

Approved Minutes

**Officers Present:**

Greg Letica, Mayor  
Pam Pierce, Deputy Mayor  
Melvin Ettinger, Trustee  
Laura Burke, Trustee  
Ian Jablonski, Trustee

**Officials & Appointees Present:**

Michelle Glennon, Village Clerk  
Bruce Migatz, Village Attorney  
Emily Hayes, Treasurer  
Raymond Mahdesian, Officer-in-Charge  
Bill Raisch, Emergency Manager

The Pledge of Allegiance was said.  
Publication of meeting was confirmed.

Trustee Ettinger made a motion to approve the Board Meeting minutes for May 2, 2023,  
seconded by Trustee Jablonski.

Trustee Jablonski	AYE
Laura Burke	AYE
Trustee Ettinger	AYE
Deputy Mayor Pierce	AYE
Mayor Letica	AYE

Motioned Carried.

The Board of Trustees thanked Village resident Liam Dwyer for organizing a beach cleanup on May 21st. Liam, his sister Annie and five of their friends removed plastic and other garbage from the Long Island Sound beach. In total, they collected approximately 86 pounds of trash. Mayor Letica presented each individual with a Village of Asharoken Certificate of Appreciation.

**Mayors Report:** During the month I continued to work with Suffolk County on securing the shared services money that the Village is owed. I also began work with the Village of Northport to renew our Intermunicipal Agreement allowing Asharoken to purchase gasoline from Northport. This arrangement has saved Asharoken thousands of dollars over the last 5 years.

Deputy Mayor Pam Pierce and I met with representatives from the Town of Huntington Highway Department and GEI Engineering to begin planning on how to best utilize the \$50,000 grant to repair the sink hole area of the seawall. GEI is in the process of finalizing the plan and I hope that construction can commence in the near future. I would like to thank State Assemblyman Keith Brown for securing this grant for the Village.

47 Additionally, during the month Deputy Mayor Pam Pierce and I began reviewing possible seawall grant  
48 opportunities. I would like to thank State Assemblyman Keith Brown and Suffolk Legislator Stephanie  
49 Bontempi for advising the Village of these grants.

50 PSEG is in the last phase of installing a smart switch just before the electrical wires enter the Village. This  
51 switch is supposed to minimized the number of micro-outages that Asharoken and Eaton's Neck  
52 frequently have. This is the first phase of a larger plan that PSEG has come up with to make the power  
53 more reliable in the Village and the neck. Later in the year an underground electrical cable will be  
54 installed from Bevin Road to North Creek Road and Bevin Road will be re-switched to allow it to be  
55 energized if EN is out of service.

56 I would like to thank Village Harbormaster Joe Affrunti for getting the police boat in the water  
57 for the Memorial Day weekend and getting the marine signs in this week.  
58 I attended the Village of Northport's Memorial Day Parade and the Pride Month Flag raising.

#### 59 **Trustees:**

60 Deputy Mayor Pierce: During the month I reviewed the requirements for the DOT application and  
61 other funding opportunities, the cable franchise agreement and the cyber security policy. I also  
62 reviewed the minutes, vouchers, and police report.  
63

64 Trustee Ettinger: During the past month, I continued to have numerous meetings and conversations  
65 with Officer-in-Charge Ray Mahdesian regarding a number of police related matters and once again,  
66 I am happy to report that the police department had another "good month", which Officer-in-Charge  
67 Ray Mahdesian will comment on shortly, in his monthly report.

68 As I reported last month, the new Ford Interceptor Police Vehicle that we ordered last October, had  
69 finally arrived on Long Island and was being fitted-out with the Asharoken Police car markings and  
70 the various after market electronics that we ordered. As of last week, I am happy to report, the new  
71 Police Car was nearly completed and we are now expecting to have the new car in service sometime  
72 in the next week or so.

73 I want to also confirm that the Asharoken Police Boat began it's summer service during the  
74 Memorial Day weekend and I want to take this opportunity to express our sincere thanks to  
75 Harbormaster Joe Affrunti for all his efforts in getting the boat ready for service. Thanks Joe!

