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BOARD OF TRUSTEES

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VILLAGE OF NORTH HAVEN

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Held at:

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335 Ferry Road

Sag Harbor, New York 11963

11

June 22, 2022

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5:00 p.m.

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Proceedings Recorded by

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Electronic Sound Recording

Transcribed by: Agata Davis

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A P P E A R A N C E S:

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Jeffrey E. Sander, Mayor

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E. Dianne Skilbred, Deputy Mayor

6

Terie Diat, Trustee

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Chris Fiore, Trustee

8

Claas Abraham, Trustee

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George Butts, Village Building Inspector

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Eileen Tuohy, Village Clerk/Treasurer

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NORTH HAVEN BOARD OF TRUSTEES - 6/22/2022

(The meeting opened with the
Pledge of Allegiance.)

MAYOR SANDER: Well, I'd like to
congratulate Chris Fiore for being our new
mayor elect.

MR. FIORE: Thank you.

MAYOR SANDER: We had an election
yesterday, and also Dianne and Claas
for --

MR. ABRAHAM: Thank you.

MAYOR SANDER: -- being elected to
another, another two years.

MS. SKILBRED: Thank you.

And I'd like to thank Eileen for
staying up 'til how late?

MS. TUOHY: I didn't get to bed
'til 2:00.

MAYOR SANDER: 2:00.

MS. SKILBRED: So let's make this
meeting quick.

MAYOR SANDER: I couldn't stay
awake, so I went to sleep and wake up --
and then thanked Chris, I think, at 3:30.

MR. FIORE: He woke up at 3:33

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1 'cause that was the time of your text.

2 MAYOR SANDER: And surprisingly
3 enough, he responded immediately.

4 MR. FIORE: And I was up at 3:33.

5 MAYOR SANDER: So he was up as
6 well.

7 MR. FIORE: Yeah.

8 MAYOR SANDER: But we had quite a
9 turnout. 360, 370 plus votes. And we
10 have a new mayor, or will have in another
11 week or so.

12 So, we have minutes from May 17th
13 Trustees meeting and we had a work session
14 on May 24th. Does the Board have any
15 comments about those minutes? Any
16 additions? Any corrections?

17 MS. DIAT: Nope.

18 MAYOR SANDER: If not, someone
19 want to make a motion to approve the
20 minutes?

21 MS. SKILBRED: I'll make that
22 motion.

23 MS. DIAT: I'll second.

24 MAYOR SANDER: All those in favor?
25

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ALL BOARD MEMBERS: Aye.

MAYOR SANDER: We have a
application for a dock at 4 On the Bluff.
I think we've all had that packet.
Everyone's had a chance to get it and look
at it. Do we have somebody here
representing the applicant?

MS. RIGDON: Yes.

MAYOR SANDER: So do you guys want
to, want to say anything?

MS. RIGDON: Would you like us to
come up to the table, or? Would you like
us to come up to the table?

MAYOR SANDER: Yeah.

MS. RIGDON: I am Agena Rigdon
from DKR Shores and this is the owner, Mr.
Simpson.

MR. SIMPSON: Good to see you.

MS. RIGDON: Robert.

Some recent modifications and
revisions were sent to Eileen both
electronically and hard copy a couple of
days ago. And I'm sure you've all had a
chance to view the packet. It's the 4 by

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89-foot fixed deck, 69 feet, is the same height, and then the 20-foot seaward most section is stepped down 12 inches lower. It was designed as per recommendations and suggestions from the DEC.

And then, actually, the original application went in for a longer dock, and then after discussing some details with Eileen and discussing some other things with the State, we had the dock revised to something shorter and more consistent with the area. It has all the local and State and federal environmental approvals, as it should. It was designed based on the specifications in Village Code, and then it was revised further again based on the recommendations from Mr. Hajek and his --

MAYOR SANDER: So you saw Billy's response to the first --

MS. RIGDON: Yes.

MAYOR SANDER: -- submission?

Okay.

MS. RIGDON: Correct. And the new submission is in response to those

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2 comments. Basically, 99 percent addressed
3 most of the comments. The other ones we
4 could address either today in person or
5 with written submission at any time.

6 MAYOR SANDER: Okay.

7 MS. RIGDON: So what we'd really
8 like to do is get the Board's comments.

9 MAYOR SANDER: I know most of the
10 Board's had a chance to look at this.
11 Billy hasn't had a chance to look at the
12 revised submission, but I see that you've
13 commented here on his points from the
14 first one. Does any of the Board want to
15 raise any questions?

16 MS. TUOHY: Can I only ask that
17 you all speak up a little bit so the
18 recorder picks up the voices?

19 MAYOR SANDER: Okay.

20 MS. RIGDON: I will, too. I'm
21 sorry.

22 MS. TUOHY: Okay, that's okay.

23 MS. RIGDON: I don't talk very
24 loud.

25 MS. TUOHY: No, no, that's okay.

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MR. ABRAHAM: Terie, we both
pretty much have the same questions.

MS. DIAT: Right.

MR. ABRAHAM: Do you want to
address them?

MS. DIAT: Sure. So, couple of
questions, I guess, for clarification. So
there's some references to --

MR. ABRAHAM: Letters. Letters.

MS. DIAT: Yeah. So, retractable
stairs.

MS. RIGDON: Yes.

MS. DIAT: So where on the dock
will the retractable stairs be positioned,
I guess, would be the first question?

MS. RIGDON: Well, out the area
where that 20-foot lower drop-down section
is, and approximately halfway, so about 10
feet. So it would be easily -- easy to
use to access a craft.

MAYOR SANDER: So the drop-down
section, is that a floating section?

MS. RIGDON: No, no, no. If I can
find them.

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MR. ABRAHAM: So they should allow entry to the boat?

MS. RIGDON: That's correct.

MR. SIMPSON: Right, 'cause the boat, just to be able to get the elevation change from the dock to the boat.

MAYOR SANDER: Okay.

MR. SIMPSON: And just to have the stairway to be able to get onto the (inaudible).

MS. RIGDON: Now, these things are just aluminum. Basically, they flip down and just to access the boat and then they flip back up and then they would be removed on a seasonal basis, of course, and stored in an upland location near the house.

MR. ABRAHAM: It can be adjusted depending on the tide, I assume?

MS. RIGDON: Correct.

MAYOR SANDER: Well, they have wheels, right? They roll --

MS. RIGDON: Yes.

MAYOR SANDER: -- up and down?

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MS. RIGDON: Right.

MAYOR SANDER: And they're on hinges, I guess.

MS. RIGDON: Right. So they're meant to come down actually get onto the boat and then, you know, go back up.

MR. ABRAHAM: It would be the same ones somebody would use to get on the floating dock, for example?

MS. RIGDON: I think you would use a longer one for a floating dock. This one specifically just to access the top deck of the boat.

MS. DIAT: And are those -- so, so they would be where on the dock?

MS. RIGDON: About partway down. Now, the engineer, when he designed this, kind of said "to be determined," but basically, let's just say, for instance, the craft is here, it's about 30 feet long, it would be halfway.

MS. DIAT: Okay.

MS. RIGDON: So about ten feet from --

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MR. ABRAHAM: On each side.

MS. RIGDON: -- from the seaward side, yes. This, both sides, right, because when you're docking a boat, depending on the weather, the tide, the fetch, he doesn't know which side of the dock he would be able to dock on. If the wind is coming from the north, he would have to dock on the south side of the dock. So, hence the two flip upstairs, so he could get off and on the boat no matter what the condition or tide.

MS. DIAT: Okay. I have to say, I've seen many, many, many, many, many docks in my time and I've never seen retractable stairs to access a boat from a dock, but okay.

And so those are different than the aluminum retractable flip-up dock --

MS. RIGDON: No, that is. That's the stairs.

MS. DIAT: -- to watercraft steps? Oh, it's the same.

MS. RIGDON: That's the same

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1 thing.

2 MS. DIAT: Okay.

3 MS. RIGDON: The retractable.

4 MS. DIAT: It's the same, okay.

5 Okay. All right, that's what was

6 confusing. Okay. It's the same.

7 MS. RIGDON: So what is the

8 manufacturer? It's Tide --

9 MR. ABRAHAM: It is the platform,

10 too, right?

11 MS. RIGDON: Well, the platform is

12 a fixed platform.

13 MS. DIAT: That's what she's

14 saying, it's the same.

15 MS. RIGDON: There's no float.

16 MR. ABRAHAM: Okay.

17 MS. RIGDON: There's no float.

18 There's no ramp. It's just a fixed lower

19 section.

20 MR. ABRAHAM: Stairs and nothing

21 else, okay.

22 MS. RIGDON: With stairs that

23 basically flip up and down.

24 MR. ABRAHAM: All right, got it.

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MS. RIGDON: So when he's not using them, they basically would be flipped up out of place, out of the water, but, and they're removable. They're alluminum. They're lightweight.

MS. DIAT: Are they manual or are they electric?

MS. SKILBRED: The retractable?

MS. RIGDON: They're manual, actually.

MR. SIMPSON: That's kind of like the picture right there.

MS. DIAT: Right. We saw the picture.

MAYOR SANDER: Yeah, that's the one you have in the package, right.

MS. RIGDON: Yeah, there was a picture.

MR. SIMPSON: And it's New Wave --

MS. DIAT: Okay.

MR. SIMPSON: New Wave Fabrication.

MS. RIGDON: Because there's no ramp and no traditional float assembly,

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2 this is the only way to really get safely
3 on and off the boat no matter what the
4 tide is.

5 MR. ABRAHAM: Yeah, or else you
6 have to climb.

7 MS. RIGDON: Right, or there's,
8 you know, traditionally a ladder.

9 MS. DIAT: Well, as opposed to a
10 ladder --

11 MS. RIGDON: A ladder, they get --

12 MS. DIAT: -- most docks have
13 ladders on have.

14 MS. RIGDON: True. They get
15 slippery.

16 MS. DIAT: Right.

17 MS. RIGDON: And it's really hard
18 to get on and off a boat when you have a
19 cooler and you're carrying things and
20 fishing equipment, to climb up and down
21 the ladder. You wouldn't be able to boat
22 alone to be able to do that. So it's a
23 safety issue, really, to safely access the
24 craft.

25 MS. DIAT: Okay.

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MR. FIORE: How big a boat do you
plan to put here?

MS. RIGDON: It's designed for a
30- to 35-foot craft. So it has enough
water. It's about three-and-a-half feet.
(Inaudible) were done by Bob Fox,
confirmed by David Saskas, and then placed
on a survey.

MR. FIORE: And you know how rough
these winds are?

MS. RIGDON: How what? I'm sorry?

MR. SIMPSON: Yes. They --

MR. FIORE: Especially here.

MR. SIMPSON: At certain times,
so.

MS. RIGDON: Yes.

MR. SIMPSON: Today, today they're
very calm.

MR. FIORE: Right.

MR. SIMPSON: But, right, so
there's only certain times you can, you
know, certain conditions --

MR. FIORE: Right.

MR. SIMPSON: -- obviously you

3 MR. FIORE: Right. There's no
4 lift, so those are out.

6 MS. RIGDON: No, no lift.

14 MS. DIAT: And the bumper piles, I
15 think, the question on those is, are those
16 15 feet? I think Billy had the question
17 that those appear --

19 MS. DIAT: -- to be from 15 feet.

20 MS. RIGDON: 15 feet on center --

21 MS. DIAT: Okay.

22 MS. RIGDON: -- is
23 traditionally --

24 MS. DIAT: I think that's higher,
25 though, than the Code allows, though,

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1
2 right?

3 MS. RIGDON: Oh, do you mean the
4 height? It's --

5 MS. DIAT: Yes. The height of
6 them, yeah.

7 MS. RIGDON: That it would extend
8 above the dock just for those piles for
9 safety and navigation purposes, is six
10 point -- keep in mind, the dock is two
11 different levels. One's 12 inches, the
12 higher, the seaward-most section. So it
13 would -- the top of it would be 7.8 feet
14 from the lower section and 6.8 feet from
15 the longer section, the 69-foot section.

16 MS. SKILBRED: Above the dock?

17 MS. RIGDON: Above the dock.
18 These poles are, like, 40 feet long and
19 they need to be driven 25 feet. So in
20 order to tie a boat up, they need to
21 extend higher because you tie diagonally,
22 and they kind of have to be higher in
23 order to keep the boat in place.
24 Otherwise, you know, we don't have a lift.
25 We don't have whips, et cetera.

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2 MS. SKILBRED: We don't allow
3 lifts.

4 MS. RIGDON: We don't allow that.

5 MR. FIORE: You can't have those
6 on Long Island.

7 MS. RIGDON: Exactly. So this is
8 the only other way, you know, to keep the
9 boat safe when he's not there using it.

10 MS. SKILBRED: Billy also talked
11 about is the public access. Is that
12 impeded by these?

13 MS. RIGDON: We double, triple
14 checked that. I had the engineer actually
15 go back out to the property and he
16 measured the beach grade, which, of
17 course, varies slightly depending on
18 accretion of the beach or not. And at
19 this point, it's worst case scenario right
20 now, and with sea level rise, et cetera,
21 it's just gonna get higher. But we have
22 6.10 feet between the bottom of the joists
23 and headers to the beach grade. So a
24 normal person's, you know, at best, 6.4,
25 six-and-a-half feet, roughly, you know,

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6'5", generally. We don't get many people above six-and-a-half feet. So, but we do have a clearance that's required. The Code doesn't specify, per say, but we have 6'10" clear to be able to walk under the dock.

MS. SKILBRED: Along the whole -- just under one spot?

MS. RIGDON: No. Along the entire section up to low water. Cross bracing for the dock doesn't actually start until after the water seaward. And when the dock is out to that particular, you know, point, you have, like, 14 feet clearance, roughly.

MR. SIMPSON: The underpass was -- what was the width of the underpass?

MS. RIGDON: The width of the underpass, and the Town requires it to be, I think, five feet wide, roughly. We have it at nine, so it's above and beyond.

