

1 **Approved**

2 Incorporated Village of Asharoken
3 Board of Trustees Meeting & Public Hearing
4 Due to the Corona virus the Board of Trustees held the meeting via Teleconference.
5 Tuesday, February 2, 2021
6 Attendance was 20
7

8 Mayor Letica: So for the sake of getting this on the recording, I'll start again. Good evening,
9 everyone. Welcome to the call. This is the regularly scheduled Village of Asharoken Board of
10 Trustees meeting for Tuesday, February 2nd, 2021. Before we get started, I would like to ask
11 everyone on the call this evening to please put your phone on mute if you are not speaking. This
12 way, there won't be any background noise during the meeting coming from your call. So we'll start
13 out with the Pledge of Allegiance this evening.
14

15 I pledge allegiance to the flag of the United States of America and to the Republic which it stands,
16 one Nation under God, indivisible, with liberty and justice for all.
17

18 This is the regularly scheduled Village of Asharoken Board of Trustees Meeting for February 2,
19 2021. Nancy, this meeting was properly published and noticed?
20

21 Clerk Rittenhouse: Yes, it was.
22

23 Mayor Letica: Lets just do a quick roll call before we go into the meeting.

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

37
38 Mayor Letica: Thank you very much. First order of business is to approve the minutes for the last
39 regular board meeting of January 5th, 2021.

40 Trustee Ettinger made a motion to approve, seconded by Trustee Jablonski

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

47
48 Mayor Letica: We're going to start out with reports of officials.
49

50 Mayor Letica: I hope that you and your family are well. Second wave of COVID-19 caused a steady
51 rise with the number of cases in the Village to 26. This represents approximately 4.5% of the
52 village residents. Over the last several weeks, the number of daily positives and percent positive in
53 Suffolk County has begun to decline significantly. I'm hoping that there will be a similar decline in
54 new cases as well. It is critical to remember that there are new strains of the virus, which are much
55 more contagious. I urge everyone to get a vaccine as soon as possible. Additionally, please always
56 wear a mask, socially distance, avoid gatherings, and practice immaculate hand hygiene. Yesterday,
57 Winter Storm Orlena impacted the village with strong northeast winds and heavy snow. The
58 seawall sustained some minor additional damaged. Fortunately, the rock repositioning that
59 support the buckling sheet steel that the village did earlier in the month prevented any major
60 issues. During the month I wrote to Congressman Tom Suozzi requesting assistance with the failing
61 seawall. The Congressman and I are planning to have a site visit in the upcoming weeks and we will
62 work on crafting a strategy going forward. Village Clerk Nancy Rittenhouse reached out to New
63 York state to get an update on the grant to restore a section of the (beach lot dunes). The grant has
64 been approved, but the disbursement of the funds is in limbo due to the financial impact of COVID-
65 19 on the New York state budget. The Village will continue to stay on top of this situation. Starting
66 this project soon is critical, because we are unable to do construction once the piping plovers
67 returned in March. The village has begun work on the 2021-22 budget. As I've said before, this is
68 the most challenging budget in the nine years that I have been mayor. We have been very fortunate
69 not to have needed a tax increase in the last five years. Unfortunately, it looks like this streak may
70 be coming to an end, and then a modest increase in taxes will be required next year. We will
71 continue to explore every means to keep any tax increase to a minimum, preserving village services
72 and remain within the New York state tax cap.

73
74 In response to comments from the public hearing in December, the Village has finalized some
75 additions to the fence law enacted two months ago. A public hearing will be scheduled next month
76 to get resident input on the proposed alterations. I would like to thank Deputy Mayor Pam Pierce
77 and Trustee Laura Burke for their work on this specially challenging piece of legislation. The
78 Village Assessor Paul Wotzak has certified the assessment role. A copy is posted on the website,
79 Asharoken.com, and is available for review at Village Hall by appointment only. Tax grievance day
80 will be held on Tuesday, February 16th, from noon to 4:00 P.M. at Village Hall. This is an in-person
81 event and will be socially distanced.

82
83 Finally, there is a large fish kill in Long Island Sound, and many deceased menhaden have washed
84 up on the beach. I researched this by calling Dr. Chris Gobler, a Professor of marine biology at SUNY
85 Stony Brook. Dr. Gobler believes that the fish died because the water stayed warmer longer than
86 normal this fall. Once the water cooled off, the fish were not able to migrate in time to avoid dying.
87 The offshoot of all of this dead fish is an incredible number of gulls feeding on the carcasses. And
88 that's the mayor's report for tonight. I'll turn it over to Deputy Mayor Pam Peirce.

89
90 Deputy Mayor Pierce: Thank you Mayor Letica, and good evening, everyone. During the month, I
91 finished working on the amendments of the fencing law with trustee Burke and Village Attorney
92 Migatz, participated in the weekly COVID teleconferences given by Suffolk County and the Town of
93 Huntington. I reviewed the Asharoken Police Department Reform and Reinvention Collaborative
94 plan and, as well as two firearms permits, the minutes, the monthly payments, abstract, vouchers,
95 and the police report. End report.