76 And more recently, I met with Officer-in-Charge Ray Mahdesian to discuss our plans for the staffing  
77 required to cover the July 4<sup>th</sup> Celebration activities. As usual, we are planning to be prepared for any  
78 potential situations that could possibly arise, and hopefully we will once again enjoy a crime free  
79 July 4<sup>th</sup> Holiday Celebration.  
80

81 Some other matters that I was involved in during the month are as follows:

- 82 • I reviewed the Cablevision Franchise Renewal Agreement Report that we will be discussing  
83 and voting on tonight,
  - 84 • I also reviewed the material regarding Cyber Liability Insurance that we will be discussing  
85 tonight,
  - 86 • I also reviewed the Revised Local Law regarding Fences, that we will also be discussing  
87 tonight,
  - 88 • I also reviewed some correspondences that we received from some of our residents,
  - 89 • I also reviewed last month's BOT Regular Meeting's Minutes
  - 90 • I also reviewed this month's Abstracts for the Payment Vouchers.
- 91



Trustee Burke: During the month I reviewed the minutes, abstract, vouchers, police report, building inspector report and cable franchise agreement. I researched noise ordinances and worked on the fence permit application.

Trustee Jablonski: During the month; I reviewed, the minutes, payment vouchers, police report, cable franchise agreement, cyber security and various correspondences.

**Attorney Migatz:**

Nothing to report. I received a notice from the Appellate Division on the dock litigation, no date yet but they are ready to schedule. They don't meet in July or August so it may be in June. If it's not in June, it's going to be in September. The Zoning Board of Appeals did not meet. The planning board did not meet.

**Village Treasurer:** Emily Hayes reported for the month of May. The vouchers totaled \$137,790.17. Of that \$24,237.67 are for the new fiscal year starting June 1<sup>st</sup>. Most of the vouchers were for most of the insurance for the year and repairs for the entire year of the police cars. All in line with our budget.

**Police Report:** Officer Mahdesian reported that the police department was grateful to Trustee and Deputy Police Commission Jablonski for making the effort to number all the beach lots. He thanked Trustee Jablonski and said it made the police job a lot easier. Officer Mahdesian reported a disturbing event where a car was ticketed for doing 67 miles per hour on Asharoken Ave. We had 58 summonses for the month, 31 of which were for speeding. Officer Mahdesian thanked Joe Affrunti for coming out late at night to help get the police boat out of the water as it was sinking. Had a good month, looking forward to the 4<sup>th</sup> of July.

**Superintendent of Buildings:** Mayor Letica reported for Doug Adil who was unable to attend the meeting. The Building Inspector responded to a resident's inquiry as to additional parking spaces installed at 8 Duck Island Lane. Doug reviewed a foundation location for a new garage at 37 Bevin Rd, met with a homeowner to discuss specific generator location requirements, discussed floor plain requirements for a new home on Cove Rd, provided information to a homeowner looking to install a new swimming pool and trellis, which will require a variance due to inadequate setbacks. He continued doing inspections on various properties that are currently under construction.

**Emergency Manger:** Bill Raisch noted that we are officially in hurricane season, looking at 12-17 named storms, 5-9 may be hurricanes and possibly 1-4 major hurricanes based on statistical guesstimates.

**Deputy Harbormaster:** Bill Raisch said they are expecting 6,000 oysters in early July and will add them to the speed limit signs.

Public Hearing: Cablevision renewal agreement

Clerk Glennon read the publication

The Mayor opened up for public comments

A resident asked if Cablevision could help coordinate with local alerts. The Cablevision representative stated that one could go on the website for local alerts.

The Village Attorney thanked the Cablevision representative, Samantha Pardel-Jerez working on the contract and explained that 99% of agreements are dictated by the Federal Communications Act, there is very little leeway, the language was tweaked a little bit. He stated one major change that Cablevision agreed to and their representative was instrumental in obtaining was, Attorney Migatz then asked the Cablevision representative to explain. Ms. Pardel-Jerez then relayed that

145 Cablevision agreed to increase the police broadband speed from 100 megs to 200 megabits giving  
146 the police a savings of \$240 per year. Attorney Migatz also explained that in the existing franchise  
147 agreement the Village got a \$4000 franchise fee, as he understands it the regulations permit that  
148 unless that fee is used for public access or government access channels so it has been modified that  
149 we will get that money if we elect to have government access or public access or public education.  
150 One point of clarification from the Cablevision representative is quarterly they remit a franchise fee  
151 that's based on gross revenue from the cable system, what we're speaking about is the PEG grant  
152 which under law can only be used for cameras, microphones to record these meetings either to put  
153 them on television or streaming.

