

**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 MAY 14, 2019 AT 7:30 O’CLOCK PM.

PRESENT:

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

Commissioners, Officials, and Residents present: Marc Alessi, Josephine Alio, Joe Aretz, Yonda Ashley, Laura Baisch, Steve Blum, John & Lynda Borriello, Ilene & Ed Brickley, Judy Buyar, Daniel Byrne, Laurie Clark, Barbara Daddino, Celeste & Jim DeSario, Ann-Marie Emma, Roxane Grunheid, Chris Ionescu, Mr. & Mrs. Kim, Ruth & Larry Kogel, Rob Lieber, Thomas Lipani, Dawn & David Madigan, Maureen Madigan, Judy Noonan, BJ Richter, Cathy Silverstein, Kathryn & Nick Simos, Ed Weiss, John Weiss, and others.

OPEN MEETING

Mayor Brian Vail opened the Regular meeting at 7:30 pm.

*Pledge of Allegiance*

MAYOR'S COMMENTS:

Mayor Vail stated that from now until mid-July is the busiest time of the year for the Village officials. A number of projects are occurring simultaneously - the roadwork, the handicap lift, joining the fire district, replacing the deck & bench at the tennis courts, the north lawn re-grading project, getting the building and grounds ready for the summer season, as well as preparations for Fourth of July. The Board of Trustees also has to finalize the proposed 2019-2020 budget and convene as the Board of Assessors. To that end, an additional meeting has been scheduled on Tuesday, May 28, 2019 at 7:30pm.

Mayor Vail thanked Judy Buyar for the wonderful job she did researching, ordering, and overseeing the installation of the new parking lot lighting. Judy Buyar then thanked Ed Weiss, Jim DeSario, and Larry Kogel stating, “It was a team effort.”

RESIDENTS' COMMENTS / Concerns / Communications

Residents were requested to limit their comments to three minutes. Several residents gave their opinions regarding the problem of deer management in the Village.

Celeste DeSario discussed the deer committee and its final report. She stated that, “even though my name appears on the report, I want to go on record that I, along with other Deer Committee members ask that our names be struck from the report.”

Laurie Clark, also a member of the Deer Committee, agreed with what Celeste DeSario said and stated her request that the Deer Committee be formally dissolved. [The committee was previously dissolved at April 2019 Board meeting.]

Kathy Simos said that she was strongly opposed to a deer cull or hunt.

Larry Kogel, who has been in contact with the DEC, spoke about the need for a regional management plan and the need for more education regarding the environmental issues of the deer population.

Yonda Ashley spoke about community awareness through dissemination of information pertaining to *Sustainable Principals of Habitat Management*, specifically focused on deer and mice. There are numerous methods, strategies, and products that an individual can incorporate into personal property management, helping keep deer and mice (and thus ticks) off one’s property.

Nick Simos stated the killing of deer is such a divisive issue, it would be a detriment to resident relations in the Village.

Larry Kogel responded that there is a 3-part solution. First is education. Second is herd reduction. Third, NYS must create a “Special District” for DEC oversight of communities such as ours, preferably for all of Nassau-Suffolk counties, for regional deer management.

Rob Lieber commented that he disagreed with a deer hunt.

Judy Noonan spoke about her young granddaughter who finds such joy in watching the deer and questioned how can she explain killing them to a seven-year-old?

Joe Aretz noted there is nothing for the deer to eat here in winter and perhaps the DEC can combat the overpopulation by culling the deer across the road (25A).

Ed Brickley said he understands the deer population is a problem but stated that he was opposed to a deer hunt. The issue is a regional problem and we cannot solve it by ourselves.

Brian Richter asked if we’ve looked at the outcome in other communities.

Mayor Vail summarized that all these comments are part of the process. He said he had no idea how this will end up but there are “very strong feelings” and we must be cognizant of doing anything that creates a strong division in our community. He emphasized the need for an education process, for discussing the deer management problem “as a community working together toward a solution.” Further, he warned against listening to rumors and reiterated that this is a long process and nothing is going to happen over-night and that the process will be open and fair.

