

**VILLAGE OF MANORHAVEN
BOARD OF TRUSTEES - REGULAR MEETING
NOVEMBER 19, 2015 - 7:30 pm**

Pledge of Allegiance:

The Mayor asked everyone to rise and invited Ken Kraft to lead in the Pledge of Allegiance.

Call to Order:

The meeting was called to order at 7:30 p.m.

Roll Call:

Mayor Giovanna Giunta
Trustee James Avena
Trustee Rita Di Lucia
Trustee Kevin Gately
Trustee Priscilla von Roeschlaub
James E. Toner
Sharon Natalie Abramski

There were approximately 35+ members of the public in attendance.

APPROVALS:

Board Minutes - October 22, 2015:

Trustee Di Lucia made a Motion to accept the minutes; Trustee von Roeschlaub seconded the Motion.

The Board was polled as follows:

Mayor Giovanna Giunta	Aye
Trustee James Avena	Aye
Trustee Rita Di Lucia	Aye
Trustee Kevin Gately	Abstained
Trustee Priscilla von Roeschlaub	Aye

Department Reports:

Mayor Giunta made a Motion to accept the Department Reports (*Clerk, Justice Court, DPW, Pump Station, Building Department, Police Department*); Trustee von Roeschlaub seconded the Motion.

The Board was polled as follows:

Mayor Giovanna Giunta	Aye
Trustee James Avena	Aye
Trustee Rita Di Lucia	Aye
Trustee Kevin Gately	Aye
Trustee Priscilla von Roeschlaub	Aye

Abstract of Claims: (October 23rd - November 19th)

Mayor Giunta made a Motion to accept the Abstract of Claims; Trustee von Roeschlaub seconded the Motion.

The Board was polled as follows:

Mayor Giovanna Giunta	Aye
Trustee James Avena	Aye
Trustee Rita Di Lucia	Aye

Trustee Kevin Gately Aye
Trustee Priscilla von Roeschlaub Aye

Resolutions:

1. RESOLUTION #71 - NOVEMBER 19, 2015 - A RESOLUTION AUTHORIZING AND APPROVING THE SETTLEMENT OF DEJANA vs. VILLAGE OF MANORHAVEN, AND DIRECTING THE VILLAGE CLERK-TREASURER TO PAY THE VILLAGE'S CONTRIBUTION THEREOF

Trustee Rita Di Lucia offered the following resolution and moved its adoption, seconded by Trustee Priscilla von Roeschlaub, which resolution was declared adopted after a poll of the members of this Board.

WHEREAS, the Board of Trustees wishes to limit the exposure to the Village, on a pending lawsuit against the Village, Dejana vs. Village of Manorhaven, NYPF21209.

WHEREAS, outside counsel Bee, Ready, Fishbein, Hatter & Donovan has advised and recommend a settlement in the sum of \$250,000.

WHEREAS, Board of Trustees and Village Attorney have been completely apprised of the terms and conditions of the settlement.

WHEREAS, the Board of Trustees acknowledges that settlement of the lawsuit will end all claims against the Village and terminate the court action against it.

WHEREAS: the Insurance Carrier, for the Village, Glatfelter Claims Management has agreed to pay a total of \$200,000 toward the total amount of settlement.

WHEREAS: The Board of Trustees acknowledges that Village's portion of the settlement is \$50,000.

WHEREAS: The Board of Trustees believes the settlement is in the best interest of the village and that the immediate settlement of the aforementioned lawsuit is necessary to protect the village from a potential excessive verdict, it is therefore,

RESOLVED that the Board of Trustees here now authorizes the law firm of Bee, Ready, Fishbein, Hatter & Donovan to settle the aforementioned lawsuit for the sum of \$250,000, and

IT IS FURTHER RESOLVED, that the Mayor is hereby authorized to sign any and all documents presented by Bee, Ready, Fishbein, Hatter & Donovan and reviewed by the Village Attorney necessary for the immediate settlement of the suit.

IT IS FURTHER RESOLVED, that Village Clerk-Treasurer, after conferring with Village Attorney and receiving written authorization for the same, be immediately authorized and directed to pay the amount set forth above upon receipt of properly executed and certified claim therefore.

The Board was polled as follows:

Mayor Giovanna Giunta Aye
Trustee James Avena Recused
Trustee Rita Di Lucia Aye
Trustee Kevin Gately Aye
Trustee Priscilla von Roeschlaub Aye

2. RESOLUTION #72 - NOVEMBER 19, 2015 - RESOLUTION AUTHORIZING TREE REMOVAL

Mayor Giovanna Giunta offered the following resolution and moved its adoption, seconded by Trustee Kevin Gately, which resolution was declared adopted after a poll of the members of this Board.

BE IT RESOLVED THAT upon the recommendation of the Board of Trustees, and consistent with the standards set forth in section 143-4 (C) of the Code of the Inc. Village of Manorhaven, permission be and hereby is granted to the following for removal of a tree or trees,

<u>Applicant</u>	<u>Address</u>	<u>Quantity</u>	
Ronald De Meo	28 Pequot Ave.	4 trees	; and

BE IT FURTHER RESOLVED THAT the permit fees to be charged to the property owner, shall be as set forth in section 143-6 of the Code; and

THEREFORE IT IS RESOLVED THAT the provisions of this Resolution shall take effect immediately.

