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3 Incorporated Village of Asharoken  
4 Board of Trustees Meeting & Public Hearing  
5 Due to the Corona virus the Board of Trustees held the meeting via Teleconference  
6 Tuesday, November 10, 2020 Village Hall  
7 Attendance was 21  
8

9 Mayor: Good evening everyone. I'd like to thank you all for joining the call this evening. This is the  
10 regularly scheduled Village of Asharoken Board of Trustees Meeting for November 10<sup>th</sup>, 2020.  
11 Before we start, I would just like to ask you if you are on the call and you are not speaking, to please  
12 mute your phone on mute. And if you do want to speak later, just take your phone off mute.  
13 Otherwise, any background noise is going to be transmitted over other people speaking, so I thank  
14 you very much for that.  
15 We will start out with the Pledge of Allegiance. Nancy do we have proof of publication for tonight's  
16 meeting?

17  
18 Nancy: Yes, we do Mayor.

19  
20 Mayor: I would like to start out with a quick roll call to see what Village officials are on the call.

21  
22 Deputy Mayor Pierce Present  
23 Trustee Ettinger Present  
24 Trustee Burke Here  
25 Trustee Jablonski Present  
26 Clerk Rittenhouse Here  
27 Treasurer Emily Hayes Here  
28 Village Attorney Migatz Here  
29 Building Inspector Doug Adil Not Present  
30 Officer-in-Charge Mahdesian Here  
31 Emergency Manager Raisch Here  
32 Harbormaster Affrunti Not Present  
33 Conservation Chair Cohen Here  
34 Sanitation Operator Not Present

35  
36 Mayor: Thank you. Is there anyone that I omitted that is on the call? All right, thank you. So, Nancy,  
37 we have proof of publication of this meeting?

38 Nancy Rittenhouse: Yes, we do, Mayor.  
39

40 Trustee Ettinger made a motion to approve the Regular Board Meeting minutes for October 6th, 2020  
41 seconded by Deputy Mayor Pierce.

42 Trustee Jablonski AYE  
43 Trustee Burke AYE  
44 Trustee Ettinger AYE  
45 Deputy Mayor Pierce AYE  
46 Mayor Letica AYE

47 Do we have any nays?

48 Motioned Carried  
49

50 Mayor: All right, the minutes for the last meeting had been approved. We are going to move into the  
51 reports of officials. We will start with the Mayor.

52  
53 Mayor's Report:

54 I hope that you and your family are well. The number of daily COVID cases in Suffolk County has risen  
55 substantially over the last few weeks. The three-day rolling average as of yesterday is 280 cases daily, the  
56 number that was last seen in May.

57  
58 So, once again, I encourage everyone not to let COVID fatigue set in. Wear your mask, wash your hands,  
59 keep your distance, and think carefully about family gatherings during the holiday season. As much as  
60 we would love to do this again like we normally do, we do have to be very considerate about what we are  
61 doing during those times. So, we are still not in the clear with COVID yet and we just always must keep  
62 our guard up.

63  
64 I would like to welcome all the new residents that had purchased property in Asharoken recently. The  
65 Village is during what it is likely the most significant real estate boom in its history. In 2020,  
66 approximately 15 houses and three empty lots had been sold.

67  
68 Two new houses were under construction and others are on the way. This is good news for the Village as  
69 the new development will increase Asharoken tax base and help keep any tax increases to a minimum. I  
70 am meeting the new residents and welcoming them to our community.

71  
72 The Village commenced work on 22 Bevin Road to remove the downed trees and this evening we will be  
73 hearing a resolution to proceed with boarding up the abandoned house. The Village has made every effort  
74 to have the property owner take care of this issue on their own and we have not been able to get any  
75 success in that process at all.

76  
77 The Village has continued to work on the New York State mandated police reform package and the New  
78 York State mandated pandemic emergency plan. I'd like to thank Bill Raisch for working on the  
79 pandemic plan and Ray Mahdesian and Mel Ettinger, Ian Jablonski for their work on the police reform  
80 package.

81  
82 This evening we received both the Village audit and the court audit from our Village auditor, Skinnon and  
83 Faber, and this evening both audits are on the agenda. And the Village will be extending its recycling  
84 agreement with the town of Smithtown for six months. Many thanks to the Town of Smithtown and  
85 Supervisor Ed Wehrheim with their exceptional cooperation and assistance.

86  
87 I would like to turn it over to turn it over to Deputy Mayor, Pam Pierce.

88  
89 Deputy Mayor Pierce: Thank you, Mayor. Good evening everyone. Since our last teleconference  
90 meeting, I participated in Suffolk County Shared Services Call led by Director Ed Moltzen. We reviewed  
91 the 2020 progress as (reported). We reported there were two significant areas of co-op price (given), one  
92 being PPE and the other emergency police radios.

93  
94 I passed the information on to the Mayor and the Village Clerk. Looking forward to 2021, Suffolk  
95 County is looking to do the same thing with two more areas, one would be technology needs and for  
96 equipment for public works department. Village Clerk, Nancy Rittenhouse has submitted the requested  
97 surveys on these areas for Asharoken.

