

Incorporated Village of Asharoken
Board of Trustees Meeting & public hearing in-person and teleconference
Tuesday, February 1, 2022, 6:30pm
Village Hall
Approximate Attendance (24)

Approved

Officers Present:

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

Officials & Appointees Present:

Nancy Rittenhouse, Village Clerk via teleconference
Bruce Migatz, Village Attorney via teleconference
Raymond Mahdesian, Officer-in-Charge
William Raisch, Emergency Manager
Doug Adil, Superintendent of Buildings via teleconference

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

Mayor Letica made a motion to approve the Board Meeting minutes for January 4, 2022, seconded by Deputy Mayor Pierce.

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

Motioned Carried.

Mayors Report: Mayor Letica reported, "The Village did well with the blizzard of 2022 which impacted Asharoken on Saturday January 29th. Luckily there was very little coastal impact despite the strong winds which fortunately blew from the north/northwest. I would like to thank TOH Highway Superintendent Andre Sorrentino and his team for doing a great job keeping the road open during the storm under very difficult conditions.

During the month: The sale of the garbage truck, for \$30,101, was finalized and Big Blue went off to its new home. The Village began working on the 2022-2023 budget
The Village and the Asharoken PBA came to a tentative agreement on a new four-year contract. The contract still needs formal approval by the BOT and Village PBA

The initial phase of dune reconstruction, in the beach lot area, was completed with the placement of approximately 1,100 CYDs of sand. Snow fencing and beach grass planting will be done in the spring. The drainage project between 103-105 Asharoken Avenue was delayed due to the weather. It should restart very shortly.

The Village will be holding Tax Grievance Day on February 15th from 12-4.

Trustees:

Deputy Mayor Pierce: During the month I was involved in the dune restoration project, and reviewed the fire prevention code, reviewed the minutes, vouchers and police report.

54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105

Trustee Ettinger: During the month I had discussions with Officer Mahdesian regarding police related matters. The police department is performing well. The police department handled two snowstorms and brought in additional officers. I worked on the police budget for 2022-2023. The budget was sent to the Mayor and Village Clerk for their review. He spent time reviewing the fire prevention code, correspondences, foil's, abstract, minutes and reconciled unpaid taxes.

Trustee Burke: During the month I reviewed the police report, minutes, abstract, and fire code and spent time revising our tree removal application.

Trustee Jablonski: During the month; I reviewed, the minutes, abstract, police report, fire prevention code, various residents' correspondences, certified the unpaid taxes. The drainage project will begin shortly, the contractors were out of commission for several weeks.

Attorney Migatz: Attorney Migatz reported that he nothing to report for the month of January.

Village Treasurer: Emily Hayes reported for the month of January were \$47,010.84. She reported that the village did receive \$30,101.00 for the sale of the garbage truck. There was a separate resolution to approve the vouchers and budget transfers.

Police Report: Officer Mahdesian reported that they had a good month. We managed the snowstorm well; we had no reported burglaries or arrests in the village for the month of January.

Emergency Manager: Bill Raisch reported on the snowstorm, noted that most people seem to stay off the road, the wind was westerly which mitigated any wash over and erosion to the dunes.

Superintendent of Buildings: Doug Adil reported; monitored the installation of test piles at 399 Asharoken Ave, re-reviewed drawings for extension to an existing garage, provided flood zone information to a designer who is designing a new home at 122 Asharoken Ave. regarding the allowable height of the home, responded to a report of a homeowner having constructed a shed without a building permit, responded to an inquiry regarding road drainage at a home on Asharoken Ave, reviewed as-built drawings for an addition to a home on Asharoken Ave, plans were returned for corrections and performed 13 inspections.

Chairman of Conservation Board: Marty Cohen reported that he had nothing to report for the month of January. He spent time working on the permit application that Trustee Burke developed and provided comments.

Public Hearing:

Local Law #3-2022 Chapter 70 Fire Prevention.

Publication was read by Clerk Rittenhouse.

Mayor Letica opened the public hearing.

Mayor Letica noted that we received five written comments pertaining to the proposed local law 3-2022. The reason for this proposed amended law is because we had an incident last year during fourth of July, this was brought to our attention, and we believe we need a law to regulate fires throughout the village as we only had guidelines which don't give the village authority to act. I will ask Trustee Burke to review the five written comments and explain how the board can incorporate the suggestions.