MS. SKILBRED: Is that at high tide, low tide?

MS. RIGDON: That's at all tides,

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1 actually. But it's at the most high tide
2 where he has the deck and the stairs, and
3 the high tide literally hits the deck and
4 the stairs. It's right there. So he has
5 about -- you know, we maintain the
6 five-foot. But on low tides and mid-range
7 tides, we do have a good clear nine feet
8 and more, actually, to low water. So on
9 high tide, we have -- we maintain the
10 five-foot, but we have nine. Depends on
11 the fetch, depends on the moon. It
12 depends on a lot of things. Sometimes
13 that beach isn't even accessible at high
14 tide or storm tide or lunar tide. So, but
15 at the regular average high tide, yes, we
16 have 6.10 feet.

17
18 MS. DIAT: And what will the
19 electricity be used for?

20 MS. RIGDON: I didn't specify any
21 yet in the application. Most people have
22 plumbing and electric that go to the dock,
23 and that's -- obviously, the hose is quite
24 far away in order to, you know, hook up
25 sprayers. A lot of people hose their boat

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off after they use it. You know, so they have plumbing and/or electric. It's not for anything above that. So if -- it's not, like, for a lift. It's not for anything electronic. It's just for basic use.

MS. DIAT: Okay.

MS. RIGDON: Radios. I mean, whatever.

MS. DIAT: But there won't be lights on the dock?

MS. RIGDON: The dock is not designed to have lights.

MS. DIAT: Okay. Okay.

MS. RIGDON: Docks only 100 feet long are required to have navigational lighting, and this is well under that. It actually only extends 58 feet into the water from the low tide mark, which is less than what's required. Your max is 100, so.

MR. ABRAHAM: Will it have a safety light, or?

MS. RIGDON: It's not supposed to,

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2 no.

3 MR. ABRAHAM: I mean, something --
4 it's really the only dock out there on
5 that stretch, so maybe we --

6 MS. DIAT: Well, around the bend,
7 there are.

8 MR. ABRAHAM: Around the bend, but
9 there's not much else there.

10 MR. FIORE: No, there's nothing
11 there.

12 MS. DIAT: We don't allow any
13 lighting, though, on the docks.

14 MS. RIGDON: Yeah, you don't allow
15 lighting.

16 MS. SKILBRED: And the boats all
17 have lights on them.

18 MS. RIGDON: I've seen sometimes
19 people have the lighting actually in the
20 walkway. And it's very, very, you know,
21 low-key and it's actually placed inside
22 the walkway just for, you know, so you
23 don't fall off the dock.

24 MS. SKILBRED: That's what Terie
25 called the runway look, right?

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MS. RIGDON: I'm not sure if that would be -- they're, like, runway lights for, like, you know, stairs at night, so they have that little tiny strip, you know, twinkle lights. But we don't allow it, so. If you want us to put in light, we will, but it's not allowed.

MS. SKILBRED: No, no, there's no need.

MR. ABRAHAM: No, no.

MS. RIGDON: It's not allowed, yeah.

MS. DIAT: Okay. So, I think one of the concerns we have is, when Billy had put together his report and visited the site, he had observed that the property, when the revetment was put in in 2017, was required to have a naturalized buffer.

MS. RIGDON: I see that comment --

MS. DIAT: Yes.

MS. RIGDON: -- at the last paragraph, that it's being --

MS. DIAT: And so at this point, we would like to have -- it's not there

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1 now and it's supposed to be there.

2 MS. RIGDON: Was it 20 feet? I
3 didn't do the original approval, so I'm
4 not --

5 MS. SKILBRED: 15.

6 MS. DIAT: 15 feet.

7 MS. RIGDON: Okay.

8 MS. DIAT: So we would like to --
9 that needs to be put back.

10 MS. RIGDON: Understood.

11 MS. DIAT: So we'd like to have a
12 vegetation plan submitted for that buffer
13 to be put back.

14 MS. RIGDON: Okay.

15 MS. DIAT: And any discussion on
16 the dock would be a condition for that
17 being put back. So we'd like to have that
18 vegetation plan submitted.

19 MS. RIGDON: Okay. We generally
20 do keep American beachgrass or Carex or
21 something simple, but we could add
22 something like a meadow. We could discuss
23 it. Or we can combine, like, a meadow
24 where we do, like, a seaside goldenrod and
25

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some switchgrass, stuff like that. So
it's up to the Board.

MS. DIAT: Yeah, so there's a list
of approved plantings.

MR. BUTTS: They could go back and
just reference what was supposed to be
there.

MS. RIGDON: Yeah. And like I
said, I didn't do the originals.

MAYOR SANDER: Did it specify in
the --

MS. RIGDON: I have to have Robert
cull that out.

MAYOR SANDER: I don't know if
it's specified or not.

MR. SIMPSON: I think it's just
fescue.

MS. RIGDON: It's just fescue?

MR. SIMPSON: Fescue.

MS. RIGDON: Just, like, it's
just -- sometimes we do, like, it's a seed
mix from Long Island Cauliflower and it's
a tidal fescue that basically we use.
It's a seed.

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MR. SIMPSON: There's actually
fescue there now.

MS. RIGDON: But what he could do
is mark it, literally, and stop mowing it
and it will grow.

MR. BUTTS: And that's the
problem. They mow it.

MS. RIGDON: Yeah, but if he has
it marked with stones --

MS. DIAT: Yeah, it usually is
something that needs to be planted as
opposed to be seeded and grown; is that
right? Is that right, George?

MR. BUTTS: They could also just
put in some bushes, blueberry bushes on
that.

MS. RIGDON: Yeah. I don't know
about blueberry. Maybe --

MR. SIMPSON: You know that the
problem we were having is --

MS. RIGDON: I would do probably
beachgrass or Rosa verginica (sic) or
Carolina.

MR. ABRAHAM: I'm sorry?

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MS. RIGDON: Rosa verginica or
Carolina are native.

MR. ABRAHAM: Yeah.

MS. RIGDON: Or a beach plum.
That stays low and can be clipped. But,
basically an ornamental grass.

MR. SIMPSON: Yeah, the problems
we were having there was the --

MS. RIGDON: Ticks.

MR. SIMPSON: We planted the
fescue and then there was some, like, wild
grassing. I don't know if it was some of
the dune grass or something was, like,
invading it. It was, like, a very
fast-growing grass, so it was, like, that
was growing much higher --

MS. RIGDON: Yeah, it's probably
salt hay, but --

MR. SIMPSON: -- Than the fescues
grow.

MS. RIGDON: I mean, regardless,
the area has to be marked off with stones
or something and then you gotta give your
landscapers, like, a no-mow zone.

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2 MR. SIMPSON: The fescues are
3 ideal 'cause they kind of, like, grow and
4 then they kind of flip over.

5 MS. RIGDON: Yeah.

6 MR. SIMPSON: It's a very nice
7 effect. That's what we were trying to
8 get.

9 MS. RIGDON: We're gonna pull out
10 the old landscape plan and see what it
11 says, and then if we have to add some
12 stuff and mark a no-mow zone, we certainly
13 will do that.

14 MR. BUTTS: I think Billy would be
15 a good stop to make.

16 MR. FIORE: Yes.

17 MS. TUOHY: Well, he also has to
18 renew the site, the revision.

19 MAYOR SANDER: Plus, we need
20 Billy's response to the new submission.

21 MS. RIGDON: Okay.

22 MS. DIAT: But, I don't know,
23 yeah, so I think we want Billy to review
24 the revised submission. But as a Board, I
25 don't know, I'd like to discuss the stairs.

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2 For me, those are structures and we don't
3 allow structures on the dock, so I think
4 we need to have a discussion on that.

5 MR. FIORE: The retractable
6 stairs?

7 MS. RIGDON: The retractable
8 stairs.

9 MS. DIAT: The retractable stairs.
10 I don't -- I haven't seen that we've ever
11 allowed those on docks.

12 MS. SKILBRED: We haven't.

13 MR. FIORE: I would like to see
14 what they look like.

15 MS. RIGDON: Well, there's a
16 picture --

17 MAYOR SANDER: She's got a picture
18 of them.

19 MS. RIGDON: -- actually within
20 the plans.

21 MAYOR SANDER: Yeah, it's in
22 there.

23 MS. SKILBRED: I thought there
24 was. I didn't see it, either.

25 MR. FIORE: Well, I thought there

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2 was, too, but I didn't see --

3 MS. RIGDON: Yeah, I think it's
4 the last or the second page of the plans.
5 There's actually a photograph of them.
6 And they're pretty low-key. They're like
7 four-by-six, you know, four-by-four, basic
8 alluminum.

9 MR. FIORE: Oh, there it is.

10 MS. SKILBRED: Yeah.

11 MR. SIMPSON: And that would just
12 be, like, a portable kind of unit that can
13 be removed at any time.

14 MR. FIORE: Yeah.

15 MS. RIGDON: There's also some
16 alluminum, like, stairs that, you know, he
17 can actually store on top of the dock and
18 then, you know, but that's -- and then
19 place it, but it's much more dangerous to
20 try to, you know, get on a boat that way.

21 MR. FIORE: Yeah, I think so.

22 MS. RIGDON: A lot of people would
23 put, like, a ladder or something. It's
24 just -- or like a swimming, like, a
25 swimming ladder, you know. A lot of

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1 people have that.

2 MR. FIORE: You do want to discuss
3 it, then let's.

4 MS. DIAT: I think we should
5 because we haven't approved that on any
6 other dock.

7 MAYOR SANDER: Yeah, I don't know
8 how clear the Code is to that.

9 MS. RIGDON: Yeah.

10 MS. DIAT: Traditionally it's a
11 straight up and down ladder that is on
12 every other dock that we've approved.

13 MS. RIGDON: It does say, where is
14 that, that it can't be permanent. Let me
15 just see this real quick. Everything, it
16 looks consistent. All right.

17 MS. SKILBRED: Billy isn't here.
18 Structures on decking. No permit.
19 Structures shall be constructed on
20 decking, and he has to determine.

21 MAYOR SANDER: We did allow them,
22 though, for the stairs, right? I said we
23 did allow one for the stairs.

24 MS. RIGDON: What about a ladder?
25

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2 I mean, is that a structure?

3 MS. DIAT: Right.

4 MR. FIORE: Well, this is safer
5 than a ladder.

6 MS. RIGDON: Yeah. And it's not
7 permanent, and that's the whole key, yeah,
8 is it's not permanent.

9 MR. FIORE: Yeah. Do you see it
10 as a structure, George?

11 MR. BUTTS: I just think -- I'm
12 not quite sure what they do look like,
13 but --

14 MS. SKILBRED: Here, see the
15 picture.

16 MS. RIGDON: So you can basically
17 stand on the boat and pulley the rope, and
18 then from the boat you can actually lower
19 these up or down.

20 MR. BUTTS: Yup.

21 MS. RIGDON: So they're not
22 permanent structures, for sure.

23 MR. SIMPSON: Yeah, even the type
24 of thing where if they were, like, a big
25 storm coming and you probably, probably

1 **NORTH HAVEN BOARD OF TRUSTEES - 6/22/2022**

2 remove the whole thing.

3 MS. RIGDON: Oh, you can remove
4 that. That's the whole point.

5 MR. SIMPSON: You know, a
6 hurricane or something.

7 MS. SKILBRED: So they stay on the
8 dock? They don't stay on the boat when
9 you leave?

10 MS. RIGDON: Correct. They stay
11 on the dock. They flip up and then when
12 you pull the boat in, you actually pull
13 the rope down, and then it'll come onto
14 the boat so you can get on and off the
15 boat. And, you know, I think it's very
16 reasonable to have a special condition,
17 obviously, that these things be removed on
18 a seasonable basis and stored in an upland
19 location up near the house, for obvious
20 reasons. No one wants it in their front
21 lawn.

22 MAYOR SANDER: Yeah, I don't know,
23 we should look at what the Code says, get
24 Billy's input. It's an unusual -- I mean,
25 I have a 30-foot boat on a fixed dock, and

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2 downstairs, it's a little tricky to get
3 down once in a while, but we do have a
4 ladder. And that's what most people have,
5 I think --

6 MS. DIAT: Yeah.

7 MAYOR SANDER: -- is a ladder to
8 get up and down. You pull the boat over,
9 and if it's difficult for people, some
10 people to get on. But I don't know what
11 the Code specifically calls out. It says
12 no structures.

13 MS. RIGDON: Yeah, it says "no
14 permanent structures".

15 MAYOR SANDER: No permanent
16 structures.

17 MS. DIAT: And, I mean, remember,
18 part of the reason we have this Code is
19 for aesthetics, right, and that would look
20 pretty ugly to have two of those folded up
21 on a dock, right.

22 MR. FIORE: Do you have children,
23 little children?

24 MR. SIMPSON: We don't have little
25 children now, though we do have some. My

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2 father and my mother-in-law come to visit
3 a lot and they have a difficult time
4 getting onto boats.

5 MS. RIGDON: Yeah.

6 MR. FIORE: So, safety
7 perspective.

8 (CROSSTALK)

9 MR. SIMPSON: Yeah, that would be
10 a little difficult for him.

11 MR. FIORE: So we have to, we have
12 to talk about this, I think.

13 MS. RIGDON: Okay.

14 MS. SKILBRED: Why don't we put it
15 off 'til next month because you have to
16 come back with the landscape plan anyway.

17 MR. FIORE: You gotta do that
18 anyway, right.

19 MS. RIGDON: Well, I'm gonna pull
20 out what was previously approved. I'm
21 gonna have Robert pull that out so I can
22 compare it and for my recommendations and
23 the Board's recommendations.

24 MS. SKILBRED: Okay.

25 MS. RIGDON: And then see if we

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2 can --

3 MS. DIAT: Yeah. There were two
4 other things that, that Billy requested.
5 So the survey should be updated to include
6 the proposed coverage calculation,
7 including the dock.