98

99 I also participated in a Town of Huntington COVID Call. I reviewed the new ordinance on commercial  
100 parking, new fence code guidelines, the estimates for the cleanup in securing up the property at 22 Bevin  
101 Road, the minutes, the payment vouchers, the police report and the draft protocol for emergency charging  
102 station from Emergency Manager Bill Raisch. End of report.

103  
104 Mayor Letica: Thank you, Pam. Trustee Ettinger

105  
106 Trustee Ettinger: Good evening everyone. Firstly, I hope that each of you, your families and all your  
107 loved ones are safe and healthy currently. During the month, I continue to have numerous discussions  
108 with Officer-in-Charge Ray Mahdesian, Mayor Letica and Deputy Police Commissioner Jablonski  
109 regarding the New York State Police Reform Act that the -- that Governor Cuomo has enacted. We are  
110 working on developing our plan as the Mayor indicated which we need to submit to the Governor's office  
111 prior to April 1, 2021.

112  
113 We have recently completed our first draft of the outline of the plan. We are continuing to work on  
114 finalizing the outline. And once that is completed, we will begin working on developing the full plan. I  
115 want to thank in particular Officer-in-Charge Ray Mahdesian for all the time that he has spent in  
116 developing the outline and the outline -- and many of the things that are necessary for the plan.

117  
118 Some of the other matters that I was involved in during the month are as follows. I also reviewed the  
119 audited financial statements that we will be voting on this evening. I reviewed the audited justice court  
120 report statements that we will also be voting on. I reviewed the proposed local law 2-2020 regarding  
121 parking and storage of trailers and commercial vehicles that we will be voting on tonight.

122  
123 I reviewed the Superintendent's building report for the violations at 22 Bevin Road. I also reviewed some  
124 firearm permit applications that we received. I reviewed some correspondents that we received from  
125 some of our residents. I also reviewed last month's Board of Trustee regular meeting minutes. And  
126 finally, I reviewed the abstract and payment vouchers.

127  
128 I would like to end my report by wishing you all continued good health and a very happy and safe  
129 Thanksgiving Holiday. End of report.

130  
131 Mayor Letica: Thank you, Mel. Trustee Burke.

132  
133 Trustee Burke: Good evening all. This past month I spent quite a bit of time working on the fence code,  
134 the proposed fence code ordinance. I reviewed the proposed commercial parking law and the resident  
135 comments. I reviewed the abstracts and the payment vouchers from last month, the minutes, the police  
136 report and I completed the sexual harassment training as required by New York State. End of report.

137  
138 Mayor Letica: Thank you, Laura. Trustee Jablonski.

139  
140 Trustee Jablonski: Yes, thank you, Mayor. This month I reviewed the minutes, the abstract, the police  
141 report, the financial statement, review the violations at 22 Bevin Road, firearms applications, the  
142 commercial parking law, correspondents from residents, many drafts on the fencing law and several more  
143 phone calls and site visits on the drainage project. End of report.

144  
145 Mayor Letica: Thank you very much. Attorney Bruce Migatz, can we have your report as well as the  
146 zoning board and the planning board please?

147

148 Attorney Migatz: Yes, Mayor. The planning board did not meet in October. The zoning board did meet  
149 on November 2nd. They had one case located at 119 Asharoken Avenue, a side yard setback variance for  
150 a deck addition which was granted. Regarding the dock litigation, the appellants, (dock applicants) filed  
151 their brief. The Village and the intervenors filed their brief and we are waiting for the appellants to file  
152 their reply brief.

153  
154 Once that is fully briefed, I estimate, it will be at least two years unless there is a change in the number of  
155 judges in the courts because of budget cuts. The wait was about a year and a half and now with COVID  
156 and fewer judges, I am guessing about two years unless there is a change. Other than that, there is  
157 nothing else to report, Mayor.

158  
159 Mayor Leticia: All right and to those unfamiliar with the case, could you let us know who the intervenors  
160 were?

161  
162 Attorney Migatz: Robert Holmes and Asharoken Bayside Association. Robert Holmes moved out of the  
163 Village, but the Asharoken Bayside Association is still a party and they filed a quite extensive brief.

164  
165 Mayor Leticia: Right, supporting?

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167 Attorney Migatz: In support of the Village.

168 Attorney Migatz: Of course, I filed a brief on behalf of the Village.

169  
170 Mayor Leticia: Right. Thank you.

171  
172 Mayor Leticia: All right, Emily Hayes, could we have the Treasurer's report please?

173 Treasurer Hayes: Highlights for the month of October as far as revenue goes, nothing unusual to report.  
174 The expenditures, the total voucher for the month of October is \$167,792.06. Included in the vouchers  
175 this month is the invoice from Northport Village for our yearly fire contract. The total amount of that,  
176 one invoice is \$139,423 even. There will be a separate resolution to approve the vouchers and the budget  
177 transfers and that is all I have.