Clerk Cathy Donahue Spier summarized six communications she had received from residents either by email or phone call:

1. Resident Steve Blum asked that the gravel in front of 10 Dickerson Drive be cleaned up.
2. Residents John DeTemple and Ray Abatiello asked if the dumpster at 15 Dickerson can be removed as it has been sitting there for months. Trustee Steve Walker explained a Building Permit for the property is pending.
3. Residents Kathy Simos and Kathy Scher both emailed and complained that a property on Overhill Road had commercial landscapers working at 8:00 am on Sunday, May 28th.
4. The office manager from PBMC medical office on Woodville Road emailed to ask what the regulations are for commercial office hours. A new physician is starting August 1<sup>st</sup> and would like to have early evening hours and not close the office until 6 or 7pm.
5. Resident Valerie Combs emailed about the drainage work being done by her home on the corner of Ashley and Briarcliff. She said that she never had water problems and hoped that she wouldn't have any after the work was done. She also said she did not understand the history of the berm and sluiceway. Commissioner Kogel responded to her by email with the explanation.
6. Resident Dani Grafer emailed and asked if a "Slow – Children at Play" sign could be posted on either end of Dickerson Drive. She explained that, including her family and two others, there are nine children age seven or younger on the street and cars are speeding on the street. Trustee Emma to look into the matter.

#### ADMINISTRATIVE ITEMS / CLERK/TREASURER REPORT

Minutes – Motion to approve minutes from the April 9th Board of Trustees Meeting.

*Approved.*

*(Vail – Neff 4-0)*

HEARING ON AMENDMENT TO VILLAGE CODE Chapter 28 (Trees & Vegetation)

Motion to close regular meeting and open hearing to consider the proposed amendment to Village Code Chapter 28, Trees and Vegetation.

*Approved*

*(Neff - Vail 4-0)*

Clerk Spier reported that she made all the required notice postings for the hearing.

The amendment would create a rebuttable presumption that any tree taken down without a permit was a live, non-diseased, protected tree. The purpose of the amendment is to make Chapter 28 enforceable. A few residents had questions regarding the amendment and Marc Alessi commented that the Village is becoming over-regulated.

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

*Approved*

*(Walker - Neff 4-0)*

RESOLUTION 1 of May 2019 TO ENACT LOCAL LAW AMENDING SECTION 28-7 OF THE VILLAGE CODE CHAPTER 28, TREES AND VEGETATION

WHEREAS, the board has caused notice to be given and a public hearing be held,

NOW THEREFORE BE IT RESOLVED:

Be it enacted by the Board of Trustees of the Village of Shoreham a local law amending Section 28-7 of the Village Code, Chapter 28, Trees and Vegetation, the purpose of which is to establish the existence of a violation.

***Approved***  
***(Neff – Walker 4-0)***

Clerk Spier reported that the Board requested an additional Board meeting during May to discuss the budget, audit claims, and convene the Board of Assessors. The additional Board meeting will be held May 28<sup>th</sup> at 7:30 p.m. at the Village Hall. Clerk Spier to post notice of the meeting.

***Approved***  
***(Vail – Walker 4-0)***

#### FINANCIALS / APPROVAL OF EXPENDITURES

##### ABSTRACT APPROVAL

##### OPERATING FUND

2018033 - \$3,636.20 (4/18 payroll & utilites)  
2018034 - \$4,024.53 (5/2 payroll & utilites)  
2018035 - \$20,092.50 (Handicap Access Lift)  
2018036 - \$37,169.54 (Invoices recieved since last Board meeting)  
TOTAL: \$64,922.77

##### CAPITAL FUND

0000016 - \$6,3810.08 (Bond Attorney Fees)

Total of Capital and Operating Fund Expenditures \$71,303.85

***Approved.***  
***(Vail – Emma 4- 0)***

##### RENTALS / USE OF VILLAGE HALL:

Return of \$1,000. security deposit to Brian Vail – ED 4/23/19  
Return of \$1,000. security deposit to Gretchen Penn – ED 4/23/19  
Resident Lawrence Emery – Tuesday, June 11, 2019 – UL – Wedding reception - \$800  
Resident Elin Kim – Saturday, June 15, 2019 – Student Concert – LL - \$350  
Resident Gretchen Penn -Wading River School PTA 5<sup>th</sup> Grade Celebration – Tuesday, June 25, 2019 – UL - \$800  
Resident Dan Allen & Elizabeth Rodriguez – Saturday, July 20, 1019 UL Wedding \$2,000

***Approved.***  
***(Emma – Walker 3 – 0; Vail recuses himself)***

BOARD APPROVAL: SUMMER CODE OFFICERS: Clerk Spier reported that Code Supervisor Brenkert wished to hire two additional Code Officers to work during the expanded summer hours.

