

Approved

Officers Present:

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

Officials & Appointees Present:

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

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

Trustee Ettinger made a motion to approve the Board Meeting minutes for March 1, 2022,
seconded by Trustee Burke.

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

Motioned Carried.

Trustee Ettinger made a motion to approve the Special Meeting minutes for March 8, 2022,
seconded by Trustee Burke.

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 Justice Mark Kleczka informed me that he will not be running for re-election in June. I am very sorry to see Mark retiring. He has done a great job serving as the Village Justice for the last 10 years. Mark runs the Village court in a very compassionate and understanding manner. He always explains why the Village has specific laws and why failure to comply with them could result in harm to another person. Mark always manages to strike the perfect balance between being strict and folksy. The Village could not have been represented by a better person. We will miss Judge Kleczka when he steps away from the bench in June. Thanks so much for your service to the Village Mark! Thank you to Rita Rover for her years of service to the Conservation of the Environment Board.

52 The month of April was remarkable in the sense that multiple infrastructure projects were
53 completed.

54 The crossover steps at the seawall have been repaired and are open for use. I would like to thank
55 everyone for their patience and understanding as this project took a while to complete. Several
56 parts needed to be ordered and as it is with many things today it took a bit longer than expected
57 to get them.

58 The drainage project at 103-105 Asharoken Avenue is completed, with the exception of final
59 landscaping. To date it appears that the catch basins are working as expected. I would like to thank
60 Trustee and Deputy Police Commissioner Ian Jablonski for running this project.

61 The dune repair is also completed. This project, that included approximately 2000 cubic yards of
62 sand, beach grass and snow fencing, will provide additional protection to Asharoken Avenue.
63 Deputy Mayor Pam Pierce deserves a lot of thanks for overseeing this critical infrastructure repair.
64 I would also like to thank NY State Senator Jim Gaughran for helping the Village get a \$50,000
65 DASNY grant to pay for much of this project.

66 The Village is finalizing the bid package for road paving later this spring. The section from Village
67 Hall to 285 Asharoken Avenue will be paid for by National Grid. The second stage from 355
68 Asharoken Avenue to 501 Asharoken Avenue (including some shoulder work in the beach lot area)
69 should be mostly paid for by a \$70,000 multi modal grant and the Village's accrued CHIPS money
70 from NY State.

71 The Village is awaiting an answer on its application for a \$1,000,000 BRIC grant to cover design and
72 engineering to replace the failing seawall. This grant is an 80/20 split federal and local. So, should
73 the Village get the grant it will then seek other local partners, such as the TOH, County or the State,
74 to participate in the local share. Deputy Mayor Pam Pierce has done an extraordinary job in
75 researching other grant opportunities for seawall replacement, at least one of which the Village is
76 looking to apply for in the upcoming weeks. These grants are very difficult to apply for and thusly
77 the Village will be seeking an individual or organization that can assist it with the completing the
78 applications.

79 During the month I had the opportunity to congratulate Northport Mayor Elect Donna Koch. During
80 our conversation we touched on the long-term relationship the two Villages have had and that we
81 would do all we could to continue to foster this level of cooperation and help.

82 On March 23rd, I found my first Osprey of the year. Several more have returned as of today. I have
83 identified 62 species of birds in the Village since January 1. Some of the more interesting include:
84 Snow Bunting, Northern Harrier, Bald Eagle, Yellowbellied Sapsucker, and Gadwall. Spring
85 migration is just around the corner and if there are any notable finds I will be happy to share them
86 with you.

87 **Trustees:**

88 Deputy Mayor Pierce: During the month I attended the special meeting held on March 8th as well as
89 the Northport Water Quality meeting; I finished up the second phase of the dune, reviewed the
90 vouchers, minutes, police report, grant opportunities and monthly vouchers.

91
92 Trustee Ettinger: During the month I had discussions with Officer Mahdesian regarding police
93 matters. The police department is performing well. During the month spent time finalizing the
94 police budget; and we delivered a responsible budget. Attended the special meeting on March 8th,
95 and reviewed the final form of the fire prevention law, reviewed correspondences, foils, meeting
96 minutes and payment vouchers.

97

98 Trustee Burke: During the month I reviewed the stormwater report, minutes, payment vouchers,
99 police report, had discussions on the new tree permitting process with Chairman Marty Cohen. We
100 suggested to reduce the number of board members on the Conservation board from six to five. Rita
101 Rover decided to step down, we thank her for her many years of service to the Village. I attended
102 the budget meeting on March 8th and would like to thank the Mayor, Clerk Rittenhouse, and
103 Treasurer Hayes for a fantastic job on the budget.

