

APPROVED

Officers Present:

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

Officials & Appointees Present:

Michelle Glennon, Village Clerk
Doug Adil, Building Inspector
Raymond Mahdesian, Officer-in-Charge

The Pledge of Allegiance was said.

Publication of meeting was confirmed.

Trustee Ettinger made a motion to approve the Board Meeting minutes for October 3rd, 2023, seconded by Trustee Burke.

Trustee Jablonski	Abstain
-------------------	---------

Trustee Burke	AYE
---------------	-----

Trustee Ettinger	AYE
------------------	-----

Deputy Mayor Pierce	AYE
---------------------	-----

Mayor Letica	AYE
--------------	-----

Motioned Carried.

Mayor Letica reported; On October 5th I was joined by Mr. Phil Quarles on a call with Matt Chelbus from the NYS Department of Environmental Protection's Coastal Erosion Management Section. We discussed the possibility of the DEC reaching out to the US ACOE to see if the Corps would be willing to assist the Village in finding a solution to restoring the failing seawall and beach seaward of it. The Corps had previously told the Village that it would not work on a localized project and would only consider a full restoration of the beach from the power plant to the seawall. This plan was comprehensively rejected by Village residents in 2016. Mr. Chelbus was not optimistic about the Corps changing its mind but he said that he would contact them and see what they had to say. To date I have not received a response from Matt.

In other seawall news since the last meeting, I met with people from a large engineering firm and the owner of a coastal construction firm. Both of these meetings were very productive and gave the Village a better idea of how to use the \$1,000,000 earmark for seawall reconstruction that Senator Chuck Schumer secured for the Village. During the month the Village continued to work with its engineering consultant Holtzmacher to complete the FAPP form that the NYS DOT needs to start accessing these funds. Additionally, the Village began work on the Request for Proposal to hire an engineering firm to design a full reconstruction of the seawall and beach area. This project will be paid for by a \$1,000,000 Hazard Mitigation Grant that Deputy Mayor Pam Pierce secured for the Village.

49 I attended the oral arguments on the dock lawsuit at the NYS Appeals Court in Mineola. Village
50 Attorney Bruce Migatz expects a decision in the upcoming months.

51 The construction of the underground electric wire from Bevin Road to North Creek Road began
52 since the last meeting. The project is going well and should be done in about a month. In the spring
53 the road will be fully repaved as well.

54 I worked with Trustee Laura Burke on a draft of the proposed Village Noise Ordinance.

55 I participated in the monthly zoom call with NYS Assemblyman Keith Brown and various people
56 from Northport and the Town of Huntington.

57 Sadly, I am announcing the passing of long time Asharoken resident Tony Wenderoth in his 89th
58 year. The Wenderoth family has been in the Village almost one hundred years. Over many years
59 Tony served on the Planning Board, as well as its Chairperson, and also was the Village building
60 inspector. After superstorm Sandy in 2012, Tony, Andy Mendelsohn and Mel Ettinger combined
61 their vast engineering expertise to facilitate some very rapid repairs to damaged critical
62 infrastructure. His dedication to giving back to the Village is matched by very few others and I thank
63 him for his incredible service. Tony loved the Asharoken lifestyle and was still swimming in the bay
64 last September. In Tony's memory the flag at Village Hall was flown at half-staff. My condolences go
65 out his sister and Village resident Kristen, and his nephew Ed Carr who lives in Eaton's Neck.

66 **Trustees:**

67 Deputy Mayor Pierce: During the month I reviewed the minutes, vouchers, police report, the draft
68 annual financial report as well as the noise ordinance. I also worked on the FAPP application for
69 repair of the seawall and an RFP for the planning grant for the seawall.
70

71 Trustee Ettinger: Good Evening Everyone, A couple of weeks ago was the 11th year Anniversary of
72 Superstorm Sandy and it brought back such vivid memories to me about what happened that day
73 and how it affected our Village. The Storm caused a great deal of damage to Asharoken and many
74 other communities. But there were some "good things" that also happened as a result of Sandy. One
75 of those good things, for sure, is that if not for Sandy we probably would not be meeting in this
76 beautiful building tonight...Thanks Sandy!!!

77 During the past month, as usual, I spent a significant amount of time meeting with Officer-in-Charge
78 Ray Mahdesian regarding various Village Police related matters. Once again, I'm very pleased to
79 report that the Police had another good month and Ray will comment on some specifics further, in
80 his report to you, shortly.

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

- 82 • I reviewed the proposed changes to the Noise Code and various correspondences that we
83 received regarding this and that we will be discussing later,
- 84 • I also reviewed the Engineering Support Agreement with JRH Consulting Services,
85 regarding the Asharoken Abatement Project,
- 86 • I also reviewed the Draft of the Annual Financial Report prepared by our outside
87 accounting firm, Skinner and Faber,
- 88 • I also reviewed some correspondences that we received from some of our residents,
- 89 • I also reviewed the foils that were received during the past month,
- 90 • I also reviewed last month's BOT Regular Meeting's Minutes and finally,
- 91 • I also reviewed this month's Abstracts for the Payment Vouchers.
- 92

I would also like to take this opportunity to wish each and every one of you and your families a very Happy Thanksgiving Holiday!!

Trustee Burke: Last month I reviewed the minutes, vouchers, police report, helped Michelle out with the contact list updating for Village Hall and came up with a final draft of the noise code which we will be discussing tonight.