Resolution 2 of May 2019 to hire Jonathan Romano as Summer Village Code officer at a rate of \$17.50 per hour and to hire Eddie Cepeda as Summer Village Code officer at \$20.00 per hour.

*Approved.*  
*(Emma - Vail 4- 0)*

APPOINTMENT OF ELECTION INSPECTORS: Clerk Spier reported that the Village election is June 18, 2019 from noon to 9:00 p.m. Two trustee positions are open. Both Len Emma and Stephen Walker were nominated by independent nominating petitions.

Resolution 3 of May 2019 to Appoint Election Inspectors:

Whereas the next Village Election will be held on Tuesday, June 18, 2019; and

Whereas the Board of Trustees must appoint Inspectors of Elections and designate by resolution the polling places and method of registration for the Village Election on June 18, 2019.

NOW THEREFORE BE IT RESOLVED

Section 1: That the Board of Trustees of the Village of Shoreham designate the Village Hall, Woodville Road, Shoreham as the polling place during the hours of 12 noon until 9 P.M. for all residents of the Village of Shoreham for the Annual Election to be held on June 18, 2019; and;

Section 2: That all residents registered with the Suffolk County Board of Elections, Yaphank, New York will be eligible to vote at the Election, June 18, 2019, and that the Village will not hold a separate registration day.

Section 3: That Ruth Kogel and Mildred Guercia, residents of the Village of Shoreham be appointed to serve as Inspectors of Elections for the Village of Shoreham at the General Election to be held on June 18, 2019. Mildred Guercia shall be appointed Chairman and each Inspector and poll watcher (if required) will be compensated \$100.

*Approved.*  
*(Neff – Walker 4- 0)*

REPORT FROM MAYOR BRIAN VAIL:

Bridge Update: Ed Weiss reported that he had received the engineer's report concerning the amount of repointing necessary to repair the bridge. The report indicated that 58% of the joints need to be re-pointed. He will be in contact with the contractor for their input.

Overview of the 2019-20 Proposed Budget:

Mayor Vail presented an overview of the proposed 2019-20 budget using three handouts covering anticipated revenues and expenditures. Residents expressed concern about the high cost of fire protection and questioned whether we could contract with the Wading River Fire Department instead of Rocky Point. Trustee Neff said that the response time from Wading River was too long and this was not a viable alternative. Mayor Vail stated that the cost for annual fire protection currently is about \$1,000 per household.

The Board reported that David Madigan would be working with the Village's insurance broker to obtain some additional quotes for insurance coverage. Mayor Vail indicated that the tax bill will show two separate roadwork assessments which would line up with the payments for each bond. The budgeted expenses are relatively the same as last year except for the 17% increase in fire protection. With respect to the budget for Capital Improvements, those projects are itemized in September. There is a long lead time for capital repairs. This fall we may have to consider installing a new heating system for the Village Hall.

Treasurer Spier reported that the tax rate may exceed the tax cap and suggested that the Board adopt a resolution to enact a local law to authorize exceeding the tax cap.

Resolution 4 of May 2019 to Introduce a Proposed Local Law to Authorize a Property Tax Levy in Excess of the Tax Cap Limit.

Whereas, the proposed 2019-20 budget contains expenditures that may cause the tax levy to exceed the statutory limit, specifically a 17% increase in the Fire Protection contract, and;

Whereas, the budgeted expenditures are necessary to the operation of the Village;

Therefore Let it Be Hereby Resolved, that the Village Clerk is authorized and directed to post on the Village Bulletin Board and to publish in the Times Beacon Record a public notice for a public hearing on the 11<sup>th</sup> day of June, 2019 at 7:30 PM at the Village Hall to consider enactment of a local law entitled A Local Law Authorizing a Property Tax Levy in Excess of the Limits Established in General Municipal Law Section 3-c

*Approved.*  
*(Vail - Neff 4- 0)*

REPORTS FROM THE BOARD OF TRUSTEES

DEPUTY MAYOR LEN EMMA:

Roadwork Update: Commissioner Larry Kogel reported that curbing is a 2-3 week project and will be starting soon. Drainage work is being done on the corner of Briarcliff Rd. and Ashley Lane. The Brookhaven Town Highway Superintendent agreed to the curb western side of Briarcliff Rd. from Towerhill Rd. to Ashley Lane to alleviate flooding on that stretch of road. After all curbing is completed, paving will be done on all renovated streets. The paving will most likely occur the fall.