104

105 Trustee Jablonski: During the month; I reviewed, the minutes, payment vouchers, police report,
106 stormwater report and various correspondences. I worked on the drainage project everything has
107 been installed we are just waiting for the area to be asphalted.

108

109 **Attorney Migatz:** Attorney Migatz reported that the Zoning Board met on March 22nd, one case was
110 heard 279 Asharoken Avenue, this is a vacant parcel. Side yard setback variances to construct a new
111 dwelling and accessory structure and special use permit to have living quarters above the garage as
112 a guest cottage, this case was continued to the next calendar date.

113

114 **Village Treasurer:** Emily Hayes reported for the month of March. Payment vouchers totaled
115 \$142,680.08. Included in the vouchers is various bills for the dune restoration project in the
116 amount of \$95,579.85. There is a grant of \$50,000 that will be used to reimburse the village for part
117 of these costs. There will be a separate resolution to approve the vouchers and budget transfers.

118

119 **Police Report:** Officer Mahdesian reported that we have no crime to report this month, 32 traffic
120 summons were issued for the month of March.

121

122 **Superintendent of Buildings:** Mayor Letica reported. Provided clarification to the architect
123 regarding the necessary HERS Rating certification forms for a new home at 219 Ash. Provided
124 comments to plans for a new home at 399 Asharoken Ave., provided flood zone requirements to an
125 architect who is designing alterations to a home at 293 Ash., provided plan review comments for 1
126 Beach Plum Drive for a PV solar system, provided feedback to a homeowner who wanted to install a
127 new fence, asked if it could be installed on the neighbor's property to clear the trees, responded to a
128 homeowner as to what is required to be completed to obtain a CO for their home and performed 14
129 inspections.

130

131 **Emergency Manger:** Bill Raisch noted that we are in preparation of our 5 MPH signs, and we
132 currently have the DEC permit in place for installation of oyster seeds. He noted that he will be
133 submitting information to see if the residents want to get involved in this project. We will be
134 looking for donations for oyster seeds and related equipment from Cornell; approximately
135 \$1000.00.

136

137 **Public Hearing: Tentative Annual Budget for year-end 5/31/2023.**

138 Clerk Rittenhouse read the publication.

139 Mayor Letica read the budget Letter.

140 Mayor Letica opened the public hearing for comments, one "comment" was made.

- 141 1. One email was received from a resident, question was about the Feasibility Study monies,
142 and she suggested that those funds should be reclassified. Question about the invoice from
143 the State for the feasibility study. Question about a resolution relating to the BRIC grant that
144 was applied for. Question about properly aligning expenditures. The emailed dated April 6,
145 2022 will be attached to the minutes for the record.

146

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

148 Trustee Jablonski

AYE

149 Trustee Burke AYE
150 Trustee Ettinger AYE
151 Deputy Mayor Pierce AYE
152 Mayor Letica AYE
153 Motioned Carried.

154

155 **Public Hearing: Local Law 3-2022 “Fire Prevention”.**

156 Publication was read.

157 Mayor Letica opened the public hearing for comments.

- 158 1. One comment was made by a resident. The resident questioned section 70-2 restrictions on
159 outdoor fires. This subsection is subjective and only serves to weaponize neighbors. He
160 noted that he wanted the board to reconsider this section. The Letter from the resident will
161 be attached to the minutes for the record.
162 2. Second comment noted that we have been harassed by one neighbor and they will use this
163 new law to continue to do that, this is highly subjective.
164 3. A resident noted that it is difficult to quantify, with all these other regulations it may not be
165 necessary.

166

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

168 Trustee Jablonski AYE
169 Trustee Burke AYE
170 Trustee Ettinger AYE
171 Deputy Mayor Pierce AYE
172 Mayor Letica AYE
173 Motioned Carried.

174

175 **Resolutions:**

176

177 **Resolution (2022-27)** Be It Resolved that the Village Board approves the budget transfers for the
178 month of March 2022.

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

180 Trustee Jablonski AYE
181 Trustee Burke AYE
182 Trustee Ettinger AYE
183 Deputy Mayor Pierce AYE
184 Mayor Letica AYE
185 Motioned Carried.

186

187 **Resolution (2022-28)** Be It Resolved that the Village Board does hereby approve the vouchers for
188 the month of March 2022 in the amount of \$142,680.08.