8 MR. SIMPSON: That was done on the
9 survey.

10 MS. RIGDON: I believe he did
11 that.

12 MS. DIAT: In this current survey?

13 MR. SIMPSON: Yeah.

14 MS. RIGDON: Yes.

15 MS. DIAT: Yeah? Okay. Maybe I
16 missed that. Okay.

17 MS. RIGDON: That's okay. I'm
18 gonna make notes.

19 MS. DIAT: And also showing the
20 limit of clearing in the clearing
21 calculation.

22 MR. SIMPSON: That was done.

23 MS. DIAT: It has? Okay. I'm
24 sorry.

25 MS. RIGDON: Yeah, it should be in

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1 there.

2 MS. DIAT: I guess I missed that.

3 Okay.

4 MS. SKILBRED: And the bumper
5 pilings don't exceed the height anymore?

6 MS. RIGDON: They are still -- the
7 large tie-off piles are 7.8 feet above the
8 height of the dock. The lower section,
9 6.8 feet.

10 MS. DIAT: Okay. And --

11 MS. RIGDON: The rest of the dock
12 is consistent.

13 MS. DIAT: And can we get a
14 cross-section of the dock as well?

15 MS. RIGDON: That should be in the
16 drawings, in the engineering drawings. He
17 had to split it up probably and do a
18 matchline, but --

19 MS. DIAT: So where do you see the
20 cross-section?

21 MS. RIGDON: It should be -- let
22 me see what his plans -- he took a part of
23 a cross-section.

24 MS. DIAT: Okay. So that's the
25

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2 cross-section?

3 MS. RIGDON: So we did -- yeah.

4 So here's the section on the last page, 4
5 of 4. And it's a small scale. This one's
6 a 20 scale. So you can see, the headroom
7 will be maintained. We don't show the
8 flip upstairs on this particular section.

9 MS. DIAT: So it doesn't show the
10 pilings, though, on the cross-section?

11 MS. RIGDON: No, it doesn't. I
12 can have them showing the pilings.

13 MS. DIAT: Yes.

14 MS. RIGDON: Okay.

15 MS. DIAT: Can you have them add
16 the pilings?

17 MS. RIGDON: Sure.

18 MAYOR SANDER: Just for reference,
19 the stairs that go down the revetment now
20 and then reach a platform and then there's
21 a flip-down stairs to the beach.

22 MS. RIGDON: Right.

23 MAYOR SANDER: So is the dock at
24 that height --

25 MS. RIGDON: Yes.

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MAYOR SANDER: -- of where that platform is?

MS. RIGDON: It was designed to be able to walk from that deck onto the dock.

MAYOR SANDER: So you can walk onto that. I walked that quite a bit.

MS. RIGDON: Yes. And you can walk under it, that's right.

MAYOR SANDER: Don't want to get your feet wet at high tide, but other than that.

Any other questions from the Board?

MS. RIGDON: Okay, so we have landscaping --

MAYOR SANDER: Okay. So we'll carry this over pending the request we made for the vegetation plan, Billy's comments, some of the updates to the cross-sections that Terie pointed out. And we'll put that on the agenda for -- open the public hearing again next month, all right, Eileen?

MS. TUOHY: Yeah. Do I have a

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1 second to carry it over?

2 MAYOR SANDER: Yeah.

3 MS. RIGDON: Eileen, what's the
4 date on that?

5 MS. TUOHY: I'm sorry?

6 MS. RIGDON: What's the date on
7 the next hearing? I just want to mark it
8 down.

9 MS. SKILBRED: 19. 19.

10 MS. TUOHY: It's the 19th.

11 MS. RIGDON: Perfect. Thank you.

12 MS. TUOHY: Let me just double
13 check.

14 MS. SKILBRED: It's the 19th.

15 MR. FIORE: Yeah, it's Tuesday,
16 the 19th.

17 MS. RIGDON: Thank you.

18 MS. DIAT: Thank you.

19 MS. RIGDON: I appreciate your
20 comments.

21 MAYOR SANDER: Thank you.

22 MS. RIGDON: Thank you very much.

23 MAYOR SANDER: Okay. All right.

24 So we also have our MS-4 Report. We have
25

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2 with us Vincent Gaudiello who will update
3 us on the MS-4.

4 MR. GAUDIELLO: Good evening,
5 Members, Trustees.

6 MAYOR SANDER: How are you?

7 MR. GAUDIELLO: How are you?

8 MAYOR SANDER: Good.

9 MR. FIORE: Hello.

10 MR. GAUDIELLO: Just to give some
11 feedback here, what this -- what the
12 purpose of this discussion, typically it's
13 supposedly a public hearing or a open
14 meeting to discus our annual report.

15 MAYOR SANDER: Right.

16 MR. GAUDIELLO: The Village of
17 North Haven is a designated, recognized
18 MS-4. And as far as one of the
19 requirements of our permit, is that we
20 file an annual report every year. It's
21 due on June 1st and it's for a period up
22 until March 9th of this year. So right
23 now we are in the process of recording and
24 keeping data of the questions that the New
25 York State DEC wants from us in our annual

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report.

It is a form report. It's questions that are formatted by the DEC and the Department. It asks questions about public education. It asks questions about what we're doing as a municipality to address erosion, contamination of surface waters, et cetera.

I would say, in representing the Village of North Haven, it's very easy to fill this report out because our Code and our zoning kind of is right in line with what the DEC and what this program is all about. When we talk about restricting clearing on development of lots, when we talk about managing stormwater with new development, with putting roof runoff into drywells, et cetera, you know, these are things that the DEC wants to hear about. In the report, we talk about what our practices are with respect to our facilities, roadways, cleaning, doing drainage installation, stuff along those lines. So over the course of the year,

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you know, it's kind of like an accounting exercise of what we've done, and that's recorded in this report.

If the Board or should any of your Trustees have any specific comments, I'd be glad to answer them. I would say that the report, with the, you know, kind of just editing from what was submitted year past, is pretty much in line with what we've documented with the Department in previous years.

MAYOR SANDER: One question, may not be directly related to this, but we're in the process of trying to determine what kind of vegetated buffers adjacent to wetlands that we should require. And what will be helpful would be to have some science around what is the impact of runoff if you have 15 foot of buffer, 20 foot of buffer, 30 foot of buffer. I mean, how far does fertilized material make its way into the water? I guess it depends on the slope to some extent, too, and what the topography is.

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2 MR. GAUDIELLO: Well, that's, you
3 know, that's -- you know, from -- my
4 training is engineering. I had some
5 biology, but, you know, I tried to stay
6 away from that stuff.

7 MAYOR SANDER: Right.

8 MR. GAUDIELLO: But I think you
9 hit the nail on the head. You know, if
10 you have a bluff or you have a slope
11 that's 15 percent or more, the runoff
12 coefficient that you're gonna see that
13 gets down to the bottom of the hill is
14 going to be much more than it would if you
15 were looking at a percent grade of, say,
16 one percent or two percent. So if you
17 were dropping a foot in 100 feet, which is
18 one percent, it'd be a lot different if
19 you were dropping 15 feet in 100 feet,
20 which is 15 percent.

21 I think, you know, that plays into
22 it. I think the type of vegetation and
23 the type of maintenance of that buffer
24 also plays into it. You know, it's -- you
25 know, the thicker the brush, the thicker

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the grass.

MAYOR SANDER: Right.

MR. GAUDIELLO: Depending what the plant material is, is going to retard that flow that, you know, you see going through those areas. And obviously, there are specific vegetation or species that will work better to, you know, take out the nitrogens, you know, that really -- I mean, that's where your focus are, is nitrogen and phosphorus that are in these, you know, I mean, fertilizers that we kind of discourage people from using in close proximity to those areas.

MAYOR SANDER: Got it. Okay.

Any questions for Vinny?

MR. FIORE: We used them -- I have a question, yeah. Has the drainage ever been proposed or utilized, drainage, a system that would capture the water before it runs off and then just recycle it into a drywell somewhere in that buffer? Is that impractical?

MAYOR SANDER: We do a lot of

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roadways.

MR. GAUDIELLO: The key is, is to capture the water before it gets to the buffer area.

MR. FIORE: Okay. So, the drainage --

MR. GAUDIELLO: Prior to that.

MR. FIORE: -- prior to that.

MR. GAUDIELLO: And, like, for example, the application that was just before you for the dock, that project involved the construction of a revetment at one time.

MAYOR SANDER: Right.

MR. GAUDIELLO: And what was in that design was a bench at the top before they actually went down the slope to keep that water from actually spilling over. Similarly, if you have a sensitive wetland area, you know, you would want to gra- -- where you're permitting grading, where you're permitting earth moving, you would want to make that grade such, not that you're starving the wetlands and you're

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2 not allowing the water to go in that
3 direction, but, in essence, you're
4 capturing what I would call the sheet flow
5 that would carry the bulk of the
6 contaminants that potentially would wash
7 into that wetlands area.

8 MAYOR SANDER: And, of course, on
9 roadways we've spent a lot to try to
10 capture runoff. I mean, Sunset Beach
11 Road, I don't know how many years ago it
12 was now, we put in a whole bunch. I think
13 we got a grant for that.

14 MR. GAUDIELLO: And we intend to
15 do some more work, actually.

16 MAYOR SANDER: Yeah, that -- I
17 brought up, I walked down there one more
18 time and that one down the end is caving
19 in a little bit and it tends to fill up if
20 we get a really heavy rain and run off.
21 You go over there as well. That's one of
22 the tough roadways.

23 The thing that always comes up in
24 mind, well, has come up in mind, was what
25 jurisdiction do we have over private

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communities for this as well. So, if you have a waterfront private community that's responsible for their roads and you have runoff that's, you know --

MS. TUOHY: Well, I'm thinking they're coming -- they're seeing ours. They have drainage requirements.

MAYOR SANDER: But if they don't do it, what authority does the Village have to demand it? And that's put maybe outside of your venue, but somewhere it ought to address what the -- with Scott in terms of whether the Village can mandate that they correct the situation.

MR. BUTTS: Have you been up to Forest Road?

MAYOR SANDER: Where?

MR. BUTTS: Forest Road.

MAYOR SANDER: No, not recently. But I know there's situations in The Manor that are a little bit like that as well where you have --

MR. BUTTS: Well, I just want to tell you, Forest Road, the whole

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intersection, Goodwood, have all been installing drainage. They are doing it.

MAYOR SANDER: Okay.

MR. BUTTS: There are people who want to care about things.

MAYOR SANDER: Well, that's good to know.

MR. BUTTS: Yeah.

MR. GAUDIELLO: I've been contacted in the past, been involved with North Haven Manor in managing some of their stormwater as well, specifically at the end of Shelter Island Avenue where they have that, it's -- the right-of-way actually continues down but it's kind of -- I think they have kayaks in there and stuff like that. But, you know, they are concerned. They want to make sure that, you know, you're looking at surface water runoff that, you know, leaves those roadways and finds its way down to the beach.

MAYOR SANDER: Okay. Any other questions for Vinny?

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2 MS. SKILBRED: No. Thank you,
3 Vinny.

4 MR. ABRAHAM: Thank you.

5 MS. DIAT: Thank you.

6 MAYOR SANDER: All right. So I
7 guess we can make a motion.

8 MS. TUOHY: Just make a motion to
9 close this.

10 MAYOR SANDER: I'll make a motion
11 to close the hearing on the MS-4 Report.

12 MS. SKILBRED: I'll second.

13 MR. GAUDIELLO: And we will be
14 doing some drainage improvements along
15 Sunset Beach Road. There are a couple
16 other --

17 MS. TUOHY: Sunset Beach. Seely?

18 MR. GAUDIELLO: Seely.

19 MS. TUOHY: And you had mentioned
20 one other that we talked about.

21 MR. GAUDIELLO: That's the
22 other --

23 MS. TUOHY: Yeah, that we can -- I
24 mean, we have, I think, four locations
25 that we --

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MR. GAUDIELLO: Yeah, there's a couple along Sunset Beach Road --

MS. TUOHY: Right.

MR. GAUDIELLO: -- that we're gonna talk about there and, you know -- you know, what happens with some of the infrastructure that we already have is, it's one thing to go out there and clean drainage structures. Unfortunately, you get to a point where when they do become contaminated, they do become silted up a little bit, you kinda never get back to having that virgin-type, new drainage structure involved. And, in essence, that's what we're looking to do, is put a little bit more capacity in the ground.

You know, if you look at other municipalities in the area and their drainage design standards, you know, the rule of thumb years ago was a two-year storm event. Well, it seems like everyone's bumping that up to three these days. And so, you know, we're just being, you know, kind of in line with what

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everyone else is doing.

MAYOR SANDER: All right. So I
made a motion to --

MS. SKILBRED: I seconded.

MAYOR SANDER: -- close the public
hearing. Dianne seconded.

All those in favor?

ALL BOARD MEMBERS: Aye.

MAYOR SANDER: All right. Now we
have, open a public hearing -- well, we're
gonna talk first about this law we drafted
on the new Open Meeting Law and virtual
meetings. And I think Eileen and Claas
attended some sessions with the --

MR. ABRAHAM: It was actually very
good.

MS. TUOHY: Oh, no, it was good,
and that's why I wanted to share what
happened --

MAYOR SANDER: Right.

MS. TUOHY: -- at the meeting.

And basically, I was under the
impression that it was a universal change
from the old Open Meeting Law to a new

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2 Open Meeting Law, that everybody would be
3 adopting the new meeting law, but that's
4 not the case. There's basically gonna be
5 two Open Meeting Laws. The old one where
6 you could have video participation, but
7 that was where you would have to advertise
8 that. Let's say Claas is gonna
9 participate from his house and he would
10 have to allow people to go to his house if
11 they wanted to participate.