Trustee Jablonski: During the month; I reviewed; the vouchers, the police report, the noise ordinance, and other correspondence.

Attorney's Report: Board of Zoning Appeals Hearing November 2, 2023

Applicant: Joseph Kasper
Owner: Joseph Kasper and Lisa Rogers
Subject Premises: 327 Asharoken Avenue
Application for side yard setback variances to re-construct a rear deck and to construct a trash enclosure was granted.

Planning Board did not meet.

DANIEL AKESON and PHILIP GIUNTA v. VILLAGE OF ASHAROKEN (Dock Litigation)

The appeal was argued before the Appellate Division, Second Department on November 9, 2023. A decision could be rendered within a few weeks or a few months. Difficult to determine.

Village Treasurer: The vouchers totaled \$436,553.90 for the month of October. Included in the vouchers this month is the yearly bill for fire protection for \$158,370.24 and the yearly statement retirement pension funding for the police and village employees totaling \$220,243.00. With paying the retirement invoices by 12/15/2023 the village receives a discount of \$2,704.00.

Police Report: Officer Mahdesian reported the police department completed their firearms training. The department filed for a grant to update the department's electronic equipment. 37 summonses were issued, no arrests were made.

Superintendent of Buildings: This month I provided clarification of the Building Permit requirements to a resident for a proposed addition at 284 Asharoken Ave. I requested certification regarding the height of the new garage at 238 Asharoken Ave, confirmed by the architect that it is less than 24 feet above grade. I reviewed percent completion for new constructions at 279 Asharoken Ave; building permit was renewed at that property. I clarified the Energy Code requirements for the architect who will be filing plans for a new Accessory structure at 277 Asharoken Ave. Issued a fence permit for 411 Asharoken Ave and partial approval for a fence permit at 219 Asharoken Ave. Responded to a homeowner who asked if a building permit is required for installing a permeable (stone) driveway, for which no permit is required. Issued an updated denial letter for a building permit for 327 Asharoken Ave due to a change needed in the original letter. Conducted 17 inspections at various village properties.

Resolutions:

Resolution (2023-101) Be It Resolved that the Village Board does hereby approve the vouchers for the month of October 2023 in the amount of \$436,553.90. Deputy Mayor Pierce made a motion to approve, seconded by Trustee Ettinger.

Trustee Jablonski AYE

143 Trustee Burke AYE
144 Trustee Ettinger AYE
145 Deputy Mayor Pierce AYE
146 Mayor Letica AYE
147 Motioned Carried

148
149 **Resolution (2023-102)** Be It Resolved that the Village Board does hereby approve budget
150 transfers for October 2023. Deputy Mayor Pierce made a motion to approve, seconded by Trustee
151 Burke.

152 Trustee Jablonski AYE
153 Trustee Burke AYE
154 Trustee Ettinger AYE
155 Deputy Mayor Pierce AYE
156 Mayor Letica AYE
157 Motioned Carried

158
159 **Resolution (2023-103)** Be It Resolved that the Village Board does hereby approve the scheduling
160 of a public hearing on January 2, 2024 for the purpose of changing the Village Code *Chapter 115.1*
161 *Parking*, to increase the penalty of not exceeding \$50 for each offense to not exceeding \$250 per
162 offense.

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

164 Trustee Jablonski AYE
165 Trustee Burke AYE
166 Trustee Ettinger AYE
167 Deputy Mayor Pierce AYE
168 Mayor Letica AYE
169 Motioned Carried

170
171 **Resolution (2023-104)** Be It Resolved that the Village Board does hereby authorize the Village
172 Clerk to solicit RFP's for the purpose of hiring an engineering firm to create a design for the
173 replacement of the seawall and restoration of the beach to be reimbursed with funds from the
174 Hazard Mitigation grant.

175 Mayor Greg Letica made a motion to approve, seconded by Deputy Mayor Pam Pierce.

176 Trustee Jablonski AYE
177 Trustee Burke AYE
178 Trustee Ettinger AYE
179 Deputy Mayor Pierce AYE
180 Mayor Letica AYE
181 Motioned Carried

182
183 New Business: No new business
184 Old Business: There was a discussion regarding the proposed noise ordinance, a public hearing will
185 be held in the next coming months.

186
187
188 Mayor Letica opened Public Session:


- 189
190 1. A resident had a question about the resident list.
191 2. A beach lot owner questioned whether the village can broadcast the BOT meetings.
192 3. A resident asked about the feasibility study, reserve fund balance and a land purchase.
193 4. A resident asked about the retirement payment.

194
195

196 Mayor Letica made a motion to exit public session, seconded by Trustee Ettinger.
197 Trustee Jablonski AYE
198 Trustee Burke AYE
199 Trustee Ettinger AYE
200 Deputy Mayor Pierce AYE
201 Mayor Letica AYE
202 Motioned Carried

203 Mayor Letica made a motion to adjourn the meeting, seconded by Trustee Ettinger.
204 Trustee Jablonski AYE
205 Trustee Burke AYE
206 Trustee Ettinger AYE
207 Deputy Mayor Pierce AYE
208 Mayor Letica AYE
209 Motioned Carried.

210
211 The November 14, 2023, board meeting of the Board of Trustees was adjourned at approximately
212 7:11pm.

213
214 Signed: 
215 Michelle Glennon, Village Clerk