

**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, 80 WOODVILLE ROAD, SHOREHAM, NY ON OCTOBER 9, 2018 AT 7:30 O’CLOCK PM.

PRESENT:

Brian C. Vail	MAYOR
Leonard Emma	DEPUTY MAYOR
Mariann Coogan	TRUSTEE
Sherry Neff	TRUSTEE
Stephen Walker	TRUSTEE
Cathy Donahue Spier	CLERK/TREASURER

Commissioners, Officials and Residents present: Vibeke Arnmark, Yonda Ashley, Neal Baggett, Steve Blum, John & Lynda Borriello, Michael Brogden, Judy Buyar, Laurie Clark, Barbara Daddino, Jim & Celeste DeSario, Ann-Marie Emma, Randy Goat, Roxane Gruenheid, Larry Kogel, Deborah Lohman & Rick Rubin, David & Dawn Madigan, Laura Miller, Diana Murphy, BJ Richter, Cathy Silverstein, Edward Weiss, John Weiss, and others.

OPEN MEETING

Mayor Vail opened the Regular meeting at 7:30 pm

Pledge of Allegiance

Moment of Silence for Andrew McMorris, Boy Scout with Troop 161, who died after being hit by a car while hiking with his troop last week.

RESIDENTS' COMMENTS:

Mayor Vail requested the residents to please limit their comments to three minutes. Mayor Vail stated that resident may email their comments to the clerk at cspier@shorehamvillage.org if they could not make it to a meeting. The email would be read at the meeting unless it was over a paragraph, then it would be summarized.

Laura Miller read a letter to the Board of Trustees regarding the new curbing being installed on the east side of the village. This curb work has been done piecemeal in select portions of the road so parts of the road are curbed and other parts are uncurbed. The look is inconsistent and choppy. She believes this difference in curbing will affect property values and asks that the Board consider curbing all the roads in the village.

Michael Brogden questioned the new placement of the handicapped ramp. Mayor Vail explained the original plan was changed to adhere to new disability specifications from New York State.

Judy Buyar noted how dark the parking lot was and explained the parking lot lights are supposed to go on automatically, but did not. She reset them when she arrived. Village Clerk Cathy Donahue Spier explained that the lights were turned off after a light post blew down in the last storm.

Clerk Spier stated that residents Martin & Cathy Siry of Wardencliff Rd. asked that she mention that they are selling their house due to family responsibilities in Queens and that they very much enjoyed the two years that they lived in the Village and are sad to leave.

Mayor Vail asked if there were any other resident comments. There were none.

COPE Officer Frank Responi came to the meeting and reported that there was no crime reported in the Village since July.

ADMINISTRATIVE ITEMS / CLERK/TREASURER REPORT

MINUTES

Motion to approve minutes from the September 11, 2018 monthly Board meeting.

Approved.

(Vail - Neff 5-0)

BUDGET AMENDMENTS

Capital Projects (A1900) to Tennis Court Repair (A7140.431) \$5,600.00

Capital Projects (A1990) to Insurance Excess Liability (A1910.44) \$166.83

Approved.

(Vail - Walker 5-0)

ABSTRACT APPROVAL

2018006 -\$780.00 (Correction on voucher)

2018007 - \$50,513.70 (DF Stone Invoice – Road Drainage Work)

2018008 -\$5,003.00 (9/20 payroll, payroll taxes and utilities)

2018009 - \$5,920.74 (10/4 payroll, payroll taxes and utilities)

2018010 - \$43,456.64 (September Invoices)

Approved.

(Vail – Emma 5 - 0)

RESOLUTIONS:

TOWN OF BROOKHAVEN AGREEMENTS

Clerk Spier stated the Recycling Agreement with the Town of Brookhaven expires on October 31st and advised the Village adopt a resolution to renew the IMU (Inter-municipal) Agreement. We are currently paid \$15.00 per ton. However, the Town's vendor, GreenStream, may not be able to honor its contract with the Town of Brookhaven due to the change in foreign demand for recyclables. The Town has indicated that Greenstream may decide to charge the Town to

remove recyclables. That being said, Clerk Spier asked for a Motion to request the Town to renew the contract with the option to extend it with the understanding it may be modified as circumstances so require.