154  
155 The Mayor made a motion to close the public hearing, seconded by Trustee Ettinger.  
156

157 **Resolutions:**

158 **Resolution (2023-50)** Be It Resolved that the Village Board approves the budget transfers for the  
159 month of May 2023.

160 Deputy Mayor Pierce made a motion to approve, seconded by Trustee Jablonski.  
161 Trustee Jablonski AYE  
162 Trustee Burke AYE  
163 Trustee Ettinger AYE  
164 Deputy Mayor Pierce AYE  
165 Mayor Letica AYE  
166 Motioned Carried

167 **Resolution (2023-51)** Be It Resolved that the Village Board does hereby approve the vouchers for  
168 the month of May 2023 in the amount of \$137,790.17.

169 Trustee Ettinger made a motion to approve, seconded by Trustee Jablonski.  
170 Trustee Jablonski AYE  
171 Trustee Burke AYE  
172 Trustee Ettinger AYE  
173 Deputy Mayor Pierce AYE  
174 Mayor Letica AYE  
175 Motioned Carried  
176

177 **Resolution (2023-52)** Be It Resolved that the Village Board does authorize the mayor to sign the  
178 engagement letter to retain Skinnon & Faber for the purpose of conducting the Court Audit.

179 Trustee Jablonski made a motion to approve, seconded by Trustee Burke.  
180 Trustee Jablonski AYE  
181 Trustee Burke AYE  
182 Trustee Ettinger AYE  
183 Deputy Mayor Pierce AYE  
184 Mayor Letica AYE  
185 Motioned Carried  
186

187 **Resolution (2023-53)** Be It Resolved that the Village Board does hereby appoint the following  
188 election inspectors, Hillary Candelora as Chairperson, Debbie Manning, Francesca Catalanatto and  
189 Stephanie Bernhardt for the June 20, 2023, Village Election from 12 Noon to 9PM.

190 Mayor Letica made a motion to approve, seconded by Trustee Ettinger.  
191 Trustee Jablonski AYE  
192 Trustee Burke AYE  
193 Trustee Ettinger AYE  
194 Deputy Mayor Pierce AYE  
195 Mayor Letica AYE



196 Motioned Carried  
197  
198 **Resolution (2023-54)** Be It Resolved that the Village Board authorizes the Mayor to hire Nick  
199 Desantis of Newport Engineering for \$9500 for engineering and construction supervision of the  
200 Bevin Road paving.  
201 Trustee Jablonski made a motion to approve, seconded by Mayor Letica.  
202 Trustee Jablonski AYE  
203 Trustee Burke AYE  
204 Trustee Ettinger AYE  
205 Deputy Mayor Pierce AYE  
206 Mayor Letica AYE  
207 Motioned Carried  
208

209 **Resolution (2023-55)** Be It Resolved that the Village Board accepts a donation of \$500 from the  
210 Prokopov family to support the cost of the 2023 Fireworks event.  
211 Mayor Letica made a motion to approve, seconded by Trustee Ettinger.  
212 Trustee Jablonski AYE  
213 Trustee Burke AYE  
214 Trustee Ettinger AYE  
215 Deputy Mayor Pierce AYE  
216 Mayor Letica AYE  
217 Motioned Carried  
218

219 **Resolution (2023-56)** Be It Resolved that the Village Board authorizes the Village Clerk to solicit  
220 bids for the paving of Bevin Road.  
221 Deputy Mayor Pierce made a motion to approve, seconded by Mayor Letica.  
222 Trustee Jablonski AYE  
223 Trustee Burke AYE  
224 Trustee Ettinger AYE  
225 Deputy Mayor Pierce AYE  
226 Mayor Letica AYE  
227 Motioned Carried  
228

229 **Resolution (2023-57)** Be It Resolved that the Village Board authorizes a \$300 check to be made  
230 out to the New York State Department of Environmental Conservation and be sent to GEI for the  
231 application renewal fee for the sinkhole repair.  
232 Deputy Mayor Pierce made a motion to approve, seconded by Mayor Letica.  
233 Trustee Jablonski AYE  
234 Trustee Burke AYE  
235 Trustee Ettinger AYE  
236 Deputy Mayor Pierce AYE  
237 Mayor Letica AYE  
238 Motioned Carried