12 MR. ABRAHAM: It would be an
13 auxiliary location to Village Hall,
14 basically.

15 MS. TUOHY: Right.

16 MR. ABRAHAM: So you would
17 advertise it and so on, you know.

18 MS. TUOHY: Right.

19 MS. SKILBRED: Which is what we
20 did with Linda.

21 MS. TUOHY: Right. When Linda was
22 sick, we advertised that she was
23 participating from home and that, if
24 somebody wanted to, they could go there.

25 Also, right now, as long as the

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2 Governor extends the emergency, the State
3 of Emergency with the Covid, we can still
4 do Zoom meetings the way we have been for
5 the duration of the pandemic. So, I dont
6 know, it got confusing there for a while
7 at the webinar with the questions.

8 MR. ABRAHAM: The part where they
9 had that table.

10 MS. TUOHY: Right.

11 MR. ABRAHAM: That was, like, we
12 should share that.

13 MS. TUOHY: Share, right.

14 So I'm just thinking, you know, we
15 can have, like, if we wanted to in July,
16 we could have a virtual meeting where we
17 could say, you know, let's just say Claas
18 has to go to Germany on a business trip
19 and he wants to participate. As long as
20 we advertise that that's where he is, we
21 can have a meeting without --

22 MAYOR SANDER: Let me ask you
23 something. Did that particular law come
24 about due to Covid or was that always --

25 MS. TUOHY: That always was

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2 existing. The old -- it was 15A, whatever
3 the code was, 15A. That was always
4 existing, that if you wanted to have a
5 virtual meeting, you just had to advertise
6 that so and so and so and so --

7 MAYOR SANDER: And they could
8 participate via Zoom, though, right?

9 MS. TUOHY: Right, Zoom. Well,
10 video conferencing.

11 MAYOR SANDER: Video conferencing,
12 right.

13 MS. TUOHY: Video conferencing.

14 And that was, like I said, as long
15 as you made it noticed. You had to notice
16 it in a legal notice that you can have it.

17 MS. DIAT: But is that forever,
18 though? I thought they said that was only
19 for, like, 60 days and then it was gonna
20 end?

21 MS. TUOHY: That's the -- as long
22 as she keeps moving the -- adopting the
23 State of Emergency.

24 MAYOR SANDER: But what's the --

25 MS. TUOHY: She's been doing on a

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2 month-to-month basis because that's --
3 they only allow you to extend it at 30
4 days at a time.

5 MAYOR SANDER: What's the
6 difference between what the State of
7 Emergency allows and what we just talked
8 about?

9 MS. TUOHY: Well, a State of
10 Emergency basically is that you could just
11 have a Zoom meeting and you don't have to
12 advertise that you're participating from
13 your house.

14 MR. ABRAHAM: And I don't need to
15 let you into my house.

16 MS. TUOHY: Right. Everybody gets
17 to --

18 MAYOR SANDER: So that's for Board
19 participants. Does the old law prior to
20 Covid that allows remote participation
21 allowed for the public also?

22 MS. TUOHY: Yeah. It's more --
23 it's not so much about the public
24 participating remotely.

25 MAYOR SANDER: It's about the

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1 Board.

2 MS. TUOHY: It's the boards
3 that --

4 MR. ABRAHAM: So we can say, we
5 can turn this on next week and give
6 everybo- -- and put it on --

7 MS. TUOHY: Give everybody access.

8 MR. ABRAHAM: Give everybody
9 access.

10 MS. TUOHY: Yup.

11 MR. ABRAHAM: But not permit
12 people to actually ask questions.

13 MS. TUOHY: Correct.

14 MR. ABRAHAM: That's up to us. We
15 can say, like, hey you can watch us, but
16 you're not allowed to say anything.

17 MAYOR SANDER: Okay. Okay, so I
18 got the part about the Board
19 participation.

20 MS. DIAT: That's not great,
21 though.

22 MR. ABRAHAM: Of course it's not.
23 We want participation.

24 MS. TUOHY: Right. He's just
25

1 **NORTH HAVEN BOARD OF TRUSTEES - 6/22/2022**

2 giving an example.

3 MAYOR SANDER: So, okay, so the
4 Board can participate remotely per the old
5 law, and that's great, and they can
6 participate --

7 MR. ABRAHAM: With advertisement.

8 MAYOR SANDER: Right, with
9 advertising.

10 MR. ABRAHAM: Yes.

11 MAYOR SANDER: What about the
12 public?

13 MS. TUOHY: The public can
14 participate remotely if you want them to.
15 It's up to you, the Board, if you're gonna
16 entertain that.

17 MAYOR SANDER: And it doesn't
18 have -- it's not a function of the State
19 extending --

20 MS. TUOHY: The State of
21 Emergency?

22 MAYOR SANDER: Yeah.

23 MS. TUOHY: No.

24 MAYOR SANDER: Okay.

25 MS. TUOHY: But as long as they

1 **NORTH HAVEN BOARD OF TRUSTEES - 6/22/2022**

2 keep extending the State of Emergency, we
3 can do Zoom meetings.

4 MR. ABRAHAM: We could all go
5 home.

6 MS. TUOHY: Exactly.

7 MR. ABRAHAM: Right now we could
8 all go home. We don't have to advertise
9 it.

10 MS. TUOHY: Right.

11 MAYOR SANDER: So the difference
12 is whether you have to notice or not
13 notice.

14 MS. TUOHY: Right.

15 MAYOR SANDER: If it's a State of
16 Emergency, you don't, we can just do it.

17 MS. TUOHY: Well, they do suggest,
18 going forward, and I'm gonna start doing
19 this, that you notice every meeting with
20 the potential of being a virtual meeting.

21 MAYOR SANDER: Right. But as long
22 as State of Emergency, they don't have to
23 show up at Claas' house.

24 MS. TUOHY: Right. So I just
25 wanted -- like, I was confused.

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MR. ABRAHAM: I just want to
add --

MS. TUOHY: That was last
Wednesday, right?

MR. ABRAHAM: Say it again?

MS. TUOHY: That was Wednesday we
had the webinar, right?

MR. ABRAHAM: Yes, it was
Wednesday.

MS. TUOHY: So between that and
all the election stuff, I was, like, a
little overwhelmed.

MR. ABRAHAM: I want to add one
thing with the participation.

MS. TUOHY: Okay.

MR. ABRAHAM: I think, so under
the old video conferencing that was always
permitted, right, let's say I'm not here,
I can't be here, I'm on vacation, which is
totally allowed. I'm on vacation but now
we have to announce it two weeks prior.

MS. TUOHY: Right.

MR. ABRAHAM: You know, I'm
sitting in my hotel room and I have to

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advertise exactly where I am and I have to open it to the public. It's an auxiliary, too. So we can all still go on vacation and participate in these meetings as long as we advertise it.

MAYOR SANDER: Right.

MR. ABRAHAM: The second one is --

MAYOR SANDER: No, go ahead.

MR. ABRAHAM: The second one is, now under the new law and not giving, not the emergency, Governor, 60 days, so that is over. You can only participate in an emergency.

MS. TUOHY: Right.

MAYOR SANDER: If you pass --

MR. ABRAHAM: If I pass the -- if I pass that two-week, you know, where I make my residence or wherever I am.

MS. TUOHY: No, but Jeff is saying if we adopt the new 15B --

MR. ABRAHAM: 15B, yes.

MS. TUOHY: -- I don't recall it, then you have to, you limit -- like, you're gonna participate from your house

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because you know you're gonna have an operation on your leg and you're not gonna be able to --

MAYOR SANDER: Right, or I'm going to a funeral for my brother-in-law --

MS. TUOHY: Right.

MAYOR SANDER: -- and he's in California.

MS. TUOHY: But the public doesn't then have the right to go to your house.

MR. ABRAHAM: The public is not allowed to come to your house.

MS. TUOHY: Right.

MR. ABRAHAM: It's not an auxiliary to Village Hall.

MAYOR SANDER: So it seems to me we're better off sticking with the old law.

MS. TUOHY: Well, like I said, I would just rather do a little bit more research on it myself.

MAYOR SANDER: Okay. Do you get the difference?

MR. ABRAHAM: I mean, we can still do both.

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MS. DIAT: Can we operate -- yeah,
I was just gonna say, can we operate under
both simultaneously?

MR. ABRAHAM: Yeah, absolutely.

MAYOR SANDER: No.

MS. TUOHY: No. You have to -- if
you adopt -- you have to adopt.

MAYOR SANDER: You adopt this one
here and it's subject to --

MS. DIAT: We have to use this
one?

MS. TUOHY: You have to adopt --
yeah. If we adopt B, then we always have
to use B, which means we have to say that,
that you can't participate remotely.

MS. DIAT: If I'm on vacation.

MS. TUOHY: If you're on vacation,
right. Right.

MS. DIAT: Okay. I see.

MR. ABRAHAM: But, I mean, we want
to encourage. That's the whole -- you
know, because back in the day when it was
Zoom, we always had, like, 20 or 30
people.

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MS. TUOHY: Oh, no, it was great.

MR. ABRAHAM: And I was sitting
here alone almost --

MS. DIAT: Right.

MR. ABRAHAM: -- and the whole
point is, I mean, we can just say, hey,
people can watch us, but I think the whole
point of this is that we -- you know,
like, whether we allow participation or
not, that people can actually see what
we're doing.

MS. DIAT: But under the old one,
we can --

MR. ABRAHAM: We can also do that.

MAYOR SANDER: Do you get the
difference, Chris?

MS. DIAT: There's no downside to
operating under the old one, is there?

MAYOR SANDER: So, you understand?

MR. FIORE: Yeah, I do. But the
bottom line difference between the two is
what?

MAYOR SANDER: Is that you can't
participate remotely unless it's an

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1 emergency.

2 MR. FIORE: Right.

3 MAYOR SANDER: Under the old one,
4 you could participate remotely even if
5 you're on vacation.
6

7 MR. FIORE: And if you go with the
8 remotely, even if you're vacation, what's
9 the downside? The public can't
10 participate?

11 MS. TUOHY: No. They have the
12 right -- they have the right --

13 MR. FIORE: To go with me on
14 vacation?

15 MS. TUOHY: Exactly.

16 MR. FIORE: So what's the big
17 deal?

18 MS. DIAT: Practically nobody is
19 gonna do that, but. And the Governor
20 could pull it at any time.

21 MS. TUOHY: Pull?

22 MR. ABRAHAM: No.

23 MS. TUOHY: The old one?

24 MS. DIAT: No. The Governor could
25 say the State of Emergency is over.

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MS. TUOHY: Oh, that's when --

MAYOR SANDER: But it's not
dependent on the State of Emergency.

MS. TUOHY: Then we just -- the
State of Emergency allows us to do Zoom
where everybody could be at home for any
reason.

MAYOR SANDER: Without advertising
or participating.

MS. TUOHY: Without advertising.

MS. DIAT: Right. But she could
rescind it and say State of Emergency is
over.

MS. TUOHY: Yes, but then we can
always fall back --

MS. DIAT: And then we have to
adopt --

MS. TUOHY: No.

MS. DIAT: We have to adopt this.

MS. TUOHY: No. Then we can
always just fall back to the existing
State Open Meeting Law.

MAYOR SANDER: No. We go back to
the old one that's been around forever,

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which we could always participate.

MS. TUOHY: B only has to be adopted by the individual municipality to go forward. We're already covered by A as a State guideline.

MS. DIAT: Oh, so how come we haven't been using A then?

MS. TUOHY: Well, that's -- like I said, this is all new.

MR. ABRAHAM: Yeah.

MS. DIAT: Oh, okay. We didn't know we could?

MS. TUOHY: No. That's why I --

MR. ABRAHAM: I mean, I think A and B can run simultaneously.

MS. TUOHY: Yeah, they can, but --

MR. ABRAHAM: So let me give you an example. I'm going away, I know that, right.

MS. TUOHY: Right.

MR. ABRAHAM: So you're advertising where I am. You know, here I am in my hotel room. The public is -- you know, if anybody should be there, the

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public is allowed in my hotel room. Now, Chris gets a knee operation.

MR. FIORE: And he's in the hospital room.

MR. ABRAHAM: And you -- and he can, at the same time, I can be at an auxiliary of Village Hall because I've advertised it, and Chris, at the same time, can be behind closed doors because to him the emergency --

MS. TUOHY: No. I think if you adopt B, you have to stick with B.

MR. ABRAHAM: That, we should find out.

MS. TUOHY: That's why I'm saying --

MS. SKILBRED: Yeah, Eileen said let's look into it more so we don't have to do it tonight.

MS. TUOHY: That's why I said, let's look into it more.

MAYOR SANDER: All right. So Eileen's recommendation is --

MS. TUOHY: So it might be more

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1 beneficial to stay with A.

2 MAYOR SANDER: -- let's do some
3 more research because we think we might be
4 better off.

5 MR. ABRAHAM: On that note, I
6 think, either way, we should start
7 projecting the July meetings --

8 MS. TUOHY: Oh, no, yeah.

9 MR. ABRAHAM: -- without public --
10 we're gonna announce, without public
11 participation. You could watch us talk.
12 You know, we can also --

13 MS. DIAT: But why can't we have
14 public participation? I don't understand.

15 MS. TUOHY: You can.

16 MR. ABRAHAM: Participants doesn't
17 'matter. Only the Board matters.

18 MS. TUOHY: Exactly.

19 MR. FIORE: So can I just ask a
20 question for clarification?

21 MR. ABRAHAM: Yeah.

22 MR. FIORE: If we stayed with A,
23 we can join a meeting on vacation. You
24 can certainly -- you have the risk, I
25

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2 guess, of the Governor changing the law,
3 but then you revert back to the other Open
4 Meeting Law.

5 MAYOR SANDER: No. A is the other
6 Open Meeting Law.

7 MR. FIORE: I don't see any -- I
8 don't see any risk to keeping it where it
9 is. What's the risk?

10 MS. TUOHY: Well, the only thing
11 is, if you have something come up within
12 the --

13 MAYOR SANDER: Yeah, within the
14 advertisement.

15 MS. TUOHY: -- time of noticing
16 the meeting, like --

17 MR. FIORE: Between the notice and
18 the meeting?

19 MS. TUOHY: Right. But let's --
20 'cause there's ten days because of the way
21 that the paper's published, especially
22 'cause we only have a weekly paper.