178  
179 Mayor Leticia: Thank you very much Emily. Ray Mahdesian, do you have the police report for us  
180 please?

181  
182 Officer-in-Charge Mahdesian: Yes, I do Mayor. In October, we had issued 32 traffic tickets. A lot of  
183 those tickets were for speed and excess of 50 miles an hour. So, we must maintain vigilance on  
184 Asharoken Avenue, that is for sure. Also, we had one motor vehicle accident to report and the one arrest  
185 for the month stems from that accident. The operator of the vehicle was arrested for driving while  
186 impaired by drugs. I am happy to report that there were no burglaries.

187  
188 We should note that the -- you mentioned the audit before, Officer O'Connor worked on the audit for the  
189 court and he does a great job with that and everything was ship shape. The department completed  
190 firearms training for the month and officer Josephson does an outstanding job of organizing that. No  
191 unusual problems to report. End of report.

192  
193 Mayor Leticia: Thank you. Another great job. Bill Raisch, do you have a report for the Emergency  
194 Management Department, please?

195

196 Emergency Manager Raisch: I do, yes. These are very fundamental pieces but probably worthwhile,  
197 looking at developing in advance. I did develop a fundamental protocol for simple recharging station,  
198 battery powered devices in the Village for residence to use in event of emergency. It has been provided to  
199 our Village Clerk, Officer-in-Charge for review and comment as well as a lot of members of the trustees.  
200

201 I am also going to be identifying some very simple and inexpensive chargers for perhaps advanced  
202 purchase to have on hand. A second protocol, we may want to provide something in the way of cooling  
203 or warming stations should we have a major event. The Village Hall could act as a sheltering entity. Each  
204 of these will have considerations about possible implementation in an infectious disease context.  
205

206 Additionally, about the public employer health emergency plan, I recently listened to a briefing by  
207 NYCOM on the development of these plans and they began to develop a draft plan based upon a template  
208 provided through NYCOM. I plan to have initial draft by the end of this month and then I plan to vet this  
209 with each of the key operating areas of the Village for comment revision.  
210

211 I anticipate sharing this before the February 4th deadline with any unions or labor management  
212 committees and then ultimately finalize by April 1 of 2021. With regard to general public health  
213 monitoring, I just noted a number of insights that came from a recent event that I hosted in my New York  
214 University capacity and it was on COVID-19 and the intersection of that with seasonal flu.  
215

216 Just key takeaways, there are generally two seasonal virus spikes that we should consider in addition to  
217 any COVID-19 activity. The seasonal flu typically spikes in February, although can be on occasion two  
218 peaks in a season. And additionally, at the end of December, there is something called the SRV which is  
219 severe respiratory virus that generally peaks in that month. So, those are two additional considerations.  
220

221 There are no clear indications of any potential interactions between COVID-19 and the seasonal flu but  
222 those folks that have had long-term impacts from prior exposure to COVID-19 generally could have  
223 complications in that regard. The good news is most of the mitigation measures for COVID-19 are also  
224 effective against seasonal flu.  
225

226 So, our hope is that we will have less intense seasonal flu this year and how the governments may react to  
227 (dual) spikes in COVID-19 and seasonal flu, that kind of remains to be seen. I'll also be reporting at our  
228 next meeting in this capacity, and I'll be hosting that event, regarding the Pfizer vaccine and what its  
229 effectiveness and likely distribution strategies will be and again, I hope to share that at our next meeting.  
230

231 Finally, I just like to say in recognition of Veterans Day tomorrow, my personal thanks to all those served  
232 our nation in the Armed Forces including of course our U.S. Coast Guard. Thank you.  
233

234 Mayor Letica: Thank you for a very comprehensive report, Bill. You always do a great job.  
235 Superintendent of the Buildings, Doug Adil, will be joining the call.  
236

237 All right, I guess Doug is not on the call at this point. Marty Cohen, what you have to say from the  
238 Conservation Board?  
239

240 Conservation Chair Cohen: Yes. We had a very busy month. I got the impression that many  
241 homeowners suddenly realized the season was changing and if they were going to get tree work done,  
242 now is the time. We ended up issuing four permits for tree removals throughout the Village, which was a  
243 record, at least during my time as the chairman.  
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245 Mayor Letica: Thank you for your hard work and your committee. You guys are doing a great job.

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Chairman Cohen: Thank you.

Mayor Letica: You're welcome. Did the Harbormaster join the call? I do not know if he did but I will say that during the month, the police covered up the police boat; and our buoys have been brought to shore by Volpi Marine. So, we are in good shape for the winter.

All right, our next order of business this evening is the public hearing for proposed local law number 2-2020. I would like to ask Clerk Rittenhouse to please read the notice of that public hearing which is published in The Observer.

Clerk Rittenhouse: Thank you. Please take notice that a public hearing will be held by the Board of Trustees of the Incorporated Village of Asharoken on Tuesday, November 10th, 2020 at 6:30 p.m. via teleconference. The call-in numbers are 1866-705-2554 or 1913-227-1201. Guest passcode is 13742, so follow those directions.