96
97 Trustee Ettinger: Good evening, everyone. Firstly, I hope each of you, your families and all your
98 loved ones, are well, safe and healthy at this time. During the month, I've had numerous

99 conversations with Officer-in-Charge Ray Mahdesian regarding a number of police related matters.
100 I was in contact with our police throughout yesterday's snowstorm, and especially, monitoring
101 what was happening at the seawall during high tides. Fortunately, we did not need to close the
102 road. During the month, I've also had many additional discussions with Mayor Letica, Officer-in-
103 Charge Ray Mahdesian regarding the New York State Police Reform Act that Governor Cuomo
104 enacted, requiring us to submit our plan to the governor's office prior to April 1st, 2021. We will be
105 conducting the public hearing regarding this report later this evening.
106 Officer-in-Charge Ray Mahdesian and I completed our first draft of the plan late last month and then
107 forwarded the plan to the Mayor and the Trustees for their review and comments. After receiving
108 their comments, we've had a final draft of the plan and then forwarded it to our Village justices, the
109 Asharoken PBA and the District Attorney's Office, all as required by the governor's act. We then
110 posted the revised plan on our website and it is available at Village Hall and scheduled the public
111 hearing for tonight's Board of Trustee meeting. After we present the plan to our residents, we will
112 then incorporate any necessary changes and post the final plan on our website prior to the March
113 Board of Trustee meeting. At the march Board of Trustee meeting, we will ratify the plan and then
114 send it to the governor's office. I want to, once again, thank Officer-in-Charge Ray Mahdesian for all
115 his hard work in developing the plan. During the month, Officer-in-Charge Ray Mahdesian and I
116 also worked on the new police budget for next fiscal year. We reviewed all of the expense items and
117 the first draft of the budget was recently submitted to the Mayor and the Village Clerk for their
118 review and consolidation with the rest of the Village budget. Some other matters that I was
119 involved in during the month were as follows. I reviewed the changes for the proposed local law
120 regarding the fences. I reviewed the firearms permits applications. I reviewed some foils that were
121 submitted, and I reviewed last month's Board of Trustee regular meeting minutes, and finally, I
122 reviewed this month's payment abstracts. End of report.

123
124 Trustee Burke: Good evening, everybody. This past month, which you've all heard, I worked with
125 the Deputy Mayor Pierce on the revisions for the recently enacted fence code. We subsequently
126 discussed the recommendations with Atty. Migatz and the other trustees, and we're moving along
127 on that. That'll be on next month's agenda. I reviewed the minutes the vouchers, the abstracts, the
128 police report and read the draft police reform document and provided comments and feedback to
129 our police commissioner and chief of police.

130
131 Trustee Jablonski: Yes, thank you, Mayor. This month, I reviewed the minutes, the vouchers, the
132 abstract, the police reports, amendments to the fence law, the firearms permit, various stop work
133 orders, correspondence (from arresting) residents, and an estimate for part of the drainage work at
134 103-105. End of report.

135
136 Attorney Migatz: Good evening, Mayor. Neither the zoning board nor the planning board met in the
137 month of January. Last month, I reported that the Town of Huntington had adopted back in June of
138 2020 local law that amends its code to require town permits for moorings for vessels within 1,500
139 feet of the Village shoreline. And I reported the Villages of Huntington Bay and Lloyd harbor
140 commenced a lawsuit against the Town, challenging that law. And, in connection with the filing of
141 that complaint, they did seek a preliminary injunction, which was returnable January 14th.
142 I commented last month that most likely it would be adjourned, and it was. The new return date of
143 that motion is March 4th. And the temporary restraining order prohibiting the enforcement of the
144 Town's law remains in effect until the motion is decided. I will keep you posted on the progress of
145 that lawsuit.

146 The mayor and I received an inquiry by a resident regarding two lawsuits that she was surprised to
147 discover that were pending against the Village. She did a search of the county clerk's website and

148 located these two lawsuits. It is my recollection that I have reported on those actions in the past.
149 One action is by Allstate Insurance Company against the Village to recoup the money they paid to
150 their insured for damage to their insured's car, arising out of the accident with a police vehicle of
151 the Village in September 2019. The defense of that action is being handled by the law firm assigned
152 by the village's insurance company at no expense to the Village. The other action is by a resident
153 who is suing for damages who alleged false imprisonment, assault battery, and emotional distress,
154 based upon an arrest made in Village court on April 25th, 2018. That arrest was made at the
155 direction of the Village justice because that plaintiff has failed to cure various swimming pool
156 violations as directed by the court in its prior conviction and sentence. Again, defense of that
157 lawsuit has been handled by the law firm assigned by the village's insurance company at no
158 expense to the Village. That is my report, Mayor.

159
160 Treasurer Hayes: Month of January was quiet. There is nothing unusual to report on the revenue
161 side. The vouchers for the month are \$20,996.56), and there's nothing unusual to report about any
162 other vouchers for January.

163
164 Mayor Letica: All right, thank you very much. Nice low number in vouchers. That's good.

165
166 Officer-in-Charge Mahdesian: I'm happy to report that we had a successful month. The department
167 issued 20 summonses; no arrests were required. And, I'm happy to report that there was no crime
168 reported, which is something that always makes me happy. We have no crime. We did all right.
169 End of report.

170
171 Mayor Letica: Very good. We had low vouchers and no crime. That's perfect. Barry Bradley, can
172 we get the sanitation report, please?