23 MR. FIORE: Right.

24 MS. TUOHY: So if we publish, you
25 know, ten days out and then between then

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1
2 and --

3 MR. FIORE: Right.

4 MS. TUOHY: -- that meeting --

5 MR. FIORE: Something comes up.

6 MS. TUOHY: -- something comes up,
7 then you can't participate.

8 MR. FIORE: Right.

9 MS. TUOHY: 'Cause it's not
10 advertised that you're gonna be --

11 MR. FIORE: I think that's a
12 reasonable risk, you know.

13 MS. TUOHY: But to be honest with
14 you, as long as you have a quorum meeting.

15 MAYOR SANDER: But under the new
16 one, you wouldn't have to do that.
17 However, it has to be an emergency.

18 MR. FIORE: It has to be an
19 emergency.

20 MAYOR SANDER: So the chances that
21 we're gonna have somebody have an
22 emergency and not be able to participate,
23 where if we passed a new law, they could,
24 is, I think, very rare. Personally, I
25 think we're better off staying with the

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old one. But let's let Eileen do some more digging and research.

MS. DIAT: In the meantime, in July we could start projecting.

MS. TUOHY: Yeah.

MS. DIAT: Public can participate.

MR. ABRAHAM: Public can participate.

MS. DIAT: Okay.

MR. ABRAHAM: 95 percent of the webinar was basically about, like, how the boards act when people, the quorum, when people can be absent, and all of that. What we do with the public is really up to us and really is irrelevant to 15A or B. The question that we need to find out is whether we can run A and B simultaneously.

MS. TUOHY: Yeah. My impression is no, 'cause I think once --

MR. ABRAHAM: I thought we could, but let's find out.

MS. TUOHY: 'Cause I think once you adopt B, then you have to stick with being able to advertise it.

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2 MAYOR SANDER: So we're gonna pass
3 on public hearing on this until we have
4 more information.

5 MS. TUOHY: Okay.

6 MAYOR SANDER: In the meantime, we
7 can start doing remote public, and we
8 should.

9 MR. FIORE: In July.

10 MAYOR SANDER: In July. And per
11 the Open Meeting Law, if any of you are
12 not going to, any of the Board is not
13 gonna be around and want to participate
14 remotely, you can.

15 MS. TUOHY: Yeah, you should let
16 me know. Actually, you know, it would be
17 helpful, like, if you know your summer
18 vacations or whatever, let me know now. I
19 can put it on my calendar, you know,
20 'cause I have my calendar where I do my
21 legal notices, so then I'll know --

22 MAYOR SANDER: She only extended
23 that to the 14th of July?

24 MS. TUOHY: Correct.

25 MAYOR SANDER: Yeah, and our

1 **NORTH HAVEN BOARD OF TRUSTEES - 6/22/2022**

2 meeting --

3 MS. TUOHY: Is the 19th. But,
4 you know, like I said, we can still --

5 MR. ABRAHAM: Advertise.

6 MS. TUOHY: I'm gonna probably
7 just go forward using 15A, the original
8 code.

9 MR. ABRAHAM: For now we're gonna
10 use 15A until we finesse.

11 MS. TUOHY: So if anybody knows
12 that they're not gonna be here --

13 MS. DIAT: And we'll do that for
14 all of the boards in July.

15 MS. TUOHY: Okay.

16 MR. ABRAHAM: Yeah.

17 MAYOR SANDER: All right.

18 MR. FIORE: And 15A, just to make
19 sure we're on the same page, 15A allows us
20 to participate if we're at a wedding or a
21 birthday party, any kind of personal
22 thing, okay.

23 MS. TUOHY: As long as we
24 advertise it.

25 MR. FIORE: As long as, as long as

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there's not an emergency that comes within that ten-day newspaper publication and the, and the meeting. I would think that that is not going to pose a risk. That's just my opinion, and I would vote to stay right where we are.

MS. TUOHY: But we've always also operated where, you know, if you had an emergency and you couldn't come to a meeting, then, you know, as long as there was a quorum, the meeting just went on.

MR. FIORE: Right.

MS. TUOHY: And if it was something that you felt you wanted the other person to --

MS. DIAT: I mean, it's kind of the same as in person. If you get sick and you can't come to the meeting in person, you're just not there, right.

MS. TUOHY: Right, that's what I'm saying. You're just not there.

MS. DIAT: It's kind of the way it is, right.

MR. ABRAHAM: Right.

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MS. SKILBRED: We kind of all survived with someone missing a meeting once in a while.

MS. TUOHY: Right.

MS. SKILBRED: It wasn't the end of the world. None of us are that important.

MS. TUOHY: Right.

MAYOR SANDER: Okay.

MR. BOODY: Jeff?

MAYOR SANDER: So, moving right along.

MS. TUOHY: Oh, Jeff, Jeff.

MR. BOODY: I'm sorry if you don't want to take a question now, but I'm just unclear. Are you saying that next month you'll begin using this equipment so that we'll have a combination option? You can come in person to the meeting, as required now by the Open Meetings Law?

MS. TUOHY: That's the game plan. We're gonna do a dry run --

MR. BOODY: Okay.

MS. TUOHY: -- in the next week or

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1
2 two to make sure we've got it all --

3 MR. ABRAHAM: We're ready to go.

4 MS. TUOHY: The equipment works.

5 MR. BOODY: Okay.

6 MS. TUOHY: The equipment works.

7 MR. ABRAHAM: And George helped me
8 hang up the TVs.

9 MAYOR SANDER: And you could be
10 home having your cocktail.

11 MR. BOODY: Sounds good. Have to
12 hide it off to the side, though.

13 MS. SKILBRED: Yeah. You have to
14 hide it, yeah.

15 MR. ABRAHAM: Yeah, you can
16 actually do that from home.

17 MS. SKILBRED: Or use a different
18 kind of glass, yeah.

19 MR. BOODY: Did these, did these
20 just go in last night? 'Cause I don't
21 remember them.

22 MS. TUOHY: No, they were in the
23 corner.

24 MR. BOODY: Oh.

25 MS. TUOHY: You were actually

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sitting right in front of them yesterday.

MR. BOODY: I thought they were
some election thing.

MS. TUOHY: No. We just moved
them back over there.

MR. BOODY: Gotcha.

MS. TUOHY: It was late. You
probably didn't notice that they were
there. You were literally right next to
them.

MR. BOODY: I remember these
large, black things.

MS. TUOHY: Yeah.

MR. BOODY: I just didn't register
what they were.

MAYOR SANDER: All right. So,
Claim Vouchers. You want to kind of give
us a summary?

MS. TUOHY: Okay, so.

MAYOR SANDER: We got General
Fund.

MS. TUOHY: Yeah. Warrant #38,
just a few leftover bills that were paid
at the end of May. I think it was a

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2 utility bill, maybe. 38 was -- it was the
3 tax bill -- the postage, the tax bills and
4 the utilities and reimburse the petty cash
5 fund.

6 #39 was the deposit for the
7 playground equipment that was approved at
8 the May meeting. That was a 50 percent
9 deposit that was required.

10 Warrant #1 is the General Fund
11 expenditures for the current budget that
12 we're in now, the '22-'23 budget. That
13 totalled \$42,791.99.

14 Warrant #2 is General Fund
15 expenditures that were incurred in the
16 prior fiscal year, but the bills just came
17 in this year. That totalled \$33,955.18.

18 And then Warrant #3 is for Trust &
19 Agency, which are the environmental fees
20 for the Planning Board applications that
21 are under review. That totalled
22 \$5,640.50.

23 So, I mean, some of the, the bill,
24 I mean, you have the Worker's Comp
25 insurance renewal, I know, due this June,

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health insurance, legal fees. The computer equipment is included in these bills that came in. Employee reimbursement. Annual membership fees for, you know, various organizations, NYCOM, the Long Island Village Clerks and Treasurer's Association. Utilities -- I said that. Legal notices.

MAYOR SANDER: All right.

MS. TUOHY: Software renewal for the Building Department, which we're getting -- we did decide to go with the same company that we have right now and they're working on the upgrade and we'll hopefully switch over to that in December or January. I'll have that for you to approve probably at the next meeting, the proposal for that. I reimbursed the election inspectors.

MAYOR SANDER: All right. Any questions about the Claim Vouchers?

(No Response)

MAYOR SANDER: No questions? I'll make a motion to approve the vouchers. Do

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I have a second?

MR. FIORE: I'll second.

MAYOR SANDER: All those in favor?

ALL BOARD MEMBERS: Aye.

MAYOR SANDER: Okay. We have a
number of reports.

MS. TUOHY: I have the financial
reports.

MAYOR SANDER: Oh, I'm sorry, the
financial reports.

MS. TUOHY: Yeah. This is for May
but it's not finalized because we still do
have some bills that are coming in. We're
still waiting for the second half of the
hydrant bill, and I'm sure there are gonna
be a few stragglers that will come in.

But we're in good -- I mean, we
did well. We have revenues in excess of
what was budgeted of almost \$456,000. I'm
waiting for the fourth-quarter mortgage
payment which will probably bump that up
even more. That should be in any day now.

On the expense side, we budgeted
between, with what we carried over from

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1 the prior year, 1.9, roughly, million. We
2 spent 1.77. So we have 147,000 left,
3 which, you know, I think is pretty good,
4 pretty close to, you know -- you know,
5 it's hard to do, you know, you got your
6 crystal ball but you don't always know
7 what's gonna happen. So to just be
8 under-expended by 147,000, I think, is --

9 MS. SKILBRED: Excellent.

10 MS. TUOHY: -- pretty good.

11 MS. SKILBRED: Yeah.

12 MS. TUOHY: I mean, there were
13 some things that just didn't -- you know,
14 you just don't know what's gonna happen,
15 like, what was -- there was one item like
16 the -- we did budget for hopefully more
17 4-Posters, but that didn't happen 'cause
18 we never got the approval from the
19 residents, but hopefully next year we'll
20 blow that budget right out of the water
21 when we get all the approvals in for the
22 ticks and the 4-Poster program.

23 MR. ABRAHAM: We're just, we're
24 basically -- I mean, I'm not -- never
25

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2 mind.

3 MS. TUOHY: No, no, go ahead. But
4 saying, these numbers will, like I said,
5 will vary a little bit more.

6 MAYOR SANDER: All right. Any
7 questions about the financial reports?

8 MS. DIAT: Nope.

9 MR. ABRAHAM: Nope.

10 MAYOR SANDER: All right. We have
11 a number of reports, the Building
12 Inspector's Report and the Police Report.
13 Building Department continues to be very
14 busy.

15 MR. ABRAHAM: On the note of the
16 Police Report, the speed radar sign is
17 installed.

18 MAYOR SANDER: I'm sorry, what?

19 MR. ABRAHAM: Our speed radar on
20 Short Beach Road is installed. And we're
21 gonna turn it on in the next few days
22 with --

23 MS. TUOHY: Right. With Glenn.
24 Just gotta --

25 MAYOR SANDER: This is the sign?

1 **NORTH HAVEN BOARD OF TRUSTEES - 6/22/2022**

2 MR. ABRAHAM: Yes. It's finally
3 mounted. It's still covered but it is
4 installed.

5 MS. TUOHY: Yeah.

6 MR. ABRAHAM: In the next few days
7 we're gonna turn it on and then we'll
8 start collecting data.

9 MAYOR SANDER: Well, will we get
10 statistics from that?

11 MR. ABRAHAM: Say it again?

12 MAYOR SANDER: Will we get
13 statistics off of that?

14 MR. ABRAHAM: Yeah. The device is
15 measuring in both directions, not only the
16 one that it is displaying in. So we get
17 the northbound traffic, which is displayed
18 the -- the temperature, which is displayed
19 the speed, but we also get the southbound.
20 They don't see it. It's just like, you
21 know, they also get measured. So we get
22 the inbound and outbound traffic.

23 MAYOR SANDER: But we'll get some
24 report that says --

25 MR. ABRAHAM: Yes.

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2 MAYOR SANDER: -- the average
3 speed was what --

4 MR. ABRAHAM: Absolutely. We can
5 pull -- basically with Bluetooth, you can
6 pull off the data from the device. We'll
7 see, like, how many times we need to do
8 that because it only holds a certain set
9 of data. And then we can get our own
10 statistics at least for now for Short
11 Beach Road, so we'll see where we deploy
12 the other one so we can also collect data
13 there.

14 MR. FIORE: So did we replace
15 those speed limit signs?

16 MS. TUOHY: Yes. Glenn's working
17 on that.

18 MR. FIORE: So he's got that --

19 MS. TUOHY: He's got some, yeah.

20 MR. FIORE: -- and he has a
21 reduced speed ahead sign?

22 MS. TUOHY: Yup.

23 MR. FIORE: Okay. 'Cause then
24 it's a fair analysis, as long as you can
25 tell. 'Cause right now you can't really

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2 tell.

3 MR. ABRAHAM: Well, on the actual
4 speed radar, there is a fixed speed sign.

5 MS. TUOHY: Yeah.

6 MR. FIORE: Right. But the other
7 two signs --

8 MS. TUOHY: But prior to that.

9 MR. FIORE: -- that we have are
10 reasonably hidden.

11 MS. TUOHY: Well, he did replace
12 the one that was on the green sign that
13 says, you know, Sag Harbor this way,
14 Shelter Island that way.

15 MR. FIORE: Right, right.

16 MS. TUOHY: 'Cause that one was
17 totally faded. I went out with him
18 yesterday morning and we looked at it, so.

19 MR. FIORE: Okay, good.

20 MS. TUOHY: He put a new one
21 there. He's gonna put the reduced speed
22 ahead prior to the flashing one.

23 MR. ABRAHAM: Yeah.

24 MR. FIORE: Right, good.

25 MS. TUOHY: And then he's gonna

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2 replace the other -- one on the other side
3 and add one on the other side.