The public hearing will be held to discuss the proposed local law number 2-2020. It's chapter 116, parking and storage of trailers, commercial vehicles and construction equipment on residential property.

Any interested person is entitled to be heard upon said proposal of the law at such public hearing and the proposed local law can be viewed online [www.asharoken.com](http://www.asharoken.com) by order of the Board of Trustees of the Incorporated Village of Asharoken. It was dated October 6th, 2020. The publication was dated October 27th and it was published on October 29th, 2020.

Mayor Letica: Thank you very much Nancy. All right, so we are going to be holding public hearing to consider your comments on proposed local law number 2-2020 with regards to parking and storage of trailers, commercial vehicles, and construction equipment on residential property.

I am going to make a couple of comments in advance and then we will open up the meeting to any other public comment. The Board of Trustees of the Incorporated Village of Asharoken hereby find that the unregulated parking of trailers, commercial vehicles or construction equipment has the potential to create a visual blight within the Incorporated Village of Asharoken which can detract from the Village's residential character in which can adversely affect the aesthetics and property values therein.

It is the intent of this chapter to regulate the parking storage of trailers, commercial vehicles and construction equipment in a manner which will preserve the vehicle's residential character and protect the aesthetics and property values within the Village and otherwise promote the general health, safety and general welfare of its residents. So, that is the reasoning behind the law. We were going to have a public hearing on this I believe last month, was in September, but we postponed it because we did receive some comments. So, I wanted to briefly go through the comments that people sent in via e-mail. Multiple people asked questions about boat trailers, jet ski trailers, snowmobile trailers, horse trailers, small personal trailers, and other similar trailers. These comments came from Mr. Raisch, Mr. (Richter), Mr. (McGuire), Mr. (Monahan), Mr. (Somer), Mr. (Morison) and Mr. (Schubert). So, the simple answer is that any of these small personal trailers are not prohibited in this law. They are not being used for commercial purposes and therefore are not included.

Mr. (Raisch), Mr. (Rittenhouse) and then Mr. (Bonawandt) wrote letters questioning storage of commercial vehicles during construction and maintenance on a property. And again, this is exempt in the law, so that vehicles can be parked on the property when they're there in connection with lawfully permitted construction activities. So, there is no issue with that.

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Mr. (Boronow) wrote, asking question, he has a Bobcat which he stores on his property and he uses it often to clear Clam Shell Lane which is (rode) up on the (eastern sect) part of the Village, often snow removal or downed trees. And he asked what he would have to do to keep this Bobcat on his property.

And I spoke to Mr. (Raisch) and there is clause in the law which provides for any person who are legal entity, alleging a hardship to apply to the Board of Trustees for special permit to allow the parking of the trailer commercial vehicle or construction equipment on the residential property. So, that concern is also been covered in the law.

Three people wrote in support of the law. That would be Ms. (Zimmermann), and Mr. (Casamassima) and Ms. (Masterson). And interestingly, two of these people are real estate brokers and they both thought that this wall would be a very good thing for property values in the Village. And lastly, Ms. (Irving) wrote to suggest just postponing the whole thing because of the pandemic.

So, those were the comments that were sent in earlier via e-mail. I will ask the Village Clerk to attach all those complete e-mails to the record of tonight's public hearing as if they were comments received verbally, tonight. And I will go into the public hearing where anyone can make comments.

As usual, our protocol and policy are that you are entitled to three minutes to state your case, ask any questions. We would like you to state your name, so we know who you are talking to. And having said that, I will open this up for any public comment.

As there is does not appear to be any public comment on this, I will close the public comment portion of this public hearing. And I would also then make a motion to close the public hearing.  
Mayor Letica made a motion to close the public hearing; seconded by Trustee Burke.

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

Mayor Letica: All right, the hearing is officially closed and the motion passes. Our next order of business tonight is a hearing on Village code 46-7, unsafe building/structures. For this, we do need Superintendent of Buildings, Doug Adil. So, have you joined the call?

Nancy, can you do me a favor while we're -- while we're going through the next part of this, can you just give Doug a call and see if he perhaps didn't realize there was a meeting this evening?

Clerk Rittenhouse: Yes, I will.

Mayor Letica: All right. Let us just take a pause for a minute. Why don't you call Doug and then we'll proceed with the resolutions?

And while Nancy is doing that, is there any new business any of the trustees would like to bring up this evening?

Trustee Burke: No, but I have a question, Mayor or directed to Mel, if that's okay?

346 Trustee Ettinger: Hi Laura.

347

348 Trustee Burke: You mentioned the outline for the police, will you be circulating that to the rest of the  
349 trustees for comments?

350

351 Trustee Ettinger: Yes, we will. I mean as the Mayor reported, we've been working on it and then as I  
352 mentioned we just completed a rough draft on it which was just -- with Ray, with the key person involved  
353 in it and he just recently circulated it to the Mayor, to the Deputy Police Commission, to Ian and myself,  
354 we just got it a few days ago. And I had further discussions with Ray and we will modify it and once we  
355 can get you a copy of what we have now but I was thinking about another week or so, we'll have a  
356 finalized outline which will then distribute to the board. Then begin working on the plan.