RESOLUTION 1 of October 9, 2018

**AGREEMENT FOR RECEIVING RECYCLABLE MATERIALS
AUTHORIZATION**

By Board Member B. Vail

WHEREAS, the existing AGREEMENT FOR RECEIVING RECYCLABLE MATERIALS between the VILLAGE and the TOWN OF BROOKHAVEN expires on October 31, 2018,

WHEREAS, the recycling of refuse is an important aspect of this municipality's civic and environmental goals, and

WHEREAS, the Board of Trustees of the Village of Shoreham requests the TOWN OF BROOKHAVEN to enter into another agreement with the Town of Brookhaven for RECEIVING RECYCLABLES under the same terms as the prior aforesaid agreement,

WHEREAS, the Board of Trustees of the Village of Shoreham is aware that the cost of processing recyclable materials has risen and that the TOWN OF BROOKHAVEN may have to renegotiate its contract terms with GREENSTREAM,

THEREFORE LET IT BE RESOLVED,

- 1) That the Board of Trustees of the Village of Shoreham approves an AGREEMENT FOR RECEIVING RECYCLABLE MATERIALS between the VILLAGE and the TOWN OF BROOKHAVEN, commencing November 1, 2018 and expiring on October 31, 2019 under the same terms as the prior aforesaid agreement, with the understanding that:
 - A). the agreement will contain an option to extend the agreement for another two years, and;
 - B) either party may terminate or modify the agreement if pricing and uncontrollable circumstances arise.

Seconded by Board Member S. Walker

Passed: 5-0

B.Vail – yea, L.Emma – yea, S.Neff – yea, M.Coogan – yea, S.Walker - yea

The Snow Plow/ General Road Repair IMU with the Town expires December 31, 2018. Clerk Spier asked the Board to adopt a resolution requesting the Town to renew the Agreement for one year under the same terms we currently have.

RESOLUTION 2 of October 9, 2018

**2018 AGREEMENT FOR REMOVAL OF SNOW AND ICE
AND POTHOLE REPAIR
AUTHORIZATION TO SIGN**

By Board Member B. Vail

WHEREAS, the Board of Trustees of the Village of Shoreham has requested to enter into an agreement with the Town of Brookhaven for the removal of snow and ice from and pothole repair to the roads belonging to the Village for the period commencing January 1, 2019 and expiring December 31, 2019.

WHEREAS, the Town of Brookhaven has agreed to enter such an agreement with the Village using the same terms as the existing agreement between the parties.

RESOLVED, the Board of Trustees of the Village of Shoreham approves the AGREEMENT FOR REMOVAL OF SNOW AND ICE AND EXISTING POTHOLE REPAIR between the VILLAGE and the TOWN OF BROOKHAVEN for the period to commencing January 1, 2019 and expiring December 31, 2019, and authorizes the Mayor to sign said agreement.

Seconded by Board Member S. Walker

Passed: 5-0

B.Vail – yea, L.Emma – yea, S.Neff – yea, M.Coogan – yea, S.Walker – yea

PROPOSED LOCAL LAWS

**RESOLUTION 3 of October 9, 2018
Introducing
A Local Law Enacting a Village Fee Schedule**

By Board Member S.Neff

WHEREAS, the Board of Trustees has identified a need for the enactment of a local law to establish a Village building fee schedule.