4 MR. ABRAHAM: Two on the
5 southbound side.

6 MS. TUOHY: Right. So, two on the
7 southbound side.

8 MR. FIORE: There was one speeding
9 ticket given, I noticed, on this Police
10 report.

11 MS. DIAT: I know. Only one.

12 MR. FIORE: In 30 days.

13 MAYOR SANDER: Okay.

14 MS. TUOHY: Well, just for -- I
15 think that was just the particular office
16 document. And my understanding was when
17 Lieutenant Spencer and Sergeant
18 Schottenhamel were on, it's not every
19 police officer documents that they issue a
20 ticket. So, I mean --

21 MR. FIORE: It is a moving target,
22 whether or not we ever notice the impact.

23 MS. TUOHY: Right.

24 MAYOR SANDER: All right.

25 MS. TUOHY: I think the

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Harbormaster also gave you his first
report --

MR. FIORE: Yes.

MS. TUOHY: -- for the year.

MAYOR SANDER: Yeah, I read that.
He mentioned the fire out there. And, you
know, very interesting, the letter that --
was it Chris wrote?

MR. ABRAHAM: I thought that boat
sank.

MS. DIAT: It did sink. Yeah,
they recovered it.

MS. SKILBRED: It did sink.

MR. ABRAHAM: Oh, okay.

MAYOR SANDER: Anybody ever get
any feedback on what caused that? Do you
know, George, who did that?

MR. BUTTS: Gas fumes.

MAYOR SANDER: Air fumes and
ignition, whatever, blower.

MR. BUTTS: Who knows? It
happened, I think, when she was on the
way.

MR. FIORE: Yeah.

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MR. BUTTS: And it just went on
fire. That's as far as I could get.

MS. SKILBRED: She doesn't
remember?

MR. FIORE: That's weird.

MAYOR SANDER: There was no fire
suppression in that.

MR. FIORE: She didn't have an
extinguisher?

MR. ABRAHAM: I think if you see
smoke coming out of the engine compartment
on a Chris-Craft, the last thing you're
gonna do is open it.

MAYOR SANDER: It depends on the
kind of smoke. I was on a -- not to
digress, but I had a boat once going
through the ferry slip, and this was about
a month after a boat had burned up and
somebody had -- and I look in the back and
there's smoke pouring out the back. But
it was white smoke. It wasn't black
smoke. I wound up getting off the boat
anyway. It was a waterline that broke.
Anyway, check the color of the smoke.

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Anyway, any questions about the reports?

MR. ABRAHAM: No.

MS. DIAT: No.

MS. TUOHY: Can I just have a motion to accept the reports?

MAYOR SANDER: All right, I'll make a motion to accept the reports. Do I have a second?

MS. SKILBRED: I'll second.

MAYOR SANDER: All those in favor?

ALL BOARD MEMBERS: Aye.

MAYOR SANDER: All right. Moving right along, we have a bunch of Codes outstanding, of which I think we're going to address those that are -- or the Board's gonna address those at the next work session, the Setback Code, the Dark Skies, the Noise Code. But I don't know if anyone wants to talk about those. I know, Claas, you got issued a new Dark Skies version from the last time, and I think we'll get comment on that.

What do you thi- -- I sent you a

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2 note, I don't know if you saw it. I ran
3 into Tyler. What do you think about
4 having him take a look at it and just --
5 if he has any comments?

6 MR. ABRAHAM: Sure. I can connect
7 with him.

8 MAYOR SANDER: Yeah. 'Cause,
9 yeah, you know him, too, right?

10 MR. ABRAHAM: Yeah.

11 MAYOR SANDER: And he's very
12 involved in Southampton Town, Southampton.
13 He knows all the different codes. I was
14 explaining to him a little bit and he
15 said, well, you know, he knows you, and he
16 said where did you get the data and I said
17 I think you pretty much use Southampton.
18 And he's brought up some issues he had,
19 like, down in Palm Beach where they have
20 some crazy rules, but I don't think we
21 have that case. But I think it would be
22 good to get a professional to take a scan
23 at it and see what he thinks, you know.

24 MR. ABRAHAM: Yeah.

25 MS. SKILBRED: Who's Tyler?

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MAYOR SANDER: He's a really good lighting designer.

MR. ABRAHAM: He's a local kid.

MS. SKILBRED: Oh, he did your backyard there.

MR. ABRAHAM: Yeah.

MAYOR SANDER: Yeah, he did front yard and backyard of my house. And, you know, I'm sure it's all compliant because that's what he does. It's all down-facing and it, you know, it doesn't, but --

MR. ABRAHAM: I'll connect with him.

MAYOR SANDER: Yeah, just to get his comments. He might add some intelligence that we could use.

MR. ABRAHAM: Yeah. But we'll discuss it at the work session, right?

MAYOR SANDER: Yup.

Anything on the ticks and deer? I know there's a lot going on with the water quality.

MR. ABRAHAM: Maybe we can just do the tick and deer real quick --

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MS. DIAT: Yeah.

MR. ABRAHAM: -- because we talked about it yesterday.

So we are up, to between the online submission and the ones that were on file prior to, we are up to about four- --

MS. DIAT: So it's around 440 consents. So, thank you. With Renee's help and Chris Miller gave us the prior, we've got around 440.

MR. ABRAHAM: So we have 440 consent forms for 4-Posters.

MS. DIAT: Which is a good -- I was gonna ask you how many tax bills you sent out to get the percentage.

MS. TUOHY: Roughly eight- -- 800, I think.

MS. DIAT: Around 800? Okay.

MS. TUOHY: Well, but, like, 50 of those are, like, the Town of Southampton, North Haven Properties.

MS. DIAT: Oh, so around 750?

MS. TUOHY: So probably, say

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1 about, like, 750, yeah.

2 MS. DIAT: Okay. So we're well
3 over 50 percent then, yeah. So, and now
4 we're starting to follow up with --

5 MR. ABRAHAM: Yeah, we're missing
6 like one here, one there.

7 MS. DIAT: With the onesie-twosies
8 where --

9 MS. TUOHY: Well, that's how it
10 was --

11 MS. DIAT: -- we're knocking on
12 door -- well, yeah.

13 MS. TUOHY: It's hard. It's hard
14 to get them.

15 MR. ABRAHAM: Yeah.

16 MS. TUOHY: You almost have to,
17 like, stalk them, you know.

18 MS. DIAT: Yeah, started stalking.

19 MR. ABRAHAM: I mean, I saw one
20 guy driving down the road and I was like.
21 He was like, "Oh, I never got the
22 communication." And I have a QR code Lily
23 in my car, that I'm, like, hey.

24 MS. TUOHY: There you go.

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MR. ABRAHAM: Open your phone and consent. He's like, oh, yeah.

MS. DIAT: Started stalking your neighbors.

MR. BOODY: The new neighbor next to me?

MS. DIAT: Yes.

MR. BOODY: Yeah. I hear that (inaudible) was a problem and he's gone, so Parrish is in there now. Have you talked to him?

MS. DIAT: Parrish?

MR. BOODY: Bill Parrish is the new owner. He's a Town Trustee.

MS. DIAT: Oh, no, that's not -- that's not the problem.

MR. BOODY: Oh, that's not what you meant.

MS. DIAT: That's not the problem.

MR. BOODY: Oh, you meant the other --

MS. DIAT: The other one, yeah. She hasn't responded, but I'm stalking her.

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MAYOR SANDER: Parrish? He has a house now?

MR. BOODY: He just bought a house right next to us that used to be --

MAYOR SANDER: Paul's son that has the Sip 'n Soda?

MR. BOODY: He's in that family. His uncle was Paul, right.

MAYOR SANDER: Oh, his uncle was Paul.

MR. BOODY: Yes.

MR. ABRAHAM: But, yeah, we're filling the blanks in now.

MS. DIAT: Yeah.

MR. ABRAHAM: But we're missing really, like, one house in, like, to put it up. But in general, like, when Terie re-announces on the newsletter, we always still get 20, 30 more for each sort of, like, newsletter. So it makes sense to keep that in there as a reminder because apparently not everybody reads every newsletter they get. So it's really helpful. I mean, I see it on my e-mail

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when -- after the newsletter was sent out,
usually in the next four, five days
there's always a few --

MS. DIAT: We get a tiny bump.

MR. ABRAHAM: There's always a
couple more coming in.

MS. TUOHY: When we had people
coming in paying their taxes, they saw
that.

MS. DIAT: Oh, good.

MS. TUOHY: And they'd give me --

MS. DIAT: Okay, good, good.

MS. TUOHY: I put a couple in the
box and they'd pick up the card and
paperwork and filled it out.

MS. DIAT: Good. Right.

MS. TUOHY: I think even yesterday
we had a couple people come down.

MS. DIAT: Good. Okay.

MR. FIORE: So as of now, is there
a number of 4-Poster installations that
you have in mind that we could do based on
the signatures that we have?

MS. DIAT: Well, we're still

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1 targeting the 17.

2 MR. FIORE: Yeah.

3 MS. DIAT: That's still our
4 target.

5 MR. FIORE: Okay. All right,
6 good.

7 MS. DIAT: Yeah.

8 MR. ABRAHAM: But I know there's a
9 few where we're literally missing that one
10 house.

11 MS. DIAT: Yeah, exactly.

12 MR. ABRAHAM: And it's, like,
13 it's --

14 MS. TUOHY: Frustrating.

15 MR. ABRAHAM: It's a matter of,
16 like --

17 MS. DIAT: Yes, exactly.

18 MR. FIORE: Have we done -- have
19 we added any to the current total?

20 MR. ABRAHAM: I don't know.

21 MS. TUOHY: I think so, only
22 because I got the corn bill for the last
23 order and it was a little higher than the
24 last one.
25

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MS. DIAT: Yeah, I don't --

MS. TUOHY: I mean, I can't say
for sure --

MS. DIAT: I don't know.

MS. TUOHY: -- that that --

MS. DIAT: It's been hard to get
ahold of Chris. It's his busy time --

MS. TUOHY: Yeah.

MS. DIAT: -- with his business.

MR. FIORE: I know. I just saw
him over in West Banks.

MS. TUOHY: But he did order, I
think, a little bit more. So maybe that's
an indication that there's --

MR. FIORE: Or the deer eat more.

MS. TUOHY: No, he's usually
pretty con- -- like, over the years, like,
it was usually pretty consistent. The
bill rose, you know, the same amount each
month. And then when we put the
additional units up when we first got
authorization, you know, it bumped up. So
I'm just -- like I said, it could also be
that the cost went up a little bit, too,

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2 but --

3 MR. FIORE: Yeah, he said the
4 costs were going up 20 percent on corn.

5 MR. ABRAHAM: But it is working.
6 I mean, that's --

7 MR. FIORE: Can we just talk to
8 Chris and ask him if he's, like, what's
9 the number that he feels confident he
10 could get, say, within the next 60 days.
11 Is it four? Is it six? Is it two?

12 MS. DIAT: It depends on getting
13 those consents. It's dependent on us.

14 MR. FIORE: Right, that's what I
15 mean. Based on the consents that we have,
16 can he say, okay, I can get three in?

17 MR. ABRAHAM: I want to say --

18 MS. DIAT: He'll get in whatever
19 consents we fill out for him.

20 MS. TUOHY: Right. We need 100
21 percent of the applicants.

22 MR. FIORE: Oh, I'll give you --
23 'cause I have one neighbor who won't sign.

24 MS. TUOHY: Right.

25 MR. FIORE: And all the others do.

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2 MR. ABRAHAM: I think we're close
3 to putting maybe three or so additional
4 ones in, but we're missing, like,
5 literally, one person.

6 MR. FIORE: Right.

7 MR. ABRAHAM: So it's just a
8 matter of, like, catching them at the
9 right time, because most of the time
10 they're just not aware of it. That's what
11 I -- I had on Coves End Lane, I had people
12 who never heard about our newsletter, you
13 know, never look at their mail, you know,
14 and they throw out cards and they're not
15 really that interested, so. But when you
16 walk up to them, they immediately, like,
17 "Oh, my God, yes," you know. So I think
18 that the trend is very positive. I mean,
19 I've not encountered anybody who's, like,
20 "Oh, my God, I hate these things."

21 MS. DIAT: It's just a matter of
22 getting ahold of them.

23 MR. ABRAHAM: It's generally a
24 very, very -- and I had a lot of
25 one-on-one conversations, just like you,

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2 where you go out and then they're like,
3 "Oh, my God, I didn't know about it," "I
4 hate ticks," you know, like, "Where can I
5 sign?" And it's generally, the feedback
6 is extremely positive.

7 MR. FIORE: And I think that's
8 great. I'm just saying, it's the end of
9 June. It's July. As I went around the
10 Village and talked to a lot of people,
11 they're very excited about this. They
12 want to see progress. They don't like
13 ticks. They want to kick ticks out of
14 North Haven.

15 MS. DIAT: I know. I agree.

16 MR. FIORE: So I think it would be
17 great PR if we got three in the next 30
18 days to let people know, hey, there's
19 three more, now we're up to ten. We're
20 going for 17 in this fiscal year of '22,
21 and keep them posted. But Chris should
22 know, he should be able to say, well, it's
23 okay, I got enough signatures to do two
24 more, or maybe I don't have enough
25 signatures to do any.

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MS. DIAT: So that's what we're saying. We don't have --

MR. ABRAHAM: Right.

MS. DIAT: -- enough signatures to put any more in right now.

MR. FIORE: Oh, you do know that?

MS. DIAT: Yes.

MR. ABRAHAM: We cannot put any more in right now, but we're missing -- we're missing these one signature ones where it's, like, literally one household has not responded. It's not that they did not consent, they just haven't responded because they have been in Florida or in -- they haven't been here, you know. So that's literally, we're hunting these people down.