173
174 Sanitation Operator Bradley: Yes. Good evening, everyone. As usual, Big Blue is running very well,
175 performed well throughout the month. Total tonnage for the month was 32.65 tons, which at 31
176 days equals 1.05 tons per day. Total tonnage for recycling was 6.39 tons, which is around 20% of
177 the total pickup. Also, I think I've discussed this with the mayor, and I've talked to all the people
178 that work at the Smithtown Recycling center. And they are all now my friends because I go there all
179 the time. I think the board should think about deciding on recycling glass. The reason being is that
180 it is a waste of one-eighth of a tank of fuel and wear and tear on Big Blue as well as extra time the
181 truck is spent on the road. All glass, no matter who picks it up, goes to the Brookhaven landfill,
182 therefore all our poor resident's waste water cleaning this glass, and one resident, for sure, takes all
183 the labels off the glass. So it really is a situation where I think we could save money and save wear
184 and tear on the truck. End of report.

185
186 Greg Letica: Very good. Thank you, Barry. I just want to say it's nice to have you back. We did not
187 like the last couple months when you have gone dark on us, so thank you for reemerging and giving
188 us your report during the meeting. We really like to hear you on the call.

189
190 Trustee Burke: Greg, I just have one question.

191
192 Greg Letica: Sure.

193
194 Trustee Burke: You mentioned Big Blue is running well, Barry, but I noticed a \$4,000 invoice in the
195 abstracts this month for the truck, I think there were two or three, is that normal expenses for the
196 truck maintenance?

197 Barry Bradley: No, not at all. Because, what happens is when they built the 2007 International,
198 they put in an engine wire harness that fails over a period of time. Our truck is a 2007, which
199 means ours is now 14 years old. So that took a tremendous heat on this wire harness and it finally
200 failed. I was able to nurse the truck through until they got the wire harness and then installed. We
201 still must install a wire harness on the transmission, because every now and then, the transmission
202 goes into first gear and stays there. I've got to run the truck in first gear while I do the pickup. And
203 then, most of the time when I get to Duck Island, there is a long entrance to Duck Island, the truck
204 finally shifts back into its normal four speeds.

205
206 Trustee Burke: So it's safe to say it was not running too well?

207
208 Barry Bradley: No, it's running well. But the thing is that's got to be replaced. If we didn't replace
209 it, it would not be running at all.

210
211 Trustee Burke: So that's what that \$4,000 bill was for?

212
213 Barry Bradley: Yes, I'm pretty sure that's what it is, because the truck had to go in and the wire
214 harness had to be found first and then installed, and it's not an easy job. There is a lot of wires that
215 go from every little thing to the engine.

216
217 Trustee Burke: Yes, thank you.

218
219 Emergency Manager Raisch: Thank you, Mayor. I viewed the seawall yesterday at high tide and
220 Asharoken P.D. was, as always, on both sides of it looking intensely, and I think managing traffic
221 through it. We have a tremendous amount of force from mother nature, and clearly, I think your
222 outreach to the Army Corps, as well as our congressman is appropriate as we look at that down the
223 road. Shifting to the more near term, we have received almost all comments from various village
224 officials on the New York State Public Employer Health Emergency Plan.
225 We have a relevant deadline coming up by this Thursday to share it with our police union, February
226 4th. We're just awaiting final comments on the integration of some prior hours and compensation
227 resolutions by the village board, and how we'd like to have those reflected, and hopefully, Mr.
228 Mayor, I'll be able to talk to you about that tomorrow. And besides that, we should have a finalized
229 plan based on any comments received subsequent by our union by April 1st. We are not required
230 to do anything more than post that conspicuously for village employees and key contractors by
231 April 1st. But I'll confirm that with our village attorney, and – but that is proceeding well in that
232 respect. End of report.

233
234 Mayor Letica: Thank you, Bill. I know you're working very hard on that. We really appreciate it.

235
236 Building Inspector Adil: Good evening. My report for January, I was investigating a complaint from
237 a resident regarding construction at their next-door neighbor's property, which was a repeat of an
238 earlier concern a month prior. Reinvestigated, found no anomalies, no violations. I think the
239 homeowner misunderstood that the house it is having construction alteration does conform to
240 zoning. I reviewed preliminary construction drawings for the second and third storey additions to
241 home at 101-103 Asharoken Avenue. I took part in building code training, completing one-two
242 hour course for 2021. I reviewed plans for the new home at 285 Asharoken Avenue former tennis
243 court lot, underwent few rounds of plan revisions. In the end, the plans are found to be acceptable
244 to proceed to the building permit stage, although permits have not been issued for other reasons. I

245 spoke to the owner's representative for the new home at 174 Asharoken Avenue that owner is are
246 still waiting for health department approval for their sanitary system.
247 Investigated the complaint regarding floodlights at a property on Bevin – at the corner of Bevin and
248 pheasant, the lights were shining into the rear adjacent property and spoke with the homeowner
249 who said they will be pointing the lights down instead of up and followed up and found that to be
250 the case so far. We did an application for a new swimming pool at a home on Asharoken Avenue
251 and the plans were approved to proceed. And I inspected the gas pressure test for connecting a
252 new standby generator at 10 Beach Plum, and in addition I performed routine construction
253 inspections at ongoing projects at 155 Asharoken, 176-178, Asharoken, 283 is at its final, final
254 stages, and others in my monthly report. That's the end of my report.
255

256 Mayor Letica: All right, thank you, Doug. You're doing a great job for the village, because I doubt
257 there's ever been a time in the past where we've had this much construction going on
258 simultaneously. So, keep up the good work. We really, really appreciate it.
259

