter to those people or I can violate them. **Edith Charlton**; So is there anything that could be faster. **Chief Hesse**; I can write letters or I can write them a tickets. That's the way. **Trustee Hargraves**; George. I can do the letter today with you. **Chief**; But yes, we went around. **Edith**; It's just we're getting late in the summer. **Chief Hesse**; Well, it's all year. Let me tell you. I'm in the Fire Dept. I know what it's like looking for a house number. Even though as long as I been out you forget the house numbers. **Edith**; And you have new members coming in. **Chief Hesse**; You're right. They need to be big and bold.

**Jill Feighan**: Hello, Jill. Thank you. I have I have a question. Are electric scooters and electric bikes allowed in the village of Ocean Beach anywhere? **Chief Hesse**; No, **Jill**; no I Just wanted clarity so neither one ok. And second thing I have to add on to what Byron Chenault said that I also foiled for the report from the building inspector that is due every May to the board and the mayor and I got also back. No records found, which means it says something about his job performance. And it also says that no one is making sure that he does hand in that report. So, I just wanted to mention that. Thank you.

**Jonathan Jossen**: I'm being very positive. So, you mentioned we're going to lose a few feet from one of the tennis courts. So, does that mean there's going to be two tennis courts? **Mayor**; Yeah. What? Yes. **Jonathan**; Yes, there's going to be two tennis courts. Yeah. Okay. I just know I have one more. You're right. Your restaurant always looks great in front of it. But the question is about the toxic garbage in the east side. When you're going around the corner where the new pizza place is, you know, Scotty's new pizza place right back there. And now I'm just noticing something else and I took pictures of it, he owns, I guess, the other delicatessen on our end. The Pantry. Pantry. And if you look at the behind there, his box is really skewed and it's always open. It's always a mess. So now we have two toxic spaces from one owner. What can we do about that? **Mayor**; We'll take it under advisement. **Jonathan**; That's fabulous. Thank you.

**Kathy Roberts**: Hello, (Kathy Roberts, Ocean Road). I just wanted to follow up on the trees. I know the last two meetings we've been talking about the trees, shrubs. And I know you mentioned I think it was Chris, he got a standing ovation about getting the trees replanted on the dunes. And I know it was you have to go through the DEC and all of that. So, any update on the trees? **Trustee Norris**; No update. Honestly, we haven't moved on yet. It's been a busy season. That's not an excuse, but it's something in our mind actually. **Trustee Hargraves**; I'll speak about trees if you don't mind. I did the research for other local communities as to tree density and that I'm going to share with VOBEC either today or tomorrow. We're going to go through that committee first and then we'll bring it to the village board. **Kathy Roberts**; Ok What about code enforcement of our current entry requirements. That too that too because to me the trees are going down and the big homes are going up and we've been watching it. I watched a woman on my block literally cry when she saw a willow tree come down. And I remember years ago after Sandy, the big, big, beautiful tree in town right by the court building and Maguires that came down, I mean, a lot of people were upset and I know Jim Betz, Maguires, he ended up planting the tree himself that's there now. He planted a new willow in place of the one that came down. And I know on my block to the woman who cried, she I went by a house recently and I was so happy to see she planted a tree. So, individuals are taking it upon themselves to try to make the environment better. So, I hope we as a village can do it. I would love to even see like a tree, you know, plant a tree day or something, something like that. But definitely. **Camille**; on November 5<sup>th</sup> we will be planting seagrass on the dunes. So, we're going to be volunteers to your village at that time to come out. And let's make a subject.

**David Silver**: Okay, quick question because everybody wants to go. (David Silver, Evergreen) for Kevin, is there a problem or how is our electrical grid doing? So, every once in a while I see blips and the electric going off and then back on again. **Kevin Schelling**; I'm not in charge of that. **David**; Well, who's in charge of that? PSE&G. So, question anybody else having problems there or the village

power before for you? So, I did. That's why I'm asking. **Mayor Mallott**; There's a big problem out here with Verizon to all the computers that go on my computers and the restaurant went down last night from I think from 8:15 to maybe 9:30. Verizon is having a problem. I just this is what I'm talking about here on the phone now. We just got a warning for Verizon. It seems to have been a power surge. I don't know what it is. I'll read it to you here. We detected a commercial power issue in your area that may affect your Verizon services. For more information, please visit Verizon.com. You can call me at this number. **David**; I thought that was a phony statement because sometimes they try to get you on the phone that way. But it's true. **Mayor**; It is true. Yeah. Okay. **Chief Hesse**; We have emergencies coming into the police station. They got our voicemail. **Mayor**; I don't know if it's. If it's Verizon or the PSE&G for the Verizon. I don't know. **David**; But. But there's no problem then as far as the electrical within the village. **Mayor**; No. Well, we I don't really like I say, **David**; every time that fire alarm goes off, I worry about that. As far as the grid and how it's like what's on that? I know what I'm wondering about all the information on hand on that. Okay. Well, thank you. We haven't had too many. Okay. Thank you

**Jan Blakesburg**; Hi. My name is (Jan Blakesburg, I live on Ocean Breeze). I've lived on ocean bass for 27 years and been a 30 year resident in Ocean Beach. My biggest concern is that we're turning into a town. The entire town is turning into one giant hotel and then investors are buying our properties up and all they do is rent them out. They never live in them. They should all be paying hotel taxes if they're not living in them. It's not fair to the residents that are living here and there are houses on my block that turn over not once a week, often twice a week. And they have a rental from Monday morning till Thursday. And then from Friday to Sunday, we've turned into a town of hotels. And I think that something needs to be done about it.

ADJOURNMENT: Mayor Mallott moved to close the meeting at 12:50 PM. Trustee Hargraves seconded this motion. Upon call, the following voted:

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

\_\_\_\_\_  
Jonneigh M. Adrion, Deputy Village Clerk

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