MS. DIAT: We're chasing individuals, yes.

MR. ABRAHAM: So we're hunting these people down. So I'm saying, like, there's a lot -- there's, like, maybe three or four stages where we're missing one person.

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2 MR. FIORE: Okay. I didn't know
3 that -- I didn't know it was throughout
4 the Village that there's still one key
5 person --

6 MS. DIAT: Yes,
7 onesies-twosies-threesies.

8 MR. FIORE: -- from each proposed
9 location.

10 MS. DIAT: Yeah. Yup.

11 MR. ABRAHAM: Yeah. But those can
12 be cleared relatively quickly and then the
13 stations can go in.

14 MS. DIAT: Yeah.

15 MR. FIORE: But you're saying it's
16 hard to clear them.

17 MS. DIAT: Yes.

18 MR. FIORE: It's not gonna be
19 quick because we can't find these people.

20 MS. DIAT: Yeah. I mean, if you
21 get one that says no, that's --

22 MS. TUOHY: That's it.

23 MS. DIAT: That's it. Holds up
24 the whole device.

25 MR. FIORE: One person, they're

1 **NORTH HAVEN BOARD OF TRUSTEES - 6/22/2022**

2 never there. They're never there. I'm
3 knocking on his door 15 times.

4 MS. DIAT: Yeah, that's the
5 challenge.

6 MAYOR SANDER: All right.

7 MS. DIAT: That is the challenge.
8 All right.

9 MAYOR SANDER: Anything else on --

10 MS. DIAT: Not on deers and ticks.

11 MAYOR SANDER: On water quality?

12 MS. DIAT: So on the Water Quality
13 Committee, so we did -- we kicked that off
14 on March 31st. The members are Jeff,
15 myself, Chris Remkus, Allison Scanlon and
16 Stephanie Joyce.

17 And so I'll just run you through,
18 we've defined the objectives and we've got
19 a starting list of action plans. But the
20 objectives that we have are, the first one
21 that we are actively working on is, we
22 want to consider contracting with a
23 professional firm to perform a
24 comprehensive water and wetlands analysis
25 of the peninsula, meaning our, you know,

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our shoreline, our creeks, our bays, our tributaries, and come back to us with kind of a overall recommendation of actions to help us, you know, know what we should be doing as far as this committee goes. And so I'll talk a little bit more about that in a moment 'cause we've taken a number of steps towards that so far.

But then the other objectives we have are to then put together a plan to measure the water quality of our creeks, coves, ponds and bays, to be able to have a baseline because we don't do that now. We haven't done any testing, per say, other than finding out, quite by happenstance, that the DEC was measuring the water quality in Ganet Creek, which we didn't know about until they designated it as unsatisfactory about a month ago. And then to measure it, once we have a baseline, to measure it on an ongoing periodic basis as well, to be able to track improvements. And as well, to be able to define the types of pollutants

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1 that are prevalent and their primary
2 causes so that we can put the right
3 actions behind that. And then obviously,
4 have actions to address the causes of
5 those pollutants and be able to raise the
6 community awareness on the importance of
7 water quality initiatives.
8

9 And so we do have a draft list
10 of -- quite a long draft list of action
11 plans that we think makes sense, but we
12 really want to get kind of this overall
13 assessment from an expert, an expert
14 consultant in this area to make sure that
15 we are doing the right thing. So, to that
16 end, we have interviewed two companies so
17 far that might do this assessment with us.
18 We are in the process of trying to
19 schedule with a third. We are gonna put
20 together an RFP to send out to these
21 companies. Two of them are ones that
22 Chris Remkus knew of, and, in fact, we
23 reached out to Billy and he recommended
24 them as well, so that was good validation
25 that we were speaking to the right people.

We've also had -- we've been working with Mary Ann Eddy from Sag Harbor who is the chair of the Harbor Committee, and she's also been -- she's been heading up the Sag Harbor water quality initiatives. And through Mary Ann, we've had a meeting with Chris Gobler, who has been doing the water quality testing for Sag Harbor. And so we have talked to Chris Gobler about potentially doing the water quality testing for us here in North Haven. So we have given Chris Go- -- and Chris Gobler is the Ph.D. of Stony Brook School of Marine and Atmospheric Sciences. And so we've given him a list of five potential spots in North Haven that we might like to do water quality testing, and we're awaiting a cost for that back from him, we haven't received that yet, to see how much that might cost us.

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2 because, you know, we've been working with
3 CPF historically to preserve land, but CPF
4 also has funds to pay for water
5 initiatives.

6 So that was a very informative
7 meeting because, in fact, yes, CPF
8 funds -- we've got a good chance of being
9 able to pay for water quality testing with
10 CPF funds, to pay for this assessment that
11 we're thinking of doing with CPF funds,
12 and then other initiatives. So, in fact,
13 he talked to me about drainage work that
14 might need to be done in the Village. CPF
15 funds could pay for that. And, in fact,
16 one of the things that came up, I think it
17 might have been our last Board meeting or
18 maybe the one before --

19 MR. FIORE: The East Hampton one?

20 MS. DIAT: Sorry?

21 MR. FIORE: The East Hampton Water
22 Treatment that he wanted to use CPF funds,
23 or Peter Van Scoyoc? That's a few
24 meetings ago. But remember that letter
25 that he was asking for our support? And

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he wanted to use CPF funds for that. So I wasn't aware that CPF funds had that kind of latitude.

MS. DIAT: It does, yeah.

MR. FIORE: It always has?

MS. SKILBRED: No. Not always, no.

MAYOR SANDER: Couple of years ago they passed a rule that specified that, I don't know the percentage, 15 or --

MS. SKILBRED: It was a vote, right?

MAYOR SANDER: -- 30 percent.

MS. TUOHY: I think up to 15 percent, 20 percent.

MAYOR SANDER: Yeah, is allocated for water quality. So it was an amendment to the CPF regulation that was done by Fred Thiele. And the guy in East Hampton was lobbying to increase that.

MS. DIAT: Yeah, that's what we were talking about a few minutes ago.

MAYOR SANDER: Because he wanted to get --

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MR. FIORE: The whole treatment thing.

MS. DIAT: Yeah. But one of the things that we had, had come up in our meetings, I think it was last month or the month before, was if there's drainage work that needs to be done on private roads and private associations, in fact, the private associations can apply for CPF funds for that drainage work. So that is some- -- so as it pertains to water runoff that might be going into the bays, which will be undoubtedly an action plan that we will want to pursue with this water quality committee, that's something that we can pass along and educate the private associations if they've got drainage work that needs to be done that they might have to pay for in, you know, in a private association. So that was encouraging, as well. And, you know, there were a few other things that he shared.

So, and, you know, North Haven, I don't think, has ever made an application

NORTH HAVEN BOARD OF TRUSTEES - 6/22/2022

1
2 to CPF for water quality funds, so that
3 was -- and I shared some of this with
4 Eileen. I mean, you know, if there's
5 drainage work on public roads --

6 MR. FIORE: Right.

7 MS. DIAT: -- you know, that we
8 can't get funding for through other
9 sources, we can apply for CPF funds.

10 There's a window of opportunity to
11 apply for this. The deadline is in April,
12 so the next window will be April of 2023.
13 So some of this work, if we bring it
14 forward to the Board for approval, we may
15 need to decide to approve it and then hope
16 that we will get reimbursed for it on a
17 post basis. So that might be a decision
18 we will have to grapple with or decide to
19 make. But Tommy John was quite confident
20 that we could be reimbursed for it by CPF
21 funds, so.

22 MAYOR SANDER: The vast majority
23 of the funds are allocated for CPF for
24 water quality were done to assist the
25 installation of I/A systems.

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MR. FIORE: Yeah.

MS. DIAT: Yeah, for individual
homeowners.

MR. FIORE: Right.

MS. DIAT: Right, yeah. And we
are gonna -- we have a meeting scheduled
with the Peconic Estuary Partnership on
Friday this week to see how we might
partner with them on some of the work we
want to do.

So we've actually gotten off to a
good, fast start. I would say we're still
in sort of the fact-finding stage on who
are the right experts out there to work
with to make sure we go in the right
direction. But I think that, I think that
we're -- we've got a good start and our
head in the right direction. Would you
add some more, Jeff?

MAYOR SANDER: No. I think you
covered it pretty well.

MS. DIAT: Yeah.

MAYOR SANDER: All right.

MS. TUOHY: Just one other thing.

1 **NORTH HAVEN BOARD OF TRUSTEES - 6/22/2022**

2 Terie e-mailed me late and I'd already
3 changed the agenda. I just wanted to give
4 an update on Code Enforcement.

5 MAYOR SANDER: Oh, yeah. I'm glad
6 you mentioned that.

7 MS. TUOHY: We did interview two
8 people, one gentleman from East Hampton
9 and a retired police officer from the
10 Village of East Hampton who lives in Sag
11 Harbor. The latter was very interested in
12 the job. We liked -- Jeff, Chris and
13 myself interviewed him and he was all
14 gung-ho and he just wanted to -- I wasn't
15 aware that he retired on a disability and
16 working in this job was similar to his
17 prior job and it could have been a
18 conflict where he could have lost where he
19 could have lost his disability, so he had
20 to withdraw his name from it.

21 MAYOR SANDER: Yeah, I knew he
22 withdrew it. I didn't know it was that --
23 that was the reason.

24 MS. TUOHY: Right.

25 MAYOR SANDER: I thought maybe his

1 **NORTH HAVEN BOARD OF TRUSTEES - 6/22/2022**

2 interests changed, but --

3 MS. TUOHY: No, no, no. He was
4 kind of up -- he actually wanted the job.
5 He was very interested in getting the job.

6 So I did get a name of another
7 gentleman which I'll reach out to
8 tomorrow. I think he's in another
9 situation where he's another either
10 retired fire marshal or retired police
11 officer.

12 MAYOR SANDER: Okay.

13 MS. DIAT: Okay, good.

14 MR. FIORE: Local?

15 MS. TUOHY: Noyack.

16 MR. FIORE: Okay, good.

17 MS. DIAT: Great.

18 MAYOR SANDER: All right. So we
19 have a bunch of resolutions. The first
20 one is the MS-4.

21 MR. FIORE: Wait a minute. We did
22 want to talk about noise, right, before we
23 go into resolutions?

24 MAYOR SANDER: Okay.

25 MR. FIORE: There was just two

NORTH HAVEN BOARD OF TRUSTEES - 6/22/2022

things I want to talk about.

Dianne and I met Rosemary Caruso and her husband. They live in North Haven Point. So this is really a North Haven Point Homeowners' Association problem, but it's the -- you know what this is. It's the dirt bikes that Mr. Borghi has allowed his kids to use on these trails that he's created on his property on Seaponack, okay.

The HOA has given him, I believe, three letters and three fines. And he's a particularly tough dude because he writes big expletives, "F you," blah, blah, blah, and sends it back. So he clearly has no intention of listening to the homeowners' association's rules.

So it's kind of important for us to update this Code so that we include those dirt bikes and the noise created by those dirt bikes. There may also be a DEC problem because, depending on where he's built these paths, the word is that he's encroached on wetlands. I don't know

NORTH HAVEN BOARD OF TRUSTEES - 6/22/2022

1 about that. That's not my -- that's not
2 my concern right now. My concern is
3 wording this, our Noise Code, so that we
4 can create a Code Enforcement situation so
5 that North Haven Point can call into
6 Southampton Town CE, can start giving him
7 a notice of violation, and then eventually
8 it could get him involved in a court
9 action if that's -- if he doesn't
10 remediate the situation. So this is part
11 one of two.

12 And then I would propose, and this
13 is my question to you, if we were to pass
14 this and update the Code and revise the
15 Code in the July meeting, you would need
16 to publish this paragraph, correct?

17 MS. TUOHY: We'd have to have a
18 resolution tonight stating that -- you
19 have to introduce it, the final draft. So
20 I don't think we could do it until the
21 August meeting.

22 MR. FIORE: Could we do the
23 resolution at the work session?

24 MS. TUOHY: If you have it final-

NORTH HAVEN BOARD OF TRUSTEES - 6/22/2022

--

MR. FIORE: This is just --

MS. TUOHY: It has to be --

MR. FIORE: -- the addition of a couple of words.

MS. TUOHY: It could be introduced at the work session. Then you would give me the authority to publish for the July meeting.

MR. FIORE: The July 19th meeting.

MS. TUOHY: And then we -- yeah. Yeah, I think the dates will all work.

MR. FIORE: Does any -- I mean, I wouldn't think anybody has any objections to how long dirt bikes are on neighbors' property?

MR. ABRAHAM: No.

MR. FIORE: Okay.

MAYOR SANDER: You bring up a good point and I think, you know, you should -- maybe you've already talked to Scott.

MR. FIORE: I did, yeah.

MAYOR SANDER: Yeah, 'cause it needs to be enforceable.

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MS. TUOHY: No.

MR. FIORE: Yes. No? We can't do that?

MS. TUOHY: I would have to have the legal notice into the paper on July 4th. I don't even know if they're accepting legal notices for July 4th.

MR. BOODY: There might be early deadlines.

MS. TUOHY: Might have to be the weekend earlier deadline.

MR. BOODY: Early deadline's the Friday before.

MS. TUOHY: It might be a early deadline the Friday before.

MR. FIORE: What's the 4th, Monday?

MS. TUOHY: Yeah. And that's -- 12 noon is the deadline for legal notices on Monday.

MR. BOODY: And because of the holiday, it'll probably be Friday.

MS. TUOHY: Right.

MR. BUTTS: Didn't notice the

1 **NORTH HAVEN BOARD OF TRUSTEES - 6/22/2022**

2 basketball hoop?