189

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

191 Trustee Jablonski AYE
192 Trustee Burke AYE
193 Trustee Ettinger AYE
194 Deputy Mayor Pierce AYE
195 Mayor Letica AYE
196 Motioned Carried.

197

198 **Resolution (2022-29)** Be It Resolved that the Village Board does hereby approve the scheduling of
199 a public hearing on Tuesday, May 3, 2022, at 6:30pm on the MS4 Stormwater Annual Report for
200 year-end March 9th, 2022.
201
202 Deputy Mayor Pierce made a motion to approve, seconded by Trustee Ettinger.
203 Trustee Jablonski AYE
204 Trustee Burke AYE
205 Trustee Ettinger AYE
206 Deputy Mayor Pierce AYE
207 Mayor Letica AYE
208 Motioned Carried.
209
210 **Resolution (2022-30)** Be It Resolved that the Village Board does hereby approve the services of
211 Breakwater Marine in the amount of \$5000 for the tugboat and \$3500 for the barge for the
212 fireworks display on July 4th, 2022 (rain-date July 5th, 2022).
213
214 Deputy Mayor Pierce made a motion to approve, seconded by Mayor Letica.
215 Trustee Jablonski AYE
216 Trustee Burke AYE
217 Trustee Ettinger AYE
218 Deputy Mayor Pierce AYE
219 Mayor Letica AYE
220 Motioned Carried.
221
222 **Resolution (2022-31)** Be It Resolved that the Village Board does hereby appoint Joseph Affrunti as
223 the Fireworks Safety Officer for the 2022 fireworks display.
224
225 Trustee Jablonski made a motion to approve, seconded by Trustee Ettinger.
226 Trustee Jablonski AYE
227 Trustee Burke AYE
228 Trustee Ettinger AYE
229 Deputy Mayor Pierce AYE
230 Mayor Letica AYE
231 Motioned Carried.
232
233 **Resolution (2022-32)** Be it Resolved that the Village Board authorizes the mayor to sign the
234 renewal contract for one year between the Village of Asharoken and Global Commercial Cleaning
235 Services, Inc. for cleaning services at a monthly cost of \$525.00; subject to Attorney Migatz
236 approval.
237
238 Deputy Mayor Pierce made a motion to approve, seconded by Mayor Letica.
239 Trustee Jablonski AYE
240 Trustee Burke AYE
241 Trustee Ettinger AYE
242 Deputy Mayor Pierce AYE
243 Mayor Letica AYE
244 Motioned Carried.
245
246 **Resolution (2022-33)** Be It Resolved that the Village Board does hereby approve the village
247 annual budget for fiscal year-end 5/31/2023.
248
249 Deputy Mayor Pierce made a motion to approve, seconded by Mayor Letica.
250 Trustee Jablonski AYE

251 Trustee Burke AYE
252 Trustee Ettinger AYE
253 Deputy Mayor Pierce AYE
254 Mayor Letica AYE
255 Motioned Carried.

256
257

258 **Resolution (2022-34)** Be It Resolved that the Village Board does hereby approve the Tax Warrant
259 for the fiscal year-end 5/31/2023.

260

261 Trustee Ettinger made a motion to approve, seconded by Trustee Jablonski.

262 Trustee Jablonski AYE
263 Trustee Burke AYE
264 Trustee Ettinger AYE
265 Deputy Mayor Pierce AYE
266 Mayor Letica AYE

267 Motioned Carried.

268

269 **Resolution (2022-35)** Be It Resolved that the Village Board does hereby appoint Village Treasurer,
270 Emily Hayes and Village Clerk, Nancy Rittenhouse to collect taxes that may be due for the 2022-
271 2023 fiscal year, during Village Hall hours by appointment.

272

273 Deputy Mayor Pierce made a motion to approve, seconded by Trustee Ettinger.

274 Mayor Letica noted that he believes we should have hours open. Clerk Rittenhouse noted that we
275 have a drop off box available for the residents, by appointment system has been working very well.

276 The trustees referred to the Village Clerk and Treasurer.

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

284 **Resolution (2022-36)** Be It Resolved that the Village Board does hereby authorize, that pursuant
285 to Section 1428 of the Real Property Tax Law the Warrant and Tax Roll for Collection of Village
286 taxes of the Incorporated Village of Asharoken will be filed with the Village Treasurer for the fiscal
287 year beginning June 1, 2022, taxes will be received at the Village Hall, One Asharoken Avenue,
288 Northport, NY 11768, from June 1, 2022 through and including July 1, 2022 without penalty. Five
289 percent will be added to taxes received after July 1, 2022, and one percent for each month
290 thereafter until paid in full.