WHEREAS, the Board of Trustees has caused the preparation of a such law, and

WHEREAS, the aforesaid proposed local law is available for consideration by the public,

NOW THEREFORE it is resolved that the Village Clerk is authorized and directed to post on the Village Bulletin Board and the Village Website and to publish in the Times Beacon Record a public notice for a public hearing on the 13th day of November 2018 at 7:30 PM at the Village Hall to consider enactment of the aforesaid local law entitled: A local Law Enacting a Village Fee Schedule

Seconded by Board Member B. Vail

Passed: 5-0

B.Vail – yea, L.Emma – yea, S.Neff – yea, M.Coogan – yea, S.Walker – yea

RESOLUTION 4 of October 9, 2018

Giving a 120 Day Grace Period for
Residents with Outstanding Building Permits

By Board Member S.Walker

WHEREAS the Building Inspector has reported to the Board of Trustees that numerous building permits have been issued which have now expired and the permitted work was performed but no certificate of occupancy or compliance has been requested or issued, herein described as Category One, and

WHEREAS the Building Inspector has further reported to the Board of Trustees that numerous building permits have been issued which have now expired but the permitted work was not completed or not performed, herein described as Category Two, and

WHEREAS the Building Inspector has further reported to the Board of Trustees that there are instances within the Village where work requiring a permit has occurred but no permit has been requested or issued, herein described as Category Three, and

WHEREAS the Village of Shoreham Fee Schedule may be amended by resolution, and

WHEREAS the Building Inspector has compiled a list of property locations and owners within each of the above described Categories One, Two and Three, and

WHEREAS the Board of Trustees is desirous of addressing a resolution of the above described circumstances in the interests of the residents and in the interests of the Village,

NOW THEREFORE, it is

RESOLVED, the Building Inspector is authorized and directed to prepare and send a letter to each owner within Category One advising a) the building permit has expired; b) the building permit must be renewed in order that a certificate of occupancy or certificate of compliance inspection occur and a certificate of occupancy or certificate of compliance be considered for issuance; c) the renewal fee will be waived provided the inspection fee(s) is paid and any required documents as determined by the Building Inspector are submitted and certificate of occupancy or certificate of compliance issuance occur within one hundred and twenty (120) days after notification by the Building Inspector; d) the fee for renewal otherwise will be 100% of the fee otherwise charged under the Fee Schedule as enacted on November 13, 2018; and e) the Village reserves all rights under the law in the event this matter cannot be resolved as aforesaid, and it is further

RESOLVED, the Building Inspector is authorized and directed to send a letter to each owner within Category Two reporting the permit has expired and the Building Inspector shall thereupon close any file for work not performed in its entirety or otherwise maintained by reason of an open, expired permit, or shall inform each owner who has commenced work and such work is not completed that said owner must complete said work within 120 days and apply for a certificate of occupancy or certificate of compliance by requesting an inspection, paying an inspection fee(s) and supplying any documents required by the Building Inspector, or the fee for renewal otherwise will be 100% of the fee otherwise

charged under the Fee Schedule as enacted on November 13, 2018; and e) the Village reserves all rights under the law in the event this matter cannot be resolved as aforesaid and it is further

RESOLVED, the Building Inspector is authorized and directed to submit for the Board's review and evaluation a list of each property within Category Three, including a factual description of the work performed without a permit and the date(s) of said work, so that a specific course of action may be identified for each such property.

Seconded by Board Member L.Emma

Passed: 5-0

B.Vail – yea, L.Emma – yea, S.Neff – yea, M.Coogan – yea, S.Walker – yea

RESOLUTION 5 of October 9, 2018

**Introducing
A Local Law Amending Local Law No. 3 of 2015, A Local Law
Entitled Building Construction/Administration and
Enforcement of the New York State Uniform Fire Prevention
And Building Code and Energy Conservation Code**

By Board Member S.Walker

WHEREAS, the Board of Trustees has identified a need to enact a local law to amend Local Law No. 3 of 2015 to address the duration of any building permit issued by the Village Building Commissioner prior to the effective date of the enactment of Local Law No. 3 of 2015.

WHEREAS, the Board of Trustees has caused the preparation of a such law amending Local Law No. 3 of 2015, and

WHEREAS, the aforesaid proposed local law is available for consideration by the public,
NOW THEREFORE it is resolved that the Village Clerk is authorized and directed to post on the Village Bulletin Board and the Village Website and to publish in the Times Beacon Record a public notice for a public hearing on the 13th day November 2018 at 7:30 PM at the Village Hall to consider enactment of the aforesaid local law entitled:

A Local Law Amending Local Law No. 3 of 2015, A Local Law Entitled Building Construction/Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code and Energy Conservation Code.