260 Mayor Letica: Marty Cohen our last person to report this evening from the Conservation Board.
261

262 Conservation Chair Cohen: Hello, everybody. Doug is busy, but so is the Conservation Board. For
263 some reason, we have properties where people are interested in removing trees. So, we're working
264 on taking care of those. No decisions yet on any of them. The cold weather and the snow make it
265 difficult to go out and do the inspections. But, presumably, we'll be able to finish up well before the
266 next month's meeting and we'll let you know what happened.
267

268 Mayor Letica: All right, thank you, Marty. Appreciate it. Next order of business tonight is a public
269 hearing to discuss the Asharoken Village Police Department Draft Reform and Reinvention
270 Collaborative plan, which is required by New York State Executive Order Number 203, requiring
271 each local government to adopt policing reform by April 1st, 2021. I'd like to ask our village clerk to
272 please read the notice of hearing.
273

274 Clerk Rittenhouse: Yes, Mayor. Please take notice that a public hearing will be held by the Board of
275 Trustees of the Incorporated Village of Asharoken on Tuesday, February 2nd, 2021 at 6:30 P.M. via
276 teleconference. Call-in number is 1-866-705-2554, guest pass code is 137432. Just follow those
277 directions. The public hearing will be held to discuss the Asharoken Village Police Department
278 Draft Reform and Reinvention Collaborative plan required by New York State Executive Order
279 Number 203, requiring each local government to adopt policing, excuse me, reform by April 1st,
280 2021. Any person – any interested person is entitled to be heard (upon) the draft plan at such
281 public hearing and the draft plan can be reviewed online [Www.asharoken.com](http://www.asharoken.com). By order of the
282 Board of Trustees as the Incorporated Village of Asharoken, this was dated January 7th 2021. The
283 publication was submitted January 14th and published on January 21st of 2021.
284

285 Mayor Letica: Thank you, Nancy. Before we begin the public hearing, I want to take a few minutes
286 to explain the purpose of the New York State Police Reform and Reinvention Collaborative plan.
287 Over the course of the past few years, New York State has been proactively enacting new legislation
288 that has been transforming the shape of the criminal justice system. Significant reforms pertaining
289 to bail, discovery, speedy trial, juvenile justice, reducing the prison population, and the videotaping
290 of interrogations have been made. June 12th, 2020, Governor Cuomo signed Executive Order
291 Number 203, mandating each local government that has a police department, of which there are
292 some 500 in New York State, regardless of being large or small to submit a plan to address any
293 needed police reforms on or before April 1st, 2021.

294 That would foster trust, fairness, and legitimacy within communities, and address any racial bias
295 and disproportionate policing of communities of color, this is the main purpose of the New York
296 State Police Reform and Reinvention Collaborative. Even though our village has an excellent record
297 of nonbiased policing, it is still required to submit a plan or face the possibility of losing future in
298 New York state funding and grants. As mandated by the executive order, the village prepared the
299 Asharoken Village Police Department Reform and Reinvention Collaborative plan that we are
300 presenting tonight.

301 The plan confirms the Asharoken Police Department's dedication to the village and addresses the
302 New York State Police Reform and Reinvention Collaborative. It also provides the village police
303 officers an opportunity to reiterate their pledge, to uphold their oath while on and off duty. This
304 evening we are seeking any input you may have to make the plan better, our police department
305 better, and answer any questions you may have, unless we receive any written comments this
306 afternoon. We only did receive one written comment, which was from Kristen Wenderoth, and she
307 took her time to read the report very carefully, and just to 12 edits to improve the grammar and
308 syntax of the report, all of which have been now included in the report, and I would like to thank
309 Kristen for her hard work in doing that.

310
311 Having said that, we'll open the floor up to any comments on the reform plan. As usual, we have a
312 village policy of three minutes per person. Please state your name, preferably, and let us know
313 what you think. So at this point, the floor is open to anyone who would like to comment upon this.
314

315 No comments were made.

316 Mayor Letica made a motion to close the public hearing, seconded by Trustee Ettinger.

317 Trustee Jablonski AYE

318 Trustee Burke AYE

319 Trustee Ettinger AYE

320 Deputy Mayor Pierce AYE

321 Mayor Letica AYE

322 Motion Carried.

323

324 **Resolutions:**

325 **Resolution (2021-08)** Be It Resolved that the Village Board approves the budget transfers for the
326 month of January 2021.

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

328 Trustee Jablonski AYE

329 Trustee Burke AYE

330 Trustee Ettinger AYE

331 Deputy Mayor Pierce AYE

332 Mayor Letica AYE

333 Motion Carried.

334

335 **Resolution (2021-09)** Be It Resolved that the Village Board does hereby approve the vouchers for
336 the month of January 2021 in the amount of \$20,996.56.

337

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

339 Trustee Jablonski AYE

340 Trustee Burke AYE

341 Trustee Ettinger AYE

342 Deputy Mayor Pierce AYE

343 Mayor Letica AYE

344 Motion Carried.

345

346 **Resolution (2021-10)** Be it Resolved that the Village Board does hereby approve the scheduling of
347 a public hearing on Tuesday, March 2nd, 2021 at 6:30pm to discuss Local Law 2-2021 amending
348 Section 125-10 (A) FENCES and Section 125-10 (B) LIVING FENCES.