3 MR. FIORE: Jeff Peters took the
4 basketball hoop and he was the receiver
5 of -- I would be exaggerating if I said
6 the death threats, but he was a victim of
7 Mr. Borghi's expletives and --

8 MR. BUTTS: Oh, that's fine.
9 That's why I thought he took it away.

10 MR. FIORE: No, no, no, he didn't
11 take it away. The homeowners' association
12 asked Jeff to take it away.

13 MR. BUTTS: That's fine.

14 MS. TUOHY: Unfortunate, but your
15 question is, unfortunately, the dates
16 don't work.

17 MR. FIORE: Okay. So how would
18 we --

19 MS. TUOHY: Well, we would have
20 to --

21 MR. FIORE: Well, here's the only
22 change I want to make to our existing
23 Code. Our existing Code says the
24 operation of snowmobiles, dune buggies,
25 motorcycles, okay. I would take out

NORTH HAVEN BOARD OF TRUSTEES - 6/22/2022

1 "motorcycles" and replace it with "dirt
2 bikes," and other gasoline-operated
3 vehicles and other loud and destructive
4 recreational vehicles -- that's exactly
5 how he said -- for the purpose of activity
6 anywhere within the Village. So the only
7 thing I'm adding is I'm taking out
8 "motorcycles" and putting in "dirt bikes,"
9 because we can't ban motorcycles.
10

11 So if we could approve that, then
12 I could get you that language so that you
13 could do it by the 1st of July instead
14 of --

15 MS. TUOHY: They would -- all
16 right, so we would need a resolution
17 tonight to authorize me to publish that.

18 MR. FIORE: If you're okay with
19 it?

20 MR. ABRAHAM: I'm good with that.

21 MS. DIAT: Yeah.

22 MAYOR SANDER: As long as, you
23 know, Scott feels that, you know, it's
24 pretty well -- it's enforceable.

25 MR. FIORE: Well, it's really the

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HOA's decision on how they're gonna
enforce it. They have to Code enforce it.

MAYOR SANDER: No, it's our
responsibility. So the Village Code
Enforcement would issue a violation and a
court appearance request --

MR. FIORE: Right.

MAYOR SANDER: -- and a potential
fine. They would have to show up at court
and there would have to be --

MR. FIORE: Right.

MAYOR SANDER: -- sufficient
evidence to the judge that shows that he,
in fact, violated it.

MR. FIORE: Well, I have a video
of his kids on his dirt bike riding --

MAYOR SANDER: So this guy can
walk in and say, well, it's not a dirt
bike, all right, it's a --

MR. ABRAHAM: It's a question of
the definition, really.

MAYOR SANDER: Yeah. I mean, is a
dirt bike -- pretty well defined what a
dirt bike --

1 **NORTH HAVEN BOARD OF TRUSTEES - 6/22/2022**

2 MR. FIORE: Well, it says
3 excessively loud, gas-powered recreational
4 vehicles.

5 MAYOR SANDER: All right. And he
6 says it's not loud.

7 MR. FIORE: And he said it was
8 okay.

9 MR. ABRAHAM: But that also
10 requires a definition, right, like, it's
11 15 feet, it needs to be more than --

12 MAYOR SANDER: But this guy's
13 obviously gonna fight it and if he walks
14 in --

15 MR. FIORE: Well, he's gonna fight
16 it with Eddie Burke, Jr. and Eddie Burke
17 could have a calming effect on the
18 resident, I'm told.

19 MAYOR SANDER: All right. Yeah, I
20 have no problem. I think we should
21 introduce it. And if we find out when the
22 guy goes to court, it's not strong enough,
23 maybe we need to modify it down the road.

24 MR. FIORE: Well, now part two of
25 this is, here is, if you take one and pass

NORTH HAVEN BOARD OF TRUSTEES - 6/22/2022

1 it along, this is Port Jefferson, the
2 Village of Port Jefferson's noise code.
3 They don't talk about dirt bikes or
4 snowmobiles or gas-powered leaf blowers.
5 They talk about -- and, of course, they
6 have a big commercial district. So you
7 would have to look through this. But
8 please just look through it before the
9 next couple of meetings because one of the
10 things Scott and I talked about is maybe
11 we revise our Noise Code to talk about
12 decibel levels as they do. And they limit
13 the amount of decibels that you can exceed
14 or not exceed at certain times of the year
15 and certain times of the day. So it's an
16 all-encompassing noise code. And if you
17 forgot snowmobiles, you don't have to go
18 back and revise the code to say, oops,
19 because Mr. Borghi now bought a
20 snowmobile.
21

22 MS. TUOHY: It goes by the noise
23 level.

24 MR. FIORE: It goes by the noise
25 level. And the CE would have, of course,

1 **NORTH HAVEN BOARD OF TRUSTEES - 6/22/2022**

2 a decibel reader, and probably so would
3 every homeowner association go out and buy
4 a decibel reader to keep peace in the
5 homeowners. So I would just ask you to
6 read it and see if you want to maybe just
7 revise ours and reset --

8 MR. ABRAHAM: It would be easy for
9 us to enforce if we don't have to define
10 the actual --

11 MR. FIORE: If we don't have to
12 define the actual machine.

13 MR. ABRAHAM: But we actually say,
14 you know, we don't have to list --

15 MAYOR SANDER: But which one do
16 you want to go with?

17 MR. FIORE: I want to go with the
18 change of the word in our Code right now.

19 MAYOR SANDER: So we can have a
20 public hearing in July.

21 MR. FIORE: But I'd love you to
22 read the Port Jefferson Code because maybe
23 we go to that kind of a --

24 MAYOR SANDER: But that's not
25 gonna help for July or --

1 **NORTH HAVEN BOARD OF TRUSTEES - 6/22/2022**

2 MR. FIORE: It's not gonna help
3 for July. It's gonna be months.

4 MAYOR SANDER: So this will be --
5 so you want a resolution tonight that says
6 we agree to modify the Noise Code --

7 MR. FIORE: Yes.

8 MAYOR SANDER: -- to include --

9 MR. FIORE: Yes.

10 MAYOR SANDER: -- to remove
11 "motorcycles" and include "dirk bikes".
12 Is that essentially what the change is?

13 MR. FIORE: Yes.

14 MS. TUOHY: So I just have a
15 resolution right now. It says, Motion to
16 authorize Clerk/Treasurer to advertise for
17 a Public Hearing to amend the Village
18 Noise Code, Chapter 112-2. And then we'll
19 just leave it at that.

20 MR. FIORE: That's fine.

21 MS. TUOHY: And then we can use
22 the wording that --

23 MR. FIORE: I'll give you this
24 Friday.

25 MS. TUOHY: So then I just need --

1 **NORTH HAVEN BOARD OF TRUSTEES - 6/22/2022**

2 who's gonna give me a motion?

3 MS. SKILBRED: I'll make that
4 motion.

5 MS. TUOHY: Okay. Dianne. And
6 second?

7 MAYOR SANDER: I'll second.

8 MS. TUOHY: Okay.

9 MR. FIORE: Thank you.

10 MAYOR SANDER: Okay? All right,
11 good. So then we can have a public
12 hearing on that in July and then we can
13 give the guy -- but I think in the future
14 you're gonna need to have something like
15 this, because he'll go into court and say
16 it's not too loud.

17 MR. FIORE: Oh, I know. Well,
18 he's a very litigious guy.

19 MAYOR SANDER: You have to define
20 what "loud" is and you have to be
21 measurable.

22 MR. FIORE: That's why I like the
23 Port Jefferson code.

24 MR. BUTTS: You're talking about
25 The Manor. I mean --

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MR. FIORE: No. The Point.

MR. BUTTS: The Point.

MAYOR SANDER: Yeah. I mean, so you think it's loud. I don't think it's loud. What's loud?

MR. ABRAHAM: You have to define it.

MAYOR SANDER: You have to define it.

MR. BUTTS: (Inaudible) somebody who really, we don't have to worry about because they take care of their own. They have security.

MS. TUOHY: Yeah, but they have an issue.

MAYOR SANDER: Yeah, but the only way The Manor -- The Manor's issued violations and fines and they can't give them a court appearance requirement.

MR. FIORE: No.

MAYOR SANDER: They don't have the power to do that. What they can do is put a lien on his --

MR. BUTTS: Exactly.

1 **NORTH HAVEN BOARD OF TRUSTEES - 6/22/2022**

2 MAYOR SANDER: -- house, right,
3 with a \$1,000 fine, which he can also
4 ignore.

5 MR. FIORE: Then he violates it.
6 But if we do cover that, it opens the door
7 for the Code Enforcement and the court
8 action.

9 MAYOR SANDER: Well, it opens the
10 door for a court appearance and a --

11 MR. FIORE: Right. And a court
12 action, right.

13 MAYOR SANDER: Like issuing a
14 ticket to a speeder.

15 MR. ABRAHAM: But I think a better
16 definition down the road of, like --
17 because tomorrow some manufacturer comes
18 up with a device that doesn't cover it all
19 but is somehow allowed.

20 MAYOR SANDER: It has to be
21 measurable. He'll say it's not loud, I
22 don't think it's loud.

23 MR. ABRAHAM: And I think we cover
24 that all by defining just decibel level in
25 there.

1 **NORTH HAVEN BOARD OF TRUSTEES - 6/22/2022**

2 MAYOR SANDER: And he'll bring in
3 five friends and say, "Do you think it's
4 loud," "No, I don't think it's loud."

5 MS. SKILBRED: That's why Chris
6 wants us to read the Port Jefferson one.

7 MAYOR SANDER: All right.

8 MR. FIORE: Okay, so we can go to
9 resolutions.

10 MS. TUOHY: Just so you know,
11 there's only the one resolution to approve
12 the MS-4 Report. The other two are being
13 held over.

14 MAYOR SANDER: Whereas, our
15 Stormwater Management Consultant, The
16 Raynor Group, has completed our 2022 MS-4
17 Compliance Certificate and his report is
18 available at Village Hall, now

19 Therefore Be it Resolved, that the
20 Mayor has signed the report and it was
21 forwarded to the State of New York for
22 filing.

23 Do I have a second?

24 MS. SKILBRED: I'll second.

25 MAYOR SANDER: All those in favor?

1 **NORTH HAVEN BOARD OF TRUSTEES - 6/22/2022**

2 ALL BOARD MEMBERS: Aye.

3 MAYOR SANDER: And that's the only
4 one we need to do.

5 MS. TUOHY: Yup.

6 MAYOR SANDER: Now, did they
7 remove this mass gathering thing?

8 MS. TUOHY: Yes. They removed the
9 mass gathering. There was a death in the
10 family.

11 MAYOR SANDER: Okay.

12 MS. TUOHY: So they removed the
13 mass gathering.

14 MAYOR SANDER: All right. So any
15 other items? Any public participation?

16 MS. TUOHY: The only thing I'm
17 just gonna state is that the next work
18 session and reorganizational meeting, it's
19 gonna be a combined meeting, will be July
20 5th at 10:00 a.m. here at Village Hall.

21 MAYOR SANDER: Right.

22 MS. TUOHY: And then the next
23 Board of Trustees meeting is Tuesday, July
24 19th at 5:00.

25 MR. FIORE: Can I just ask --

1 **NORTH HAVEN BOARD OF TRUSTEES - 6/22/2022**

2 MS. TUOHY: And that will be both
3 in person and --

4 MR. FIORE: Yeah. May I ask, when
5 is the August Board of Trustees meeting?

6 MS. TUOHY: That will be the 16th.
7 All right. So Chris is asking if
8 we can reschedule the August meeting.

9 MS. SKILBRED: What is it? When
10 is it?

11 MS. TUOHY: Right now it's
12 scheduled for the Tuesday, the 16th, but
13 we have a work session scheduled for the
14 23rd.

15 MR. ABRAHAM: I can't do before,
16 but I can do after.

17 MS. TUOHY: Okay. So can you
18 do -- we can't do the 9th 'cause that's a
19 ZBA meeting.

20 MR. FIORE: No, I was gonna
21 suggest the 23rd.

22 MS. TUOHY: The 23rd, which Claas
23 can't do.

24 MR. FIORE: Which works for Claas.

25 MR. ABRAHAM: No, I can't do

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the --

MS. TUOHY: Oh, you can do the
23rd?

MR. ABRAHAM: Yeah, the 23rd
works.

MR. FIORE: And then we do the
work session on the 30th.

MS. TUOHY: Is that okay?

MR. FIORE: They're both Tuesdays.

MR. ABRAHAM: Yes.

MR. FIORE: It's okay with me.

MS. TUOHY: So you just move
everything back.

MS. DIAT: I'm fine with that.

MR. ABRAHAM: Yeah.

MS. TUOHY: Okay.

MR. ABRAHAM: Back one week,
right?

MR. FIORE: Thank you very much.

MS. TUOHY: Okay. So the August
regular BOT will be the 23rd and the work
session will be the 30th.

MR. FIORE: Correct.

MS. TUOHY: Okay.

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MAYOR SANDER: I wish the Board
luck and --

MR. FIORE: Thank you.

MAYOR SANDER: -- I'll be enjoying
these nights at home with dinner and a
cocktail.

MS. SKILBRED: Thank you for
everything you've done, Jeff.

MAYOR SANDER: I'll make a motion
to adjourn. Do I have a second?

MR. ABRAHAM: I'll second.

MAYOR SANDER: Claas seconds.

All those in favor?

ALL BOARD MEMBERS: Aye.

(End of Provided Recording)

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ERRATA SHEET FOR THE TRANSCRIPT OF:
Hearing Name: North Haven Board of Trustees
Hearing Date: June 22, 2022

CORRECTIONS					
PG	LN	NOW READS	SHOULD READ	REASON FOR	
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Date Signature

Subscribed and sworn to
before me this ____ day
of _____, 2022

Notary Public

1
2 I, Agata Davis, certify that the
3 foregoing transcript of Proceedings of the
4 Board of Trustees of the Village of North
5 Haven, held on June 22, 2022, was prepared
6 using the required electronic transcription
7 equipment and is a true and accurate record of
8 the Proceedings.

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11 Agata Davis
12 Agata Davis
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