Trustee Burke thanked the residents for their suggestions. The changes to the code are based on NY State Fire Code and other local municipality codes.

- 106 1. Leaf burning; the burning of lawn waste is not a good idea and will be addressed in the new
107 code.
108 2. Fire starter aides, such as lighter fluid, should be and will be addressed.
109 3. Two residents were concerned that the new law would prevent a clambake in a firepit. No
110 restrictions are included in the new law regarding firepits and BBQ's both are allowed.
111 4. There was a concern of the distance guidelines of 25', these guidelines are set by NYS the
112 village can make it more restrictive not less restrictive
113 5. Concerns were raised by beach lot owners that the size of the beach fire was too small. Also,
114 the use of pallets was mentioned. Pallets are not allowed in many local laws of
115 municipalities. The time a beach fire can be lit, you can have a beach fire at any time of the
116 day. The fourth of July bonfires are restricted to 8pm for weather and wind purposes.
117 6. A comment was made about raking beaches resulting in a brush pile, piles of yard waste for
118 the intent to burn is not allowed, we have yard waste collections for that, we will work on
119 that language.

120
121 Verbal comments:

- 122 1. Bill Raisch commented on the 25' setback for beach fires and fire pits.
123 2. Officer Mahdesian thanked the village board for amending this chapter, it was long overdo.
124

125 Teleconference comments:

- 126 3. Kristen Wenderoth commented on point (I) in the proposed law and commented that it
127 should be moved up within the law because it is very important.
128 4. Jane Synder commented about cleaning up your fire. Trustee Burke noted that the area
129 should be restored to its pre-fire state, that's what we are asking for. In addition, starting
130 time on the fourth of July; what is the difference? Trustee Burke noted that if you are having
131 a beach fire there is no start time, it only refers to the fourth of July bonfires. Mayor Leticia
132 noted that the importance of starting the bonfire at 8pm is important so the village can
133 monitor the wind, the weather may change. By having an 8pm start gives the village a
134 mechanism to hold off lighting the bonfires if the wind becomes onshore.
135

136 Mayor Leticia made a motion to close the public hearing on 3-2022, seconded by Trustee Ettinger.

- 137 Trustee Jablonski AYE
138 Trustee Burke AYE
139 Trustee Ettinger AYE
140 Deputy Mayor Pierce AYE
141 Mayor Leticia AYE

142 Motioned Carried.
143

144 **Resolutions:**

145
146 **Resolution (2022-10)** Be It Resolved that the Village Board approves the budget transfers for the
147 month of January 2022.

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

- 149 Trustee Jablonski AYE
150 Trustee Burke AYE
151 Trustee Ettinger AYE
152 Deputy Mayor Pierce AYE
153 Mayor Leticia AYE
154

155 **Resolution (2022-11)** Be It Resolved that the Village Board does hereby approve the vouchers for
156 the month of January 2022 in the amount of \$47,010.84.

157 Deputy Mayor Pierce made a motion to approve, seconded by Mayor Letica.
158 Trustee Jablonski AYE
159 Trustee Burke AYE
160 Trustee Ettinger AYE
161 Deputy Mayor Pierce AYE
162 Mayor Letica AYE

163
164 **Resolution (2022-12)** Be It Resolved that the Village Board does hereby appoint a committee of
165 the Board of Trustees to include, Mayor Letica, Deputy Mayor Pierce, Trustee Ettinger, Trustee
166 Burke and Trustee Jablonski as the Board of Assessment Review for the purpose of reviewing any
167 complaints regarding the 2022/2023 assessments filed on or before Grievance Day, February 15th,
168 2022 and to be reviewed in-person during the hours from 12:00pm to 4:00pm at Village Hall, One
169 Asharoken Avenue, Northport, NY 11768.

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

177
178 **Resolution (2022-13)** Be It Resolved that the mayor does hereby appoint assistant to
179 Superintendent of Buildings, Victor Cuneo for a term to end July 2022 at an hourly rate of \$100.00.

180 Mayor Letica made a motion to approve, seconded by Deputy Mayor Pierce.
181 A resident made a comment that he was not satisfied with Resolution (2022-13).
182 Resolution was tabled.