349

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

351 Trustee Jablonski AYE

352 Trustee Burke AYE

353 Trustee Ettinger AYE

354 Deputy Mayor Pierce AYE

355 Mayor Letica AYE

356 Motion Carried.

357

358 **Resolution (2021-11)** Be it Resolved that the Village Board does hereby approve the Firearms
359 Permit with conditions to Ray D'Antoni located at 100 Cove Road for skeet shooting location Duck
360 Island Harbor.

361

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

363

364 Mayor Letica: Before we vote on this, I'd like to discuss this. It's my opinion that having looked at
365 where Mr. D'Antoni's house is located, and the direction in which he would be doing skeet shooting,
366 that this is the inappropriate part of the village to do so, and it is my feeling that we should deny
367 this permit.

368

369 Trustee Ettinger: Mayor, this is Trustee Ettinger. I'd just like to make a comment as well. I
370 received a phone call from one of the residents that live across from Mr. (D'Antoni's) property who
371 is very concerned that it is too close, and it would threaten her safety. I also received a text
372 message from another resident who is in a similar location, also, opposite of Mr. D'Antoni's
373 property who feels the same. And, personally, my house is not too far away, and I share their
374 concerns, and would feel very uncomfortable if he received a permit for skeet shooting across Duck
375 Island Harbor.

376

377 Mayor Letica: All right, thank you, Trustee Ettinger. Any other comments from trustees?

378 Trustee Jablonski: Yes, I don't even think it meets the requirements. It's certainly not 500 feet. So,
379 that is an issue.

380 Mayor Letica: Okay. Pam or Laura, before we have a vote, any comments?

381 Deputy Mayor Pierce: Nope.

382 Mayor Letica: Okay, if not, then I'll call the vote on this. I vote, no ...

383 Trustee Burke: Greg, I'm sorry, I was talking. It was mute. Ian, I didn't quite get what you said. Did
384 you say - I'm not familiar with the property location, but is it within 500 feet of another home?

385 Trustee Jablonski: It appears to be about 250 feet to the opposite side of the water.

386 Mayor Letica: Laura, they would be shooting directly towards another house.

387 Trustee Jablonski: Yes.

388 Trustee Burke: So it doesn't meet our requirements in that sense?

389 Trustee Jablonski: No.

390 Mayor Letica: It's not an appropriate place to be granting someone a shotgun permit, in my
391 opinion.

392
393 Trustee Jablonski NAY
394 Trustee Burke Abstain
395 Trustee Ettinger NAY
396 Deputy Mayor Pierce NAY
397 Mayor Letica NAY
398 Motion Not Carried.

399
400 **Resolution (2021-12)** Be it Resolved that the Village Board does hereby approve the Firearms
401 Permit with conditions to Joseph Panacciulli located at 218 Asharoken Ave for skeet shooting
402 location long Island Sound.

403
404 Mayor Letica made a motion to approve, seconded by Trustee Jablonski.

405
406 Mayor Letica: This is another permit request, I think we have to look at very carefully where this
407 house is, is a house that is on the north side of Asharoken Avenue. There is absolutely no way
408 where this property is that you can get 500 feet away from your own property or your neighbor's
409 property. So I don't believe that this, also, is an appropriate place to be doing skeet shooting due to
410 the proximity of where you'll be shooting to your neighbors' homes, as well as, your own home.

411
412 Trustee Jablonski: I don't think that that's the intent of the rules. This person would be shooting
413 over water away from homes towards nothing but open water, just as everyone else does on the
414 Sound side of the avenue.

415 Mayor Letica: Well, that's true. But where we have granted permits in the past have been on the
416 beach lots on the other side of the road where there isn't a house on that side of the road. So there
417 is much more separation between where somebody would be shooting and where the properties
418 are.

419 Trustee Burke: Once again, I do not know the property. Does it meet the requirements as stated in
420 our permit?

421 Mayor Letica: There's no way you can be 500 feet away from a home where this person lives.
422 They live at 218 Asharoken Avenue. I don't know if you know the Hakkers, they live down there,
423 like, where Bob Wallace lives. They live on a 50-foot lot, they're right on the Long Island Sound
424 shore, and the only separation between them and the house is the high tide line. So there's just no
425 way you can do this. You are going to be 150 feet from your own house and everybody else's house
426 that's nearby. As I said, I don't think this is an appropriate place to be skeet shooting.

427
428 Trustee Jablonski: Again, I don't think that the law, the way it's structured, intends or requires you
429 to be 500 feet from another structure if you're shooting over water. I mean, we keep going over this
430 time and time again, Bruce can you look at this, can you weigh in on it, rather than us to vote
431 between each other?

432 Laura Burke: It should be within the law or not. It meets the guidelines of the law or not.

433
434 Attorney Migatz: Our code says 500 feet of another structure, it doesn't matter where you're aiming
435 your gun as I interpret our law.

436
437 Trustee Burke: So even though they are pointing over the Long Island Sound, if you're within 500
438 feet of a house that could be behind you, you still are not within the confines of the law.