291

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

293 Trustee Jablonski AYE
294 Trustee Burke AYE
295 Trustee Ettinger AYE
296 Deputy Mayor Pierce AYE
297 Mayor Letica AYE

298 Motioned Carried.

299

300 **Resolution (2022-37)** Be It Resolved that the Village Board, does hereby approve Local Law 3-
301 2022 amending Chapter 70 "Fire Prevention".

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

303

304 Trustee Burke noted that we may want to discuss this further. Attorney Migatz noted that many
305 things in this law you cannot quantify by specific standards. The test in reasonableness is prevalent
306 in the law, the test for negligence is a reasonable man test, its subjective. What is negligent is what a
307 reasonable person will do or not do. With noise, unreasonable noise is a common prevision it is still
308 what is reasonable. I don't see how you can quantify what is reasonable and unreasonable with
309 smoke. The test is ultimately up to the judge. It's a two-way street, it's there to protect a
310 homeowner as well. If you have an unreasonable neighbor, who complains because a hotdog is on
311 the grill, this is unreasonable, it protects you as well. In my opinion it should stay in the law, its up
312 to the police officer and judge ultimately to determine whether it's unreasonable or not.
313 Mayor Letica asked Officer-in-Charge if he is aware of any past complaints, he noted that the police
314 use good judgement, the problem is that neighbors do not get along.
315 Mayor Letica noted that we can always amend the law.

316

317 **Roll Call:**

318 Trustee Jablonski	AYE
319 Trustee Burke	AYE
320 Trustee Ettinger	AYE
321 Deputy Mayor Pierce	AYE
322 Mayor Letica	AYE

323

324 **Resolution (2022-38)** Be It Resolved that the Village Board, does hereby approve a budget
325 adjustment for 5/31/2022 to increase Public Works Other (A1490.495) for \$95,579.85 (\$88,222.00
326 DF Stone, Hirani Engineering \$2050.00 and Riverhead Building \$2,157.85 and Parker Landscaping
327 \$3,150.00) and increase Start Income (A1000.000) for \$95,579.85.

328

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

330 Trustee Jablonski	AYE
331 Trustee Burke	AYE
332 Trustee Ettinger	AYE
333 Deputy Mayor Pierce	AYE
334 Mayor Letica	AYE

335 Motioned Carried.

336

337 **Resolution (2022-39)** Be It Resolved that the Village Board does hereby approve a tent permit for
338 Lucy Verdone located at 8 Duck Island Lane from May 20, 2022, thru May 23, 2022.

339

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

341 Trustee Jablonski	AYE
342 Trustee Burke	AYE
343 Trustee Ettinger	AYE
344 Deputy Mayor Pierce	AYE
345 Mayor Letica	AYE

346 Motioned Carried.

347

348 **Resolution (2022-40)**

349 WHEREAS, the Village of Asharoken (the "Village") is in need of a grant writer for
350 applications for federal, state and county funding opportunities for the design, plan, and
351 construction to replace the existing steel sheet pile and stone revetment seawall located along the
352 primary access road between Asharoken and Eaton's Neck, and

353 WHEREAS, the Board of Trustees finds that it is in the best interest of the Village to
354 authorize the request for proposals for current and future grants;