Seconded by Board Member B.Vail

Passed: 5-0

B.Vail – yea, L.Emma – yea, S.Neff – yea, M.Coogan – yea, S.Walker – yea

RENTALS/USE OF VILLAGE HALL:

Klein - Return of \$1000 security deposit - wedding reception ED 9/15/18

Vail - ED 10/27/18 LL - Charity event - \$100 - 1 hour use of LL for coffee in the morning after a fund-raising walk for Lou Gehrig's disease from St. Anselm's to the Village Hall.

The Shoreham Country Club submitted dates (attached) for its 2019 Schedule of Events. Mayor Vail stated he would like to see the last two Friday deck nights (scheduled for October 4 & 11) moved to the beginning of the May schedule thus commencing deck night Friday, May 10, 2019. Additionally, he would like to see the deck night hours extended to 9:30pm from mid-June through mid-August.

Approved.

(Neff – Vail 5-0)

VILLAGE POLICY FOR PARKING STICKERS

Clerk Spier introduced this policy as follows:

A resident parking sticker for a vehicle will be issued when:

- The vehicle is registered at resident's Shoreham Village address or
- The vehicle's registered owner is listed on the residence's property deed.

Approved.

(Vail – Emma 5-0)

OTHER PURCHASES

Clerk Spier requested the Board approve the purchase of a new desk for the Clerk's use in the amount of \$700 with an assembly fee of \$100. The old desk is falling apart. The clerk also requested another large five-drawer lock filing cabinet.

Approved.

(Vail – Walker 5-0)

REPORT FROM THE BOARD OF TRUSTEES

DEPUTY MAYOR LEN EMMA:

Roadwork Update: Public Works Commissioner Larry Kogel explained that the original roadwork Phase II project came in over-budget so the Committee and Trustees eliminated some curbing to keep the project within a \$600,000 budget. Adding more curbing puts additional water in the existing drains which may not have the capacity to handle it and additional drains may be necessary.

Install Curbing in all Sections of the Estates: Commissioner Kogel stated that curbing the entire Estates section would cost an additional \$250,000. If there is more curbing, the engineers recommend a few more leeching pools to handle the additional water flow. The Phase II roadwork project will not be done by winter.

Impact of Increased Project Scope

- Paving – the paving would not be done in the fall as originally planned, but would be done after all the curbing was installed so as not to damage the new pavement during the curbing.
- Curb Installation- additional curb costs will be determined within a week and may necessitate additional years of roadwork assessments. The curbing is critical for drainage and to limit erosion.
- Village Hall Parking Lot – a new handicap access ramp will be installed in the parking lot sidewalk and the parking lot will be regraded to comply with ADA regulations.

Code Enforcement: Code Commissioner Roxane Gruenheid reported that the Fall/Winter Code Officers schedule begins on October 1, 2018. Officers will work Thursday through Sunday from 1pm – 7pm and later on evenings when an event is scheduled at the Village Hall. No officers will be scheduled Monday – Wednesday.

The Commissioner also discussed ticket status. Since the data is not digitized it is difficult to make an exact report, but it appears there are approximately 36 open tickets, 22 of which have judgments or liens. The new Incident Report Form is working well and helps keep Code Officers from being subpoenaed unnecessarily.

Deer Committee Progress Report: Celeste DeSario reported that the results of the Deer Survey were emailed to all residents who have an email on file with the Village Clerk. Copies are also available at the Village Clerk's office. Celeste and Barbara Daddino attended a meeting of the Suffolk County Tick Control Advisory Committee and will be distributing a copy of the North Fork Deer Alliance brochure to residents (via email) shortly.

Mayor Vail addressed the issue of deer fencing and asked residents Deborah Lohman and Rick Rubin to meet with Trustees Sherry Neff and Mariann Coogan to discuss this matter since deer fencing is higher than Village law allows.