439
440 Attorney Migatz: That's my interpretation. Yes.
441
442 Trustee Burke: Thank you.
443
444 Mayor Letica: All right, any other discussion or can we vote? All right.
445 Trustee Jablonski NAY
446 Trustee Burke NAY
447 Trustee Ettinger NAY
448 Deputy Mayor Pierce NAY
449 Mayor Letica NAY
450 Motion Not Carried.
451
452 Mayor Letica: Okay, thank you very much. The resolution does not pass.
453
454 **Resolution (2021-13)** Be it Resolved that the Village Board does hereby approve a Fill permit to
455 deposit 10,665 cubic yards of fill located at 399 Asharoken Avenue structure recently removed,
456 owner Marc Allen.
457
458 Mayor Letica made a motion to approve, seconded by Deputy Mayor Pierce.
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 (2021-14)** Be It Resolved that the Village Board does hereby appoint a committee of
467 the Board of Trustees to include, Mayor Letica, Deputy Mayor Pierce, Trustee Ettinger, Trustee
468 Burke, Trustee Jablonski and Assessor Paul Wotzak as the Board of Assessment Review for the
469 purpose of reviewing any complaints regarding the 2021/2022 assessments filed on or before
470 Grievance Day, February 16th, 2021 and to be reviewed in-person during the hours from 12:00pm
471 to 4:00pm at Village Hall, One Asharoken Avenue, Northport, NY 11768.
472
473
474 Mayor Letica made a motion to approve, seconded by Trustee Ettinger.
475 Trustee Jablonski AYE
476 Trustee Burke AYE
477 Trustee Ettinger AYE
478 Deputy Mayor Pierce AYE
479 Mayor Letica AYE
480 Motion Carried.
481
482 **Resolution (2021-15)** Be it Resolved that the Village Board does hereby authorize Mayor Letica to
483 sign the Polling Place contract between the Village of Asharoken and Suffolk County Board of
484 Elections for 2021 and 2022 Primary and General Elections.
485
486 Trustee Ettinger made a motion to approve, seconded by Mayor Letica.
487 Trustee Jablonski AYE

488 Trustee Burke AYE
489 Trustee Ettinger AYE
490 Deputy Mayor Pierce AYE
491 Mayor Letica AYE
492 Motion Carried.
493

494 **Resolution (2021-16)** WHEREAS, the Village Clerk of the Village of Asharoken delivered to this
495 Board of Trustees the following account of all taxes remaining due and unpaid for the year
496 2020/2021, together with a description of the lands on which said taxes are unpaid:
497

Name of Owner 2020/2021 Real Prop. Taxes	Dist/Section/Block/Lot	Taxes	Penalty	Pub. Fee	Total
Nur Holdings Corp	0401-003-02-008-000	\$4043.48	\$485.22	\$7.50	
Fosella	0401-003-02-034-000	\$1919.92	\$230.39	\$7.50	
Bevin Holding Group LLC	0401-003-02-045-000	\$3810.76	\$457.29	\$7.50	
Bevin Holding Group LLC	0401-004-01-063-000	\$87.27	\$10.47	\$7.50	
Bevin Holding Group LLC	0401-004-02-047-000	\$29.09	\$3.49	\$7.50	
CFI International Inc. /Empire RE Sales Co.	0401-008-02-008-000	\$2327.18	\$279.26	\$7.50	
US Trust Bank	0401-003-02-091-000	\$3156.24	\$378.75	\$7.50	
Total		\$15,373.94			

498
499 WHEREAS that this Board has examined said account, and compared it with the original tax rolls,
500 and hereby certifies it to be correct.
501

Name of Owner 2020/2021 Real Prop. Taxes	Dist/Section/Block/Lot	Taxes	Penalty	Pub. Fee	Total
Nur Holdings Corp	0401-003-02-008-000	\$4043.48	\$485.22	\$7.50	
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US Trust Bank	0401-003-02-091-000	\$3156.24	\$378.75	\$7.50	
Total		\$15,373.94			

502
503 NOW, THEREFORE, this Board, pursuant to Article 14 of the Real Property Tax Law of the State of
504 New York, determines to collect the amount of such unpaid taxes levied or assessed for the year
505 2020/2021 by a tax lien sale in accordance with procedures authorized by the Board of Trustees in
506 the manner and after the form and resolution, certified by the Clerk, shall be transmitted forthwith
507 to the Treasurer of the Village with the account, affidavit, and certificate of such unpaid taxes and is
508 authorized and directed to cause to be published in the official paper of the Village, once each week
509 for three consecutive weeks, a list as shown in the tax roll, with the amount of the tax, penalties, and
510 charges thereon, excepting there from such parcels of property on which the Village holds and
511 owns one or more unredeemed certificates of tax sale; and also a notice that the said real estate
512 will, on a day subsequent to the expiration of said three weeks to be determined by said Village
513 Clerk and specified in said notice, be sold at a place in said Village to be designated by said Village
514 Clerk, to discharge the tax, penalties, and charges aforesaid, which may be due thereon at the time
515 of such sale, and that the said Village Clerk, at the time and place specified in said notice, proceed
516 with the sale of said real estate upon which such taxes are unpaid, as set forth above, and continue
517 the same from day to day until the sale is completed. That such real estate shall be sold subject to
518 any unpaid assessments thereon levied by the Village of Asharoken and also subject to any unpaid
519 tax liens purchased and held by the Village.

