

.....VILLAGE OF SHOREHAM.....
BOX 389
SHOREHAM, NEW YORK 11786

REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE INCORPORATED
VILLAGE OF SHOREHAM HELD IN THE VILLAGE HALL, WOODVILLE ROAD,
SHOREHAM, NY ON NOVEMBER 10, 2015 AT 7:30 O’CLOCK PM.

PRESENT:

Edward Weiss	MAYOR
Brian C. Vail	TRUSTEE
Leonard Emma	TRUSTEE
Rosie Connell	TRUSTEE
Cathy Donahue-Spier	CLERK/ TREASURER

Deputies, Commissioners, and Chairs present: L. Kogel, J. Weiss, S. Walker, D. Madigan and various committee members and residents. Anthony Tohill, Village Attorney also present.

OPEN MEETING

Pledge of Allegiance

Mayor Weiss opened the Regular Meeting at 7:30 PM. Mayor Weiss asked for a moment of silence in remembrance of long-time Village resident Paul Vermeylen who passed away on October 31, 2015. A moment of silence was observed.

MINUTES

Motion to approve minutes from October 13, 2015 Board Meeting.

Approved.

(Connell - Weiss 4-0)

LOCAL LAWS – HEARING ON ZONING LAW, COMPREHENSIVE PLAN, AND ZONING MAP.

Motion to close regular meeting and open hearing on proposed zoning law, zoning map, and comprehensive plan.

Approved.

(Weiss - Emma 4-0)

Clerk Spier made all of the necessary postings and publishing notifications.

Various residents spoke regarding proposed local law.

Resident Abata commented that she did not like section regarding Planning Board.

Resident Willen wanted to know why height of building changed from 35 feet to 32 feet. He also commented on the definition of the front of a house, had questions about when a building application goes to the Planning Board, and thought that the example given of the pyramid rules was unclear.

Attorney Tohill stated that the business district was limited to 2 uses: those of medical purposes and antique stores.

Attorney Tohill also clarified that the adoption of a comprehensive plan was now required not optional and explained that the governing law changed since the last Village zoning law enactment of 1989.

Attorney Tohill also indicated that the proposed zoning map would be an appendix of the zoning law.

Resident Daddino made various comments regarding the zoning of the Village Hall and the parking lot owned by the Shoreham Country Club.

Attorney Tohill clarified that a swimming pool is an accessory structure and not considered a recreational structure.

Resident Kogel asked whether air conditioning compressors were allowed in the front yard and stated that railroad ties are not allowed to be used for retaining purposes.

A resident asked that building applications be reviewed by all Village commissioners.

Mayor Weiss indicated that all necessary commissioner reviews were provided for in the proposed building code law.

Commissioner Walker clarified that neither a building permit nor a certificate of occupancy would be issued until proof was provided that any covenants resulting from a zoning board hearing were filed with the county clerk's office with the deed to the property.

Commissioner Walker also stated that an "as built" survey, complete with topographical information, will be required to be filed with the Village prior to issuance of a certificate of occupancy.

Resident Madigan stated that accessory guest houses were desirable in the Village and the proposed law should not seek to prevent them.

Resident Byrne responded that not all residents agree with that sentiment and that their views should also be considered.

A resident asked if it was possible for alternative uses in the business district in addition to those mentioned.

Another resident asked if the 2 properties in the business zoned district that currently had homes built on them could be re-zoned as residential.

Clerk Spier reported that the Suffolk County Planning Commission (SCPC) had calendared their consideration of the proposed zoning law, map, and comprehensive plan for their December 2015 meeting.

At this point, a motion was made to adjourn the hearings and re-open the regular meeting. The hearing would be adjourned until December 8, 2015 awaiting the consideration of these matters by the SCPC. The Board indicated that it would digest all of the submitted comments during the adjournment.

Approved.
(Weiss - Connell 4-0)

Resident Maryann Coogan read a statement into the record regarding the trimming of Oriental Maples on the right of way abutting her property without notice to her. In this statement, she requested specific protocols dealing with the trimming of trees.

LOCAL LAWS – HEARING ON BUILDING CODE LAW

Motion to close regular meeting and open the hearing on proposed building code law

Approved.
(Weiss - Emma 4-0)

Various questions were asked about exempt work.

Commissioner Walker explained that one structure under 144 sq. ft. on a plot does not need a building permit whereas cesspools and small curbing projects do need a permit. Resident Willen posed questions about small projects and whether they require stamped plans from architects and engineers.

Resident Willen also requested that the law impose time schedules on the issuance of permits. Attorney Tohill advised that time limits invite problems as they can result in default permits.

Motion to close regular meeting and re-open regular meeting.

Approved.
(Weiss - Vail 4-0)

ENACTMENT OF LOCAL LAW 3 OF 2015 ENTITLED ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE AND ENERGY CONSERVATION CODE.

Motion to enact proposed local law on building codes.

Approved.
(Weiss - Vail 4-0)

LOCAL LAWS – HEARING ON DOG CONTROL LAW

Motion to close regular meeting and open hearing on proposed dog control law.

Approved.
(Weiss - Connell 4-0)

Various oral and written comments were submitted objecting to the expansion of the time period prohibiting dogs on the Village Beach and waters as well as objecting to the provision regarding the filing of a complaint.

Motion to close hearing and re-open regular

Approved.

(Vail -Connell 4-0)

ENACTMENT OF LOCAL LAW 4 OF 2015 DOG CONTROL

Motion to enact proposed local dog control law.

Approved.