357

358 Trustee Burke: Thank you.

359

360 Trustee Ettinger: Part of the plan is to submit the plan to the Village and have a hearing on it. Comments  
361 will be noted to complete plan.

362

363 Clerk Rittenhouse: Yes, I reached the Superintendent, he should be calling in.

364

365 Building Inspector Adil: Hi.

366 Mayor Letica: I'm glad you made it, Doug. How are you?

367

368 Building Inspector Adil: Good, sorry. I had some connectivity issue.

369

370 Mayor Letica: All right, so if you could, we need your regular report and then your report on Bevin Road  
371 22.

372

373 Doug Adil: For the month of October 2020, I did speak with the homeowner installing emergency  
374 generator as the number of homeowners recently have in Asharoken to discuss requirements for elevating  
375 the generator in the flood plain along with the materials to be used being noncombustible. We issued  
376 final inspection reports for eight houses in Asharoken for various underground propane tank installations.

377

378 Completion of swimming pool construction and gas pressure test for new gas services, I completed the  
379 plan review for another project in addition to a home on Asharoken Avenue. Plans were approved. In the  
380 second review, I reviewed construction drawings for a proposed second story deck at home at Asharoken  
381 Avenue. Of course, because it was encroaching in the front yard, setback -- plans were denied for  
382 building permit and it is moving towards the variance process. I completed building code training for two-  
383 hour courses as part of the 24 hours of annual code training that I need as code enforcement official  
384 reviewed some additional drafts for the upcoming fence ordinance. I spoke with an architect who is  
385 designing a renovation of home of a property on South Harbor Road and provided some zoning feedback  
386 and code information to additional homeowners as with September, persons inquiring into properties in  
387 Asharoken for purchasing property. I performed various inspections in ongoing construction projects and  
388 that is my report for October 2020.

389

390 Mayor Letica: All right, thank you. I know you're quite busy because there's incredible amount of  
391 construction going on in the village presently.

392

393 Inspector Adil: Yes

394

395 Mayor Leticia: You have inspected 22 Bevin Road, just tax map number 040100302034000. And I was  
396 wondering if you could give us a report on what you found there.  
397

398 Inspector Adil: Yes, at 22 Bevin, I believe we received bids from three contractors for the work at that  
399 location. We found that one is preferable, and we would like to move forward with having the work  
400 performed by the (one) contractor. That includes tree removal off the house and cleanup of the property.  
401

402 Mayor Leticia: Did we also look at Village code 46-7 which was the unsafe building structures as part of  
403 this.  
404

405 Inspector Adil: Yes. It was recommended that we move forward. Nancy could you provide some  
406 information.  
407

408 Clerk Rittenhouse: Yes, Doug. Talking about ordinance 46-3 and 46-7, primarily at the October 6th  
409 meeting we spoke only about 46-3. The owner (Carol Fosella) was notified on both alleged violations 46-  
410 3 and 7 and her attorney was notified as well, and we posted it on the structure.  
411

412 We only presented a resolution to remove the two main trees that were on the property, did not really  
413 address securing the house itself. Securing the windows, the front door, and open soffits. That is why we  
414 have a resolution on this agenda to discuss that work.  
415

416 Mayor Leticia: All right, it does not appear that the owner or any representatives from 22 Bevin Road are  
417 on the call. Now, Bruce, do we have to have another hearing on this? Was the hearing that we have last  
418 month relative to 46-7 sufficient to go ahead and do the work?  
419

420 Bruce Migatz: Well, we're having a public hearing on it now, wasn't the owner given notice of this -- of  
421 this resolution and the opportunity to be heard?  
422

423 Nancy Rittenhouse: Yes.  
424

425 Bruce Migatz: Yes, so this is -- this is the hearing, this is the chance. It is not a public hearing in the  
426 sense of a local law public hearing. It's an opportunity for the owner to be heard and that's why we have  
427 given that owner and the record reflects that the owner is not -- is not present nor is the owner  
428 representative is present. So, the board may proceed as appropriate.  
429

430 Mayor Leticia: Doug, when you inspected his property, can you just remind us of some of the issues that  
431 you found physically on the house that need to be taken care of?  
432

433 Inspector Adil: Yes, there were 12 windows on the building they need to be secured with plywood. The  
434 doors need to be secured with plywood, hinges, and padlock. The plywood, I will recommend that it be  
435 painted, and open soffits need to be secured. And all this work would take place once the trees are  
436 removed.  
437

438 Mayor Leticia: All right, thank you very much. And just once more, is anyone on the call this evening,  
439 the property owner, (Carol Fosella) or a representative of hers regarding 22 Bevin Road? All right, so let's  
440 have the record reflect the fact that no one from Bevin Road, either property owner or representative was  
441 on the call this evening.  
442

443 **Resolutions:**

444 **Resolution (2020-126)** Be It Resolved that the Village Board does hereby approve the vouchers  
445 for the month of October 2020 in the amount of \$167,792.06.