520
521 AND BE IT FURTHER RESOLVED, that in all cases where no bid shall be made on a lot or parcel of land
522 so offered for sale for an amount sufficient to pay the said tax, penalties, and charges, the said premises
523 shall be deemed to have been sold to and purchased by the Village of Asharoken, New York

524 The Village Clerk has advised that the tax sale referred to in the foregoing resolution would be held on
525 Tuesday, March 11, 2021, at 10am to 12 noon, at the Village Hall, 1 Asharoken Avenue, Northport, New
526 York, and that publication of the list of properties to be sold would commence on or about February
527 16, 2021, and be it further resolved that the Village Board reserves its right to authorize and direct the
528 Village Treasurer on behalf of the Village to reject any and all bids for parcels of lands listed in the
529 annual tax lien sale to be held as set forth herein and, and to bid in and purchase if necessary the same
530 for the Village.

531 AND BE IT FURTHER RESOLVED, that the Village Board reserves the right to withhold any and all said
532 tax liens from sale and/or to cancel said tax lien sale.

533 Mayor Leticia: Nancy, I would just waive the reading of the certification below which is the same as
534 what's above.

535
536 Mayor Leticia made a motion to approve, seconded by Deputy Mayor Pierce.

537 Trustee Jablonski AYE

538 Trustee Burke AYE

539 Trustee Ettinger AYE

540 Deputy Mayor Pierce AYE

541 Mayor Leticia AYE

542 Motion Carried.

543

544 Mayor Letica: Do any of the trustees have any new business they would like to bring up at this
545 time?

546
547 Trustee Burke: I just had a question. Do we have a date for our preliminary budget meeting?

548 Mayor Letica: Nancy, do we have a date when we're going to present the budget to the trustees.
549

550 Clerk Rittenhouse: It must be prior to March 31st. We already have a prescheduled special meeting
551 setup that already has been published and it is March 16th at 4pm.

552
553 Mayor Letica: Thank you. There are two things I'd like to bring up this evening.
554 The wooden steps to the seawall need some repairs, and we do have a bid from Oak Leaf
555 Incorporated, Pip Sarser has done various projects for the Village in the past, including boarding up
556 a derelict house, he built the kayak rack, and various other projects. He does good work.
557 Many of our residents like to use those stairs to access the beach. The bid that we have is \$1,950
558 and that would be to repair the west side handrail which is missing and replace any missing boards
559 on the level section of the walkway and secure the loose boards.

560 I think, we should go forward with this. We have funds in our infrastructure account to pay for this.
561 I don't know if there's any other opinions from the Board of Trustees in regard to this.

562
563 Trustee Ettinger: I mean, is it necessary for us to do it now or should we wait, until springtime. Are
564 people using it at this time of the year, the steps?

565
566 Mayor Letica: Well, right now, we have the stairways closed off because of the damage. I think a lot
567 of people would use it if it were made safe. And the thing is, is that if it's repaired properly, that
568 handrail survived for a very long time. There is no reason why it's not going to make it through the
569 winter, in my opinion.

570
571 **Resolution (2021-17)** I would offer to hire Oak Leaf Incorporated to repair the handrail and any
572 loose or missing steps on the wooden staircase that goes over the seawall, in the amount of
573 \$1950.00.

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

575 Trustee Jablonski AYE

576 Trustee Burke AYE

577 Trustee Ettinger AYE

578 Deputy Mayor Pierce AYE

579 Mayor Letica AYE

580 Motion Carried.

581
582 Mayor Letica: I would also like to circle back to what Barry was saying about the glass recycling.
583 Clearly, if our residents are being requested to separate glass from other recycling materials, and
584 we are requiring Barry to do separate pick up for the glass, when, ultimately, it all ends up in the
585 landfill anyway and it's not being recycled, it would be my feeling that we should consider no longer
586 separating glass and dispose of it in the regular garbage.

587
588 Trustee Ettinger: Mayor, just one other comment to add to that. In my conversation with Barry
589 about this about a week or so ago, they also told me that we pay more money to have the glass
590 recycled than we would if we included it in the garbage. Is that correct, Barry?

591
592 Barry Bradley: No, I really don't know.