183 **Resolution (2022-14)** Be It Resolved that the Village Board, does hereby approve Local Law 3-
184 2022 amending Chapter 70 "Fire Prevention".
185 Mayor Letica made a motion to approve, seconded by Deputy Mayor Pierce.
186 Resolution was tabled.

187 **Resolution (2022-15)** Be It Resolved that the Village Board does hereby approve the tree removal
188 application submitted by Mr. & Mrs. Splaine in the interest of safety, subject to planting two native
189 trees.

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

196
197 **Resolution (2022-16)** Be It Resolved that the mayor does hereby appoint William Frolich as an
198 uncompensated member of the Environmental Review Board for a term to end July 2022.

199
200 Deputy Mayor Pierce made a motion to approve, seconded by Mayor Letica.

201 Trustee Jablonski AYE
202 Trustee Burke AYE
203 Trustee Ettinger AYE
204 Deputy Mayor Pierce AYE
205 Mayor Letica AYE

206

207 **Resolution (2022-17)** Be It Resolved that the Village Board does hereby approve the transfer of
 208 reserve funds from the assigned Sanitation Reserve balance to the assigned Tax Stabilization
 209 reserve balance in the amount of \$58,808.11.

210
 211 Deputy Mayor Pierce made a motion to approve, seconded by Trustee Jablonski.
 212 Trustee Jablonski AYE
 213 Trustee Burke AYE
 214 Trustee Ettinger AYE
 215 Deputy Mayor Pierce AYE
 216 Mayor Letica AYE

217
 218 **Resolution (2022-18)** Be It Resolved that the Village Board does hereby approve a special meeting
 219 to be held on Tuesday, March 22, 2022, at 4:00pm for the purpose of presenting the tentative
 220 budget for 5/31/2023 to the Board of Trustees.

221
 222 Deputy Mayor Pierce made a motion to approve, seconded by Trustee Ettinger.
 223 Trustee Jablonski AYE
 224 Trustee Burke AYE
 225 Trustee Ettinger AYE
 226 Deputy Mayor Pierce AYE
 227 Mayor Letica AYE

228
 229 **Return of Unpaid Taxes for 2021/2022:**

230 Clerk Rittenhouse delivered a certified list of unpaid taxes, tax warrant and a true copy of the 2021
 231 tax roll to the Board of Trustees. An account of unpaid taxes and a statement that the taxes listed
 232 remain unpaid. The Board of Trustees compared the list of unpaid taxes to the original tax role and
 233 each member signed the certification noting that this task was completed.

234
 235 **Resolution (2022-19)** WHEREAS, the Village Clerk of the Village of Asharoken delivered to this
 236 Board of Trustees the following account of all taxes remaining due and unpaid for the year
 237 2021/2022, together with a description of the lands on which said taxes are unpaid:
 238

Name of Owner 2021/2022 Real Prop. Taxes	Dist/Section/Block/Lot	Taxes	Penalty	Pub. Fee	Total
Nur Holdings Corp	0401-003-02-008-000	\$4043.51	\$444.79	\$7.50	\$4495.80
Fosella	0401-003-02-034-000	\$1919.94	\$211.19	\$7.50	\$2138.63
Ward, Nicholas	0401-004-01-061-000	\$58.18	\$6.40	\$7.50	\$72.08
Ward, Nicholas	0401-004-02-045-000	\$29.09	\$3.20	\$7.50	\$39.79
CFI International Inc. /Empire RE Sales Co.	0401-008-02-008-000	\$2327.20	\$255.99	\$7.50	\$2590.69
Total		\$16,755.84			

239
 240 WHEREAS that this Board has examined said account, and compared it with the original tax rolls,
 241 and hereby certifies it to be correct.
 242 Mayor Letica waived the reading of the properties.
 243

Name of Owner 2021/2022 Real Prop. Taxes	Dist/Section/Block/Lot	Taxes	Penalty	Pub. Fee	Total
--	------------------------	-------	---------	----------	-------

Nur Holdings Corp	0401-003-02-008-000	\$4043.48	\$444.79	\$7.50	\$4495.80
Fosella	0401-003-02-034-000	\$1919.92	\$211.19	\$7.50	\$2138.63
Ward, Nicholas	0401-004-01-061-000	\$58.18	\$6.40	\$7.50	\$72.08
Ward, Nicholas	0401-004-02-045-000	\$29.09	\$3.20	\$7.50	\$39.79
CFI International Inc./Empire RE Sales Co.	0401-008-02-008-000	\$2327.20	\$255.99	\$7.50	\$2590.69
Total		\$16,755.84			