446  
447 Mayor Letica made a motion to approve; seconded by Trustee Burke.

448 Trustee Jablonski AYE  
449 Trustee Burke AYE  
450 Trustee Ettinger AYE  
451 Deputy Mayor Pierce AYE  
452 Mayor Letica AYE

453 Motion Carried

454  
455 **Resolution (2020-127)** Be It Resolved that the Village Board does hereby approve budget  
456 transfers for October 2020.

457  
458 Trustee Ettinger made a motion to approve; seconded by Trustee Jablonski.

459 Trustee Jablonski AYE  
460 Trustee Burke AYE  
461 Trustee Ettinger AYE  
462 Deputy Mayor Pierce AYE  
463 Mayor Letica AYE

464 Motion Carried

465  
466 **Resolution (2020-128)** Be It Resolved that the Village Board does hereby accept the audited  
467 Financial Statements for year end 5/31/2020, the Financial Statements have been filed with the  
468 Village Clerk, published and available for inspection.

469  
470 Mayor Letica made a motion to approve; seconded by Trustee Burke.

471 Trustee Jablonski AYE  
472 Trustee Burke AYE  
473 Trustee Ettinger AYE  
474 Deputy Mayor Pierce AYE  
475 Mayor Letica AYE

476 Motion Carried

477  
478 **Resolution (2020-129)** Be It Resolved that the Village Board does hereby accept the audit for the  
479 Justice Court of the Village of Asharoken covering the period October 1, 2019 through September  
480 30, 2020.

481  
482 Deputy Mayor Pierce made a motion to approve; seconded by Trustee Ettinger.

483 Trustee Jablonski AYE  
484 Trustee Burke AYE  
485 Trustee Ettinger AYE  
486 Deputy Mayor Pierce AYE  
487 Mayor Letica AYE

488 Motion Carried

489  
490 **Resolution (2020-130)** Be It Resolved, that the Village Board does hereby adopt the following  
491 schedule for monthly regular meetings for the calendar year 2021 meetings to begin at 6:30pm at  
492 the Asharoken Village Hall, One Asharoken Avenue, Northport, NY 11768, subject to change.

493

494 Regular Meeting, Tuesday, January 5th, 2021  
495 Regular Meeting, Tuesday, February 2nd, 2021  
496 Regular Meeting, Tuesday, March 2nd, 2021  
497 Regular Meeting, Tuesday, April 6th, 2021  
498 Regular Meeting, Tuesday, May 4th, 2021  
499 Regular Meeting, Tuesday, June 1st, 2021  
500 Regular Meeting, Tuesday, Organizational Meeting, July 13, 2021  
501 Regular Meeting, Tuesday, August 3rd, 2021  
502 Regular Meeting, Tuesday, September 7th, 2021  
503 Regular Meeting, Tuesday, October 5th, 2021  
504 Regular Meeting, Tuesday, November 9th, 2021  
505 Regular Meeting, Tuesday, December 7th, 2021  
506

507 Mayor Letica made a motion to approve; seconded by Trustee Jablonski.

508 Trustee Jablonski AYE  
509 Trustee Burke AYE  
510 Trustee Ettinger AYE  
511 Deputy Mayor Pierce AYE  
512 Mayor Letica AYE

513 Motion Carried  
514

515 **Resolution (2020-131)** Be It Resolved, that the Village Board does hereby adopt the following  
516 schedule for monthly Special/work session meetings for the calendar year 2021 meetings to begin  
517 at 4:00pm at the Asharoken Village Hall, One Asharoken Avenue, Northport, NY 11768, subject to  
518 change.  
519

520 Special/Work Session Meeting, Tuesday, January 19th, 2021-to certify the unpaid real estate taxes  
521 Special/Work Session Meeting, Tuesday, March 16th, 2021 to review budget for 2020-2021  
522 Special/Work Session Meeting, Tuesday, April 20th, 2021 to adopt the budget, if needed  
523 Special/Work Session Meeting, Tuesday, June 28th, 2021  
524 Special/Work Session Meeting, Tuesday, September 14th, 2021  
525

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

527 Trustee Jablonski AYE  
528 Trustee Burke AYE  
529 Trustee Ettinger AYE  
530 Deputy Mayor Pierce AYE  
531 Mayor Letica AYE

532 Motion Carried  
533

534 **Resolution (2020-132)** Be It Resolved, that the Village Board does hereby approve the services from  
535 Parker landscaping for the 2020/2021 winter season snow removal for village hall parking area and  
536 entrances in the amount of \$175.00 per snow fall of 1” to 6” and \$250.00 for 6” to 12” over 12” \$50.00  
537 per 3 inch increments.  
538

539 Deputy Mayor Pierce made a motion to approve; seconded by Mayor Letica.

540 Trustee Jablonski AYE  
541 Trustee Burke AYE  
542 Trustee Ettinger AYE  
543 Deputy Mayor Pierce AYE

544 Mayor Leticia AYE

545 Motion Carried

546

547 **Resolution (2020-133)** Be It Resolved, that the Village Board adopts the findings and facts based upon  
548 the Superintendent of Buildings report and finds that Village Code 46-7 has been violated and authorizes  
549 that a notice be served to the property owner of 22 Bevin Road (SCTM# 0401-003-02-034-000) to  
550 remedy the violation within five business days of the date of notice, if the violation is not remedied within  
551 the five business days the village will cause the condition to be remedied by Oakleaf, Inc. for \$2150.00,  
552 the cost of \$2150.00 will be assessed against the property, if needed. (Second estimate was for \$8500.00).