TRUSTEE SHERRY NEFF:

Fire District/Fire Department: Trustee Neff reported that she and Deputy Clerk Adrienne Kessel had a positive meeting with Brookhaven Town Councilwoman Jane Bonner last month. Mayor Vail and Trustee Neff will be meeting with the Fire District Commissioners.

Landscaping Projects:

- The plan for the new lawn and railing on the north side of the Village Hall will be completed in the next two weeks and the project will be done this fall.
- Compliancy changes have been made to the sidewalk handicapped access from the parking lot and that part of the project is complete. Bids will be requested for installation of a lift.
- The East Woods project next to the parking lot will be addressed at a later date.

TRUSTEE MARIANN COOGAN:

Ongoing Paddle Tennis Improvements & Hard Courts Renovation: Contractor Frank Stumbo will extend the lower shed this month to accommodate the tennis court roller. The estimated cost is \$500. The deck, stairs, spindles, and railings have been painted. The warming hut was primed and painted. The door to the warming hut, back railing, snowboards and T-11 have been painted. B.J. Richter has the keys for the new platform warming hut.

Committee for Five Year Improvement Plan: On hold.

Village Hall Improvements: Trustee Coogan stated the focus for January/February 2019 will be on replacing the dishwasher and refinishing the dance floor and the wood around the bar. She recommended that replacement of the drapes wait until 2020.

Court Grant to Improve Lower Level of Village Hall: Clerk Spier will write a letter to the grant administration detailing the status of the handicap access lift to send along with this year's grant application.

Beach Update: Beach Commissioner John Weiss reported that the beach drain needs to be cleaned out. The water coming down onto the beach from the drain is causing erosion of the beach.

TRUSTEE STEPHEN WALKER

Explanation of Proposed Local Laws: Regarding the proposed Local Law giving a 120 day grace period for residents with outstanding open building permits, Trustee Walker explained that Village law requires that building permits be closed out within one year of the issuance date. However, a number of Shoreham residents have permits that were issued before enactment of the Village law. For some of these open permits, the work has already been completed. For some, the work was never done or has only been partially done. Other residents have had work done without applying for a permit. The permit status of all the foregoing must be resolved and closed or re-issued.

With respect to the second proposed local law to set a building fee schedule, Trustee Walker explained that it amends the current law so the fee schedule may be modified by resolution.

Handicapped Lift/Bid Date: A Notice to Bidders has been advertised in The Village Beacon Record and on the NYS Contract Reported. Bids will be received and publicly opened and read

aloud in the Village hall on Thursday, November 1, 2018 at 1:00 pm. The project is slated to commence in the spring.

Village Re-Assessment: Trustee Walker stated there are approximately 25 residents who have had work done on their home, but no inspection of the work was done. Upon completion of inspection, those properties will be reassessed.

House Rental Registrations: A 2-year rental permit is \$100. This gives the Village the opportunity to know who the tenants are, to apprise them of the use of Village facilities, and to obtain copies of any dog licenses. Notices will be sent to homeowners to ascertain that rentals have up-to-date carbon monoxide and smoke detectors.

MAYOR BRIAN VAIL

Bridge: Edward Weiss reported we are close to the final determination of the cost of restoration and we should know if restoration is financially viable by the next Board meeting.

Parking Lot Lights: The lights have been ordered and will arrive in 4-5 weeks. Wildwood Electric is making a schematic of the underground wiring they installed in the parking lot several years ago, but will not be doing the installation as two other companies submitted lower bids.

Finalization of Laws: Edward Weiss stated that the conversion of the laws into an editable form has been completed and will be forwarded to the Village Clerk tomorrow. Then the copy with effective dates and cross-reference section added can be posted on the Village website.

RESIDENTS' COMMENTS/CONCERNS

Resident Neal Baggett reminded everyone that TSVA is having a geologist as guest speaker for their first fall event on Sunday, October 21st at 4pm.

ADJOURNMENT

Motion to adjourn 8:45 PM

Approved.

(Walker – Vail 5-0)

Submitted,
Cathy Donahue Spier
Village Clerk