239 **Resolution (2023-58)** RESOLUTION AUTHORIZING THE VILLAGE OF ASHAROKEN TO RENEW A  
240 CABLE FRANCHISE AGREEMENT WITH CABLEVISION SYSTEMS HUNTINGTON CORPORATION TO  
241 OPERATE A CABLE SYSTEM IN THE VILLAGE OF ASHAROKEN, NY

242 WHEREAS, the Village of Asharoken, NY (the "Village") is a "franchising authority" in  
243 accordance with Title VI of the Communications Act of 1934, (the "Communications Act"), and is  
244 authorized to grant one or more nonexclusive cable television franchises pursuant to Article 11 of  
245 the New York Public Service Law, as amended, and Title 16, Chapter VIII, Parts 890.60 through 899,

of the Official Compilation of Codes, Rules and Regulations of the State of New York, as amended (collectively the "Cable Laws");

WHEREAS, the Village, executed a franchise renewal agreement with CABLEVISION SYSTEMS HUNTINGTON CORPORATION (the "Franchisee") on June 4, 2013 which was thereafter confirmed and made effective by the New York State Public Service Commission on December 31, 2013 for a term ten years (Case No. 13-V-0441) and

WHEREAS, said franchise agreement thereafter expires on December 31, 2023; and

WHEREAS, Franchisee has submitted a proposed franchise renewal agreement (the "Franchise Renewal Agreement") to continue operating said cable system within the Village; and

WHEREAS, The Village and Franchisee have mutually agreed to the terms of said Franchise Renewal Agreement; and

WHEREAS, the Village has determined that the Franchisee is and has been in substantial compliance with all terms/provisions of its existing franchises and applicable law; and

WHEREAS, the Village has determined that Franchisee has the requisite legal, technical and financial capabilities to operate cable systems within the Village and that Franchisee's proposals for renewal of the franchises meet the cable related needs of the Community; and

WHEREAS, a duly noticed Public Hearing, affording an opportunity for all those interested parties within the Village to be heard on the proposed Franchise Renewal Agreement was held before the Village on June 6, 2023.

NOW, THEREFORE, be it

RESOLVED, that the Village determines that it is in the best interest of the public to award the Franchise Renewal Agreement to the Franchisee; and be it

FURTHER RESOLVED that the Village hereby authorizes the Mayor to enter into the Franchise Renewal Agreement with CABLEVISION SYSTEMS HUNTINGTON CORPORATION and to execute any other documents necessary to effectuate the granting of the franchise renewal on behalf of the Village of Asharoken.

Mayor Letica made a motion to approve, seconded by Trustee Ettinger.

Trustee Jablonski	AYE
Trustee Burke	AYE
Trustee Ettinger	AYE
Deputy Mayor Pierce	AYE
Mayor Letica	AYE
Motioned Carried	

**Resolution (2023-59)** Be It Resolved that Village Board authorizes the Village to obtain cyber liability and breach response coverage through NYMIR not to exceed \$2,500.

Mayor Letica made a motion to approve, seconded by Trustee Ettinger.

Trustee Jablonski	AYE
Trustee Burke	AYE
Trustee Ettinger	AYE
Deputy Mayor Pierce	AYE
Mayor Letica	AYE
Motioned Carried	

Dated: June 6, 2023

Signed \_\_\_\_\_

**New Business:**

Cyber Security Policy – The BOT discussed the need for the cyber security insurance. It was agreed that it was necessary given the current climate of cyber threats and the incident with Suffolk County offices being hacked.

**Noise Ordinance**

Trustee Burke and Deputy Mayor Pierce have been asked by Officer in Charge Mahdesian to look at the noise code because it lacks clarity and Trustee Burke spent a lot of time looking at other municipalities codes. The last time the Village's code was looked at was 1980.

**Public Session**

**No comments were made**

Mayor Letica made a motion to exit public session, seconded by Trustee Ettinger.

Trustee Jablonski AYE

Trustee Burke AYE

Trustee Ettinger AYE

Deputy Mayor Pierce AYE

Mayor Letica AYE

Motioned Carried

Mayor Letica made a motion to adjourn the meeting, seconded by Trustee Ettinger.

Trustee Jablonski AYE

Trustee Burke AYE

Trustee Ettinger AYE

Deputy Mayor Pierce AYE

Mayor Letica AYE

Motioned Carried.

The June 6, 2023, Regular board meeting of the Board of Trustees was adjourned at approximately 7:20pm.

Signed: \_\_\_\_\_

Michelle Glennon, Village Clerk