553

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

555 ROLL CALL:

556 Trustee Jablonski AYE

557 Trustee Burke AYE

558 Trustee Ettinger AYE

559 Deputy Mayor Pierce AYE

560 Mayor Leticia AYE

561

562 **Resolution (2020-134)** Be It Resolved that the Village Board; does hereby approve a public  
563 hearing to amend Chapter 125 of the code of the Village of Asharoken entitled "Zoning" in order to  
564 regulate fences to be held on December 1, 2020.

565

566

567 Trustee Burke made a motion to approve; seconded by Deputy Mayor Pierce.

568 Trustee Jablonski AYE

569 Trustee Burke AYE

570 Trustee Ettinger AYE

571 Deputy Mayor Pierce AYE

572 Mayor Leticia AYE

573 Motion Carried

574

575 **Resolution (2020-135)** Be It Resolved, that the Village Board of the Village of Asharoken, does  
576 hereby approve the local law 2-2020 Chapter 116 (Parking and Storage of Trailers, Commercial  
577 Vehicles and Construction Equipment on Residential Property).

578

579 Mayor Leticia made a motion to approve, seconded by Deputy Mayor Pierce.

580 ROLL CALL:

581 Trustee Jablonski AYE

582 Trustee Burke AYE

583 Trustee Ettinger AYE

584 Deputy Mayor Pierce AYE

585 Mayor Leticia AYE

586

587 **Resolution (2020-136)** Be It Resolved that the Village Board; does hereby approve the Firearms Permit  
588 application with the new approved conditions for Richard Huntley located at 74 Bevin Road, for target  
589 skeet shooting on beach lot (0401-004-01-034-000) off of the sound side beach.

590

591 Trustee Jablonski made a motion to approve; seconded by Trustee Burke.

592 Trustee Jablonski AYE

593 Trustee Burke AYE

594 Trustee Ettinger AYE  
595 Deputy Mayor Pierce AYE  
596 Mayor Letica AYE  
597 Motion Carried  
598

599 **Resolution (2020-137)** Be It Resolved that the Village Board; does hereby approve the Firearms Permit  
600 application with the new approved conditions for Douglas Whitcomb located at 50 South Harbor Road,  
601 for target skeet shooting on beach lot (0401-005-01-003-001), located in Duck Harbor.  
602

603 Mayor Letica made a motion to approve; seconded by Trustee Jablonski.

604 Trustee Jablonski AYE  
605 Trustee Burke AYE  
606 Trustee Ettinger AYE  
607 Deputy Mayor Pierce AYE  
608 Mayor Letica AYE  
609 Motion Carried  
610

611 **Resolution (2020-138)** Be It Resolved that the Village Board does hereby authorize the Mayor to  
612 extend the base term of the Inter-municipal Agreement with the Town of Smithtown for Removal  
613 and Processing of Recyclable Material through May 31, 2021.  
614

615 Trustee Ettinger made a motion to approve; seconded by Trustee Jablonski.

616 Trustee Jablonski AYE  
617 Trustee Burke AYE  
618 Trustee Ettinger AYE  
619 Deputy Mayor Pierce AYE  
620 Mayor Letica AYE  
621 Motion Carried  
622

623 **Tabled at the Oct. 6<sup>th</sup> meeting:**

624 **Resolution (2020-120)** Be It Resolved that the Village Board; does hereby approve the Firearms  
625 Permit application with the new approved conditions for Joseph Rini located at 2 Clam Shell Lane,  
626 for target skeet shooting on the beach (0401-005-01-013-000) from the boat house into Duck  
627 Island Harbor.  
628

629 Mayor Letica made a motion to approve; seconded by Trustee Jablonski.

630 Trustee Jablonski AYE  
631 Trustee Burke AYE  
632 Trustee Ettinger AYE  
633 Deputy Mayor Pierce AYE  
634 Mayor Letica AYE  
635 Motion Carried  
636

637 **New York State Archives has adopted a new schedule for records retention; the schedule is**  
638 **LGS-1 which will replace the old schedule MU-1 which indicates the number of years a**  
639 **document must be retained.**  
640

641 **Resolution (2020-139)** Be it Resolved, by the Board of Trustees of the Village of Asharoken that  
642 Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued  
643 pursuant to Article 57-A of the Arts

644 and Cultural Affairs Law, and containing legal minimum retention periods for local government  
645 records, is hereby adopted for use by all officers in legally disposing of valueless records listed  
646 therein.