355 NOW, THEREFORE, BE IT

356 RESOLVED the Village Clerk is hereby authorized and directed to advertise for receipt of
357 request for proposals for a grant writer; and be it further
358 RESOLVED that the Village Clerk is hereby authorized to publicly open and read proposals
359 on set day in accordance with the "Request for Proposal" notice, and be it further
360 RESOLVED that the Village Clerk is hereby authorized to reject said proposals for good and
361 sufficient reason and to re-advertise same under the authority herein granted without further
362 action of this Board.
363
364 Mayor Letica made a motion to approve, seconded by Deputy Mayor Pierce.
365 Trustee Jablonski AYE
366 Trustee Burke AYE
367 Trustee Ettinger AYE
368 Deputy Mayor Pierce AYE
369 Mayor Letica AYE
370 Motioned Carried.
371
372 **Resolution (2022-41)** Be It Resolved that the Village Board does hereby approve a change in the
373 Conservation of the Environment Board membership from six members to five members.
374
375 Trustee Burke made a motion to approve, seconded by Trustee Jablonski.
376 Trustee Jablonski AYE
377 Trustee Burke AYE
378 Trustee Ettinger AYE
379 Deputy Mayor Pierce AYE
380 Mayor Letica AYE
381 Motioned Carried.
382
383 **Resolution (2022-42)** Be It Resolved that the mayor does hereby appoint assistant to
384 Superintendent of Buildings, Victor Cuneo for a term to end July 2022 at an hourly rate of \$100.00.
385
385 Trustee Burke made a motion to approve, seconded by Trustee Jablonski.
386 Trustee Jablonski AYE
387 Trustee Burke AYE
388 Trustee Ettinger AYE
389 Deputy Mayor Pierce AYE
390 Mayor Letica AYE
391 Motioned Carried.
392
393 **Resolution (2022-43)** Be It Resolved that the Village Board does hereby authorize Patrick Glennon
394 to remove the six pieces of used steel beams from village grounds, steel beams have no cost value.
395
396 Deputy Mayor Pierce made a motion to approve, seconded by Trustee Burke.
397 Trustee Jablonski AYE
398 Trustee Burke AYE
399 Trustee Ettinger AYE
400 Deputy Mayor Pierce AYE
401 Mayor Letica AYE
402 Motioned Carried.
403
404 **Resolution (2022-44)** Be It Resolved that the Village Board does hereby approve a tent permit for
405 Anthony Greco located at 230 Asharoken Avenue from June 25, 2022, thru June 27, 2022.
406

407 Deputy Mayor Pierce made a motion to approve, seconded by Mayor Leticia.
408 Trustee Jablonski AYE
409 Trustee Burke AYE
410 Trustee Ettinger AYE
411 Deputy Mayor Pierce AYE
412 Mayor Leticia AYE
413 Motioned Carried.

414
415 **Resolution (2022-45)** Be It Resolved that the Village Board does hereby approve the excavation
416 permit based on the recommendation of the Conservation of the Environment Board for removal of
417 70 cubic yards for Lucy Verdone located at 8 Duck Island Lane, the permit is contingent on the
418 applicant receiving a variance from the Zoning Board of Appeals for its application to install a solar
419 array system.

420 Attorney Migatz had concerns about the procedures that were followed. The short form is an
421 outdated form that was submitted, and it must be reviewed more carefully by the Conservation
422 Board. Ultimately this Board is going to make the SEQRA finding, and it needs to be in proper form.
423 There should be some discussions of the pros and cons, it's a substantial excavation.
424 Resolution was tabled.

425
426 **New Business:**

427 Mayor Leticia noted that State Senator Gaughran has informed the Village to apply for a DASNY
428 grant up \$100,000. We have some potential ideas, and we can split up the funds.

429 We were considering allocating a portion to a guide rail to be installed across from the seawall and
430 allocate funds for a new police car.

431 Trustee Ettinger noted that he was in favor of the two items for public safety reasons. All other
432 trustees agreed.

433 Mayor Leticia confirmed that we will move forward with the proposed suggestions.

434

435 Mayor Leticia opened Public Session:

436

437 Public Session:

- 438 1. A resident had a question regarding the paving project. Mayor Leticia noted that our
439 engineer will be overseeing this project.
- 440 2. A resident asked about the road being closed during the paving project. Mayor Leticia
441 indicated that these paving projects move quickly, and it should be completed within
442 several days.
- 443 3. A resident asked if drivers of large trucks can be told to move off the side of the road by the
444 beach lots, Officer Mahdesian indicated yes.
- 445 4. A resident referred to the donation plague, she commented on the village hall hours and
446 that she wants regular hours so she can come in and use the bathroom. Clerk Rittenhouse
447 noted that you can use the bathroom, the building is open. Mayor Leticia noted that we will
448 take having regular hours without appointments under advisement.

449

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

451 Trustee Jablonski AYE

452 Trustee Burke AYE

453 Trustee Ettinger AYE

454 Deputy Mayor Pierce AYE

455 Mayor Leticia AYE

456 Motioned Carried

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

458 Trustee Jablonski AYE

459 Trustee Burke AYE
460 Trustee Ettinger AYE
461 Deputy Mayor Pierce AYE
462 Mayor Letica AYE
463 Motioned Carried.

464
465 The April 5, 2022, Regular board meeting of the Board of Trustees was adjourned at approximately
466 7:25pm.

467 Signed: _____
468 Nancy Rittenhouse, Village Clerk