244

245 NOW, THEREFORE, this Board, pursuant to Article 14 of the Real Property Tax Law of the State of
246 New York, determines to collect the amount of such unpaid taxes levied or assessed for the year
247 2021/2022 by a tax lien sale in accordance with procedures authorized by the Board of Trustees in
248 the manner and after the form and resolution, certified by the Clerk, shall be transmitted forthwith
249 to the Treasurer of the Village with the account, affidavit, and certificate of such unpaid taxes and is
250 authorized and directed to cause to be published in the official paper of the Village, once each week
251 for three consecutive weeks, a list as shown in the tax roll, with the amount of the tax, penalties, and
252 charges thereon, excepting there from such parcels of property on which the Village holds and
253 owns one or more unredeemed certificates of tax sale; and also a notice that the said real estate
254 will, on a day subsequent to the expiration of said three weeks to be determined by said Village
255 Clerk and specified in said notice, be sold at a place in said Village to be designated by said Village
256 Clerk, to discharge the tax, penalties, and charges aforesaid, which may be due thereon at the time
257 of such sale, and that the said Village Clerk, at the time and place specified in said notice, proceed
258 with the sale of said real estate upon which such taxes are unpaid, as set forth above, and continue
259 the same from day to day until the sale is completed. That such real estate shall be sold subject to
260 any unpaid assessments thereon levied by the Village of Asharoken and also subject to any unpaid
261 tax liens purchased and held by the Village.

262

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

267 The Village Clerk has advised that the tax sale referred to in the foregoing resolution would be held
268 on Monday, March 7, 2022, at 10am to 12 noon, at the Village Hall, 1 Asharoken Avenue, Northport,
269 New York, and that the publication of the list of properties to be sold would commence on or about
270 February 17, 2022, and be it further resolved that the Village Board reserves its right to authorize
271 and direct the Village Treasurer on behalf of the Village to reject any and all bids for parcels of lands
272 listed in the annual tax lien sale to be held as set forth herein and, to bid in and purchase if
273 necessary the same for the Village.

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

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

277 Trustee Jablonski AYE

278 Trustee Burke AYE

279 Trustee Ettinger AYE

280 Deputy Mayor Pierce AYE

281 Mayor Letica AYE

282 Motioned Carried

283 Mayor Letica asked about new or old business. None was brought up by the Board.

284 Public Session:

- 285 1. A resident commented that our village has a continual style and charm and asked if there
286 are any indicators that the board may look to establish an architectural review board. Do we
287 have any restrictions on a style of home within the village now? Mayor Letica noted that we
288 do not have an architectural review board. Building Inspector Adil, spoke about 174
289 Asharoken Avenue; he noted that the Asharoken Code allows 40' height which is based on
290 the location of the house, even in the A zone if you are in a flood zone like VE zone it allows
291 and permits the height to begin at the base flood elevation not the grade. This is what our
292 code permits. At 122 Asharoken Avenue this house can be higher and will be permitted due
293 to the base flood zone.
- 294 2. A resident noted that he agreed with an Architectural Review Board, similar to Lloyd
295 Harbor and Flower Hill areas. He also commented on a past client and the contractor who
296 did the construction work indicating that the additional garage work was not properly
297 permitted. Clerk Rittenhouse indicated that a permit was issued for the construction
298 project.

299
300 Mayor Letica made a motion to exit public session, seconded by Deputy Mayor Pierce.

301 Trustee Jablonski AYE
302 Trustee Burke AYE
303 Trustee Ettinger AYE
304 Deputy Mayor Pierce AYE
305 Mayor Letica AYE
306 Motioned Carried

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

308 Trustee Jablonski AYE
309 Trustee Burke AYE
310 Trustee Ettinger AYE
311 Deputy Mayor Pierce AYE
312 Mayor Letica AYE
313 Motioned Carried.

314
315 The February 1st, 2022, Regular board meeting of the Board of Trustees was adjourned at
316 approximately 7:40pm.

317 Signed: _____
318 Nancy Rittenhouse, Village Clerk