647 **FURTHER RESOLVED**, that in accordance with Article 57-A: (a) only those records will be  
648 disposed of that are described in *Retention and Disposition Schedule for New York Local Government*  
649 *Records (LGS-1)*, after they have met the minimum retention periods described therein;(b) only  
650 those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical  
651 value to merit retention beyond established legal minimum periods.

---

653 Mayor Letica made a motion to approve; seconded by Trustee Jablonski.

654 Trustee Jablonski AYE

655 Trustee Burke AYE

656 Trustee Ettinger AYE

657 Deputy Mayor Pierce AYE

658 Mayor Letica AYE

659 Motion Carried

---

660  
661 Mayor Letica: Our next order of business here is opening the meeting up for any public comments, usual  
662 protocol, you have three minutes to speak to the board.

663  
664 Jane Snyder: Hi.

665 Mayor Letica: Good evening, Jane. How are you tonight?

666 Jane Snyder: I have a couple of questions regarding meetings. I noticed that you are having several  
667 meetings that are in-person meetings and I'm wondering why you're not doing tele meetings for those  
668 also, especially with this uptick happening.

669 Mayor Letica: The Governor of the state of New York monthly issues an Executive Order which extends  
670 the suspension of the open meetings law that allows us to have tele meetings. So, we do not even know  
671 until next month whether we are going to be allowed to have a tele meeting or not. It all depends on  
672 whether the Governor extends that suspension of the open meetings law be an Executive Order. So, we  
673 always schedule these meetings as in-person meeting and if we can do them by tele meeting or  
674 teleconference, that is the way we're going to do them until this pandemic is over.

675 Jane Snyder: Number two, I did e-mail you regarding those new conditions, regarding the skeet shooting.

676 Mayor Letica: Yes, I did follow up on that as I promise I would. Nancy sent over the new regulations to  
677 our webmaster who runs the website, and the new permit application should be up on the website.

678 Jane Snyder: Also, any explanation as to why there is so many firearms applications? I mean three at this  
679 meeting, six at the last, a couple a month before. What are you guys putting out an ad?

680 Mayor Letica: No, we are not putting an ad out and in fact, it's pretty similar to the number of people that  
681 had skeet shooting permits before we came up with the new conditions

682 Jane Snyder: Well, I hope we can reconsider the timing on it, especially with what's going on with  
683 COVID, not getting better and even getting worse.

684 Mayor Letica: We can always look at it.

685 Jane Snyder: Gunshot coming from Duck Island, gunshot coming from the sound and you know it is  
686 everywhere.

687 Mayor Letica: It has been a month since we passed this ordinance. I do not believe anybody has gone  
688 skeet shooting yet.

689 Jane Snyder: I know but you just see all the resolutions coming up for all the new code.

690 Mayor Letica: We will monitor the situation as it goes forward.

691

692 Mayor Letica: Anybody else have any comments this evening?

693 Clerk Rittenhouse: Mayor, may I add one thing? We must keep in mind that we revoked all of the  
694 existing firearms applications, so these are the same people that are reapplying because they were forced  
695 to reapply in order to skeet shoot. This is the reason for those resolutions.

696 Mayor Letica: That is correct, thank you for that Nancy.

697 Kristin Wenderoth: Hi, I'd like to know where I could find data about the change to chapter 125 regarding  
698 regulation of fences.

699 Mayor Letica: We will be sending out that proposed local law towards the end of the month prior to the  
700 public hearing to all the residents via e-mail and everyone will be able to review it.

701 Kristin Wenderoth: Okay, it will be on the website?

702 Mayor Letica: Yes.

703

704 Mayor Letica: Is there anyone else that would like to comment this evening?

705

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

707 Trustee Jablonski AYE

708 Trustee Burke AYE

709 Trustee Ettinger AYE

710 Deputy Mayor Pierce AYE

711 Mayor Letica AYE

712 Motion Carried.

713

714 Mayor Letica: Before we adjourn tonight's meeting, I just want to say two things. First, I want to wish  
715 you all, the entire Village a very Happy Veteran's Day. I am in awe of anyone who served in any branch  
716 of the military. Your heroism, your patriotism is unmatched, and we are really just in awe of everything  
717 you've done for this country. We appreciate everything that you've done for us. I would also like to wish  
718 everyone a very, Happy Thanksgiving. You know this year will probably be a bit different than it's been  
719 in the past for many of us, but it's the day to be grateful for what we have, and looking forward to better  
720 times ahead in 2021.

721

722 Mayor Letica made a motion to adjourn the meeting; seconded by Trustee Burke.

723 Trustee Jablonski AYE

724 Trustee Burke AYE

725 Trustee Ettinger AYE

726 Deputy Mayor Pierce AYE

727 Mayor Letica AYE

728 Motion Carried.

729

730 The November 10, 2020 Regular board meeting of the Board of Trustees was adjourned at  
731 approximately 7:32pm.

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

733 Nancy Rittenhouse, Village Clerk

734