593
594 Mayor Letica: Nancy, give us exact numbers, please?
595
596 Clerk Rittenhouse: Yes, it is \$18 a ton for glass. That is what we paid to the town of Smithtown. We
597 would be paying \$80 a ton to the town of Huntington.
598
599 Mayor Letica: How many tons of glass do we have per month, a round number?
600 Barry Bradley: 1.36 tons the month of January.
601 Mayor Letica: So that would cost us, approximately, \$62, plus like \$24, that would cost – it would
602 cost us \$86 more that month.
603 Barry Bradley: Plus, you also got to consider the amount of fuel, which is an eighth of a tank and
604 wear and tear on the truck.
605 Mayor Letica: So it would increase our sanitation costs around \$1,000 a year.
606 Barry Bradley: And also, keep in mind, the residents are wasting a ton of water by cleaning this
607 glass when unfortunately, it goes into a dirty landfill.
608 Mayor Letica: Yes. And they are also spending a lot of time cleaning glassware and separating it
609 and everything else.
610 Greg Letica: When is – what are we picking up tomorrow recycling wise?
611 Barry Bradley: Tomorrow will be plastic and metal and glass.
612 Mayor Letica: Bruce, do we need a resolution for this if we are going to change this.
613 Bruce Migatz: We do, and I really need to take a look at the prior resolutions that set up the
614 recycling program in order to work that correctly.
615 Mayor Letica: We will do this for the rest of this month, we'll continue on with the system that we
616 have now and we can take a good look at it during the month. Bruce can you look at what kind of a
617 resolution we would need and we can make a determination as to whether to go forward. Because,
618 if we are doing recycling today, which is the third, then the next one is going to be on the 10th, 17th,
619 and then it's going to be into March. So if we want to change it, we probably would be able to
620 change it at the next board meeting prior to the next glass recycling pick up. So let's just leave at
621 that. We'll take a look at it and, you know, work on it during the month and see if we want to come
622 up with a resolution for our next board meeting. Sounds good?
623 Deputy Mayor Pierce: We also need to figure out what that second run cost, you know would cost,
624 that second run is quite expensive, you know, that'll help make the decision too.
625 Mayor Letica: Yes. Barry, how much of a tank of gas to do this?
626 Barry Bradley: One-eighths of a tank.
627 Mayor Letica: One-eight? How many gallons are in a tank?
628 Barry Bradley: I believe it's 60.
629 Mayor Letica: Like eight gallons of fuel. And what are we paying for fuel?
630 Barry Bradley: Nancy would know that.
631 Mayor Letica: How much for fuel.
632 Nancy Rittenhouse: \$2.30 for diesel.
633 Mayor Letica: All right, so that is \$16 – you know, that is \$20. So then it would cost us \$66 leading
634 up to wear and tear. All right, we will work on it during the month and, you know, take a good hard
635 look at it. Thank you, Barry, for that. We appreciate it.
636 Barry Bradley: You're quite welcome.
637 Mayor Letica: Thank you. Last order of business is to go to public session for any comments or
638 questions from our residents. As always, our policy on public session is three minutes per person.
639 We'd love to know your name. So the floor is open for any public comment this evening.
640

641 Bill Raisch: Mr. Mayor, I'd like to volunteer to look at this issue, clearly the economics are obvious.
642 It just seems considering our general commitment, I think, recycling and minimizing our impact in
643 this environment, I think we could leverage our status, at least, as an Incorporated Village and
644 bump this up to maybe the county level, and basically, pose the question why, and maybe it's a
645 statewide issue. But, to my mind, there ought to be, at least, some consideration of the fact that
646 recycling was an endeavor undertaken by, not only our village, but our wider government and
647 society to minimize impact. And the fact that somehow the economics – and I understand that, in
648 large part, it's about whether or not China will accept our recycled products. But, at the same time,
649 I know we're all still paying a nickel on our deposits and so forth. And my guess is there might be
650 some other opportunity to leverage this as opposed to just, you know, look at the economics and
651 the hassle factor. So, with the board's concurrence, I would like to, at least, look into this and see if
652 there was, you know, perhaps, the grounds for us to at least pose the question up the chain, if you
653 will, as to why we not in fact, recycling and whether there's something to be done that way. End of
654 request.
655

656 Mayor Letica: I totally share your feelings on this. You know, many years ago, I believe I started the
657 recycling program in the Village where we got to dumpsters, which we had down at Village Hall and
658 people could bring down their bottles and cans, and other things and separate them and the
659 dumpsters got picked up periodically. I agree that if we can get this glass recycled, that would be
660 my preference without any shadow of a doubt. So if you'd like to look into it, we would love to have
661 your input., and we can use that as part of our metrics by which we make a decision during the next
662 month as to how we're going to go forward. So, thank you so much for that offer.
663

664 Bill Raisch: Thank you.
665

666 Mayor Letica: You're welcome. Anybody else with any comments this evening?
667

668 Barry Bradley: Yes, Mayor, if Bill would like to ride with me in the truck just to go to the recycling
669 center, I can show him that Smithtown does not recycle glass, but you're allowed to bring it to the
670 recycling center, and they have three dumpsters there, brown, green, white, and the residents can
671 actually come there and put the bottles in those dumpsters.

672 But when I go down into the recycling center, I asked the frontend loader, what happens when
673 those three things get filled up, he says, well, they go out back into the 18-wheeler, and I said, and
674 that goes where, it goes to the Brookhaven landfill. So, if the residents feel like they are getting
675 something or doing something nice, but unfortunately, it still goes to the landfill.
676

677 Bill Raisch: Yes. In no way do I question the veracity of what Barry said, it's just that – it's – I'm
678 trying to go up the chain, if you will, beyond whatever they've accommodated here, and it just made
679 I just think it's a societal issue we should at least address potentially.
680

681 Barry Bradley: I agree. It's just so sad that all these residents think they're actually recycling glass
682 and using their time and energy to drive there, and unfortunately, it doesn't work.
683

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

685 Trustee Jablonski AYE

686 Trustee Burke AYE

687 Trustee Ettinger AYE

688 Deputy Mayor Pierce AYE

689 Mayor Letica AYE

690 Motion Carried.

691

692 Mayor Letica: I'd like to thank everybody who joined the call this evening.

693

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

695 Trustee Jablonski AYE

696 Trustee Burke AYE

697 Trustee Ettinger AYE

698 Deputy Mayor Pierce AYE

699 Mayor Letica AYE

700 Motion Carried.

701

702 The February 2nd, 2021 Regular board meeting of the Board of Trustees was adjourned at
703 approximately 8:20 pm.

704 Signed: _____

705 Nancy Rittenhouse, Village Clerk

706