Annual Storm Water Report: Deputy Mayor Len Emma explained this annual report is a result of the Clean Water Act. Our report is in draft form now and, after reviewing comments in writing, our final report will be sent on June 1<sup>st</sup> and posted on our Village website.

Parking Lot Lights: Judy Buyar reviewed the history of the project. She explained that she worked hard to find lights that would adequately light the two lots, suit the style of the village, be economical, and reduce the amount of light going up to the sky. The contracted electrician installed thirteen new parking lot lights including two pillar-mounted luminaires at the gate. The luminaires are dark sky friendly. They are bright, but the light is warm and there is almost no glare. A light shield has been mounted on the side of each light that borders a resident's property.

Deer Management Report: Barbara Daddino reiterated the necessity of a regional deer management plan and that the village cannot solve this problem alone. The DEC has jurisdiction and they own the deer. For the first time, they are finally taking responsibility but there is a lack of funding. She has spoken to many elected officials and the consensus is that Governor Cuomo must be made aware of the necessity for an Island-wide deer management plan.

Code Enforcement: Commissioner Roxane Gruenheid observed it is sometimes difficult for residents to contact code officers when the officers are driving around the village. She is looking into a phone system that would ring in the office and on the security cell phone and also receive text messages.

#### REPORT FROM TRUSTEE SHERRY NEFF:

Fire District/Fire Department: Trustee Neff reported that letters have been sent to State Senator Ken LaValle requesting the enactment of special legislation that would allow the Town of Brookhaven to conduct a hearing to enlarge the fire district to include the Village. Letters were also sent to the Rocky Point Fire Department confirming their consent to enlargement of the district and to the Town of Brookhaven informing them of the Village's intent to make a Home Rule request.

North Lawn Project: The regrading and installation of a new lawn and railing was to commence yesterday, but due to the rainy weather it has been postponed to later this week.

#### REPORT FROM TRUSTEE MARIANN COOGAN:

Beach: Commissioner John Weiss reported everything is moving along smoothly as we set up for the summer season. However, he is concerned that the last step at the bottom of Beach Way (Bud's Lane) is a tripping hazard.

Recreation: Mayor Vail stated it will cost \$3,500 to repair the seating, deck and railing at the tennis courts and requested, on behalf of Trustee Coogan, that \$3,500 of unreserved fund balance be appropriated for this project.

Resolution 5 of May 2019 to Expend Unreserved Fund Balance to Repair Tennis Seating

Whereas, the Board of Trustees of the Village of Shoreham have identified a need to repair the wooden seating, deck and railing on the Village Tennis Courts, and;

Whereas, Treasurer Spier has informed the Board that this expense was not included in the 2018-19 budget, and;

Whereas. The Board of Trustees of the Village of Shoreham wish to proceed with this project in the current fiscal year;

Therefor Let it be Resolved that the Treasurer is authorized to appropriate \$3,500 of Unreserved Fund Balance (A0909) to fund the above described project.

*Approved.*

*(Neff - Vail 4- 0)*

REPORT FROM TRUSTEE STEPHEN WALKER

Building Department; Open permits – Trustee Stephen Walker reported he started with 35 old open permits and that 25 of them have been closed-out.

Handicapped Lift Installation in Progress: The contractor lost three weeks due to an issue with the foundation that required additional concrete work. This work has now been concluded and the frame for the lift is being built. The project should be completed by the end of this month.

RESIDENTS' COMMENTS/CONCERNS: None.

ADJOURNMENT

Motion to adjourn 9:30 PM

*Approved.*

*(Vail - Emma 4 - 0)*

Submitted,

*Cathy Donahue Spier, Village Clerk*