(Weiss - Vail 4-0)

CLERK/TREASURER REPORT

Clerk Spier reminded the Board that the Rocky Point Fire contract expires on December 31, 2015, and that the fire department offered to renew the contract for another year with a proposed increase of .7%. The contract will be offered for renewal at the December board meeting.

Treasurer Spier requested the Board's approval to engage the services of Rhonda Messerole of Pappas & Company, CPA's for quarterly audit services at the rate of \$200 per hour.

Approved.

(Vail – Emma 4-0)

Treasurer Spier requested that the Board appropriate \$20,000 of unreserved fund balance to computer upgrades in the Village office to allow for a project that would allow the building department to run electronically, enhance cyber security and improve data backup systems. The Board requested submission of a proposals regarding the necessity for, and the details of, the project.

Treasurer Spier indicated that revenues and expenditures were in line with the budget at this point in the fiscal year.

ABSTRACT APPROVAL

OPERATING BUDGET

2015012 - \$ 4,511.01 (payroll & utilities)

2015013 - \$ 4,650.45 (payroll and utilities)

2015014 - \$ 44,085.07 (bills received since last meeting)

Approved.

(Weiss - Vail 4-0)

CAPITAL BUDGET

2015004 - \$320,296.96 (Roadwork Ahead & LKMA)

Approved.

(Weiss - Connell 4-0)

RENTAL REQUESTS AND SECURITY DEPOSIT RETURNS

UL rental: Rocky Point Emergency Services Holiday Party/Resident sponsor 12/18 or 19
<50 guests Time:TBD \$600 special rate same as last year

Approved.

(Weiss - Emma 4-0)

Return of UL security deposit: full return Sheehan/Tuscany ED 11/7/15 \$1,000

Approved.

(Connell - Vail 4-0)

Special Event Requests: UL TSVa Puppet Show 12/19/15 10am - 1pm, no charge; UL
TSVA Educational movie 11/21/15 3pm - 7pm, no charge; UL TSVa Italian music
1/16/15 afternoon, no charge

Approved.

(Vail - Emma 4-0)

USE OF THE VILLAGE HALL

Mayor Weiss announced that the Village Use Committee had developed guidelines for use of the Village Hall by Village entities without charge. The guidelines are attached to the minutes hereto.

The Board also indicated that the Village engineer was drafting plans for a handicapped lift that the Village intended to install in the next 4 – 6 months, budget allowing. The Board also stated that they would consider special proposals for use of the Village Hall on a case-by-case basis.

Various residents objected to the limitations set out in the guidelines including the requirement that the Art and Book Clubs use the lower level and the limit of 6 events for the Village Association (TSVA).

Resident Daddino read a statement which included, inter alia, the comment that the proposed guidelines misstate the TSVa's mission as "fund raising" rather than as a service mission.

Further discussion of use guidelines was tabled until the next Board meeting.

EXTENSION OF CONTRACT WITH GRANT WRITER

Co-chair Madigan proposed that the existing contract between the Village and grant writer, Nicole Christian, expiring on November 30, 2015, be extended until February 29, 2016, all other terms of agreement shall remain in place including compensation limit.

Approved.

(Vail - Connell 4-0)

REPORT REGARDING PARKING LOT LIGHTING PROJECT

J. Buyar reported on the progress of the lighting plan for the Village Hall parking lot stating that she will meet with lighting engineers on November 18, 2015.

REPORT REGARDING VILLAGE HALL BUILDING

S. Walker reported that after meeting with various agencies, it has been determined that the Village Hall is compliant on all levels. Meetings were held with the DEC and the Suffolk County Department of Health Services. Research was done at the County Center regarding the SCC deed to the parking lot. He reported that the DEC indicated that it does not monitor or have an interest in the use of the Village Hall. The Health Department occupancy limit and the Fire Department occupancy limit is in line with the current occupancy limits of the building. The kitchen has been inspected and found to be in compliance with imposed health standards. There are no deeded covenants or restrictions on the use of the property owned by the SCC and used as a parking lot. Mr. Walker also reported that carbon monoxide detectors were installed throughout the building. Resident Daddino stated that the VH building was still not in compliance with regulations. Mayor Weiss requested that Ms. Daddino provide the Village with any paperwork she possessed to support this claim.

REPORT REGARDING ROAD AND DRAINAGE IMPROVEMENT PROJECT

L. Kogel reported that the fall work schedule was almost complete. Paving of the roads will take place later in the month. Immediately prior to the paving, the roads will be cleared of fallen leaves. The road committee will meet with the pavers to develop a paving schedule which will most likely take place over several days. Residents will be informed of the schedule. The roads paved will be closed from approximately 7:00 am to 4:30 pm. Residents are to note that inclement weather, if it occurs, will delay the schedule and residents are asked for their patience in this matter. Potholes have been marked out and if weather permits will be filled before the winter. All other work will be scheduled for the spring.

OLD BUSINESS

Roller Rink: The Board reported resident Pence met with Mayor Weiss to work out the details regarding his request to put a roller hockey rink on the basketball court. One of the details in place is that the court may be used up until 9:00 p.m. daily. Also no league play will be permitted. A copy of the guidelines are attached to the minutes.

NEW BUSINESS

Clerk Spier presented a resolution regarding the Village's, as franchise holder, pro-forma consent regarding Cablevision's merger into Altice N.V.

Approved.

(Vail - Weiss 4-0)

PUBLIC COMMENT

No public comment.

ADJOURNMENT

Motion to adjourn 10:30 PM.

Approved.

(Weiss - Vail 4-0)

Submitted,

Cathy Donahue Spier,

Village Clerk