The Board was polled as follows:

Mayor Giovanna Giunta	Aye
Trustee James Avena	Aye
Trustee Rita Di Lucia	Aye
Trustee Kevin Gately	Aye
Trustee Priscilla von Roeschlaub	Aye

3. RESOLUTION #73 - NOVEMBER 19, 2015 - RESOLUTION AUTHORIZING THE VILLAGE CLERK TO ADVERTISE FOR A FULL-TIME BUILDING SUPERINTENDENT

Mayor Giovanna Giunta offered the following resolution and moved its adoption, seconded by Trustee Priscilla von Roeschlaub, which resolution was declared adopted after a poll of the members of this Board:

BE IT RESOLVED THAT the Village of Manorhaven is seeking a full-time Building Superintendent; and

BE IT FURTHER RESOLVED THAT this position is an exempt Civil Service position; and

BE IT FURTHER RESOLVED THAT the Board of Trustees hereby authorizes the Clerk to proceed in advertising this open position on the Village web-site, in newspapers, and on-line; and

THEREFORE BE IT RESOLVED THAT the provisions of this resolution shall take effect immediately.

The Board was polled as follows:

Mayor Giunta	Aye
Trustee Avena	Aye
Trustee Di Lucia	Aye
Trustee Gately	Aye
Trustee von Roeschlaub	Aye

4. BOARD OF TRUSTEES – INC. VILLAGE OF MANORHAVEN- RESOLUTION #74 - NOVEMBER 19, 2015 A RESOLUTION TO AWARD A BID FOR WATER JETTING THE SEWER SYSTEM

Trustee Kevin Gately offered the following resolution and moved its adoption, seconded by Trustee Rita Di Lucia, which resolution was declared adopted after a poll of the members of this Board:

BE IT RESOLVED, the Village of Manorhaven maintains its own pump station and sewer pipes throughout The Village; and

BE IT FURTHER RESOLVED THAT proper maintenance of the system is of utmost importance; and

BE IT FURTHER RESOLVED THAT the Village has been advised by experts in the field that the entire sewer system should be water jetted every six months; and

THEREFORE BE IT RESOLVED THAT the Board of Trustees hereby awards the lowest qualified bid to water jet the sewer pipes for proper maintenance to Port Plumbing; and

THEREFORE BE IT FURTHER RESOLVED THAT the provisions of this resolution shall take effect immediately.

The Board was polled as follows:

Mayor Giunta	Aye
Trustee Avena	Aye
Trustee Di Lucia	Aye
Trustee Gately	Aye
Trustee von Roeschlaub	Aye

5. BOARD OF TRUSTEES – INC. VILLAGE OF MANORHAVEN - RESOLUTION #75 - NOVEMBER 19, 2015
A RESOLUTION AUTHORIZING THE EMPLOYMENT, APPOINTMENT, ADJUSTMENT, CORRECTION, CHANGE IN GRADE OR SALARY AND/OR TERMINATION OF EMPLOYEES OF THE VILLAGE

Trustee Rita Di Lucia offered the following resolution and moved its adoption, seconded by Trustee Kevin Gately, which resolution was declared adopted after a poll of the members of this Board:

BE IT RESOLVED THAT the approval of The Board of Trustees has been requested for the employment, appointment, adjustment correction or change in grade in salary and/or termination of certain individuals, employees of The Village; and

THEREFORE BE IT RESOLVED THAT the following employments, appointments, adjustments, corrections, changes in grade or salary, and/or terminations are hereby adopted and approved pending completion of paperwork and Civil Service approval as necessary:

3% salary increase for the Justice Court Clerk, The Village Clerk-Treasurer, and The Village Deputy Clerk-Treasurer;

4% salary increase for the Village Code Enforcer;

The Board was polled as follows:

Mayor Giovanna Giunta	Aye
Trustee James Avena	Aye
Trustee Rita Di Lucia	Aye
Trustee Kevin Gately	Aye
Trustee Priscilla von Roeschlaub	Aye

6. RESOLUTION #76 - NOVEMBER 19, 2015 - A RESOLUTION AUTHORIZING SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE PORT WASHINGTON FIRE DEPARTMENT BUDGET

Trustee Rita Di Lucia offered the following resolution and moved its adoption, seconded by Trustee Kevin Gately which resolution was declared adopted after a poll of the members of this Board:

BE IT RESOLVED THAT the Village Board, as legislative body of the Village of Manorhaven is empowered to approve the budget for the Port Washington Fire Department; and

BE IT FURTHER RESOLVED THAT the budget of the Port Washington Fire Department has been presented to the members of the Board of The Village of Manorhaven; and

BE IT FURTHER RESOLVED THAT a public hearing be held by this Board on the 17th day of December, 2015, at 7:00 pm in the Village Board Room, Village Hall, 33 Manorhaven Blvd., Port Washington, New York, for the purpose of considering the adoption of the 2016 Fire Department Budget.

THEREFORE BE IT RESOLVED THAT that the Village Clerk be and hereby is authorized and directed to publish a notice of said hearing, as required by law, which notice shall be in substantially the following form:

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Village Board of Manorhaven at Village Hall, 33 Manorhaven Blvd, Port Washington, New York on the 17th day of December, 2015 at 7:00 p.m. to consider the adoption of the 2016 Port Washington Fire Department Budget.

PLEASE TAKE FURTHER NOTICE that all persons shall have an opportunity to be heard concerning said budget at the time and place advertised.

PLEASE TAKE FURTHER NOTICE that the full text of the proposed budget will be on file in the Office of the Village Clerk prior to said hearing and may be examined during regular business hours.

The Board was polled as follows:

Mayor Giovanna Giunta	Aye
Trustee James Avena	Aye
Trustee Rita Di Lucia	Aye
Trustee Kevin Gately	Aye
Trustee Priscilla von Roeschlaub	Aye

7. RESOLUTION #77 - NOVEMBER 19, 2015 - A RESOLUTION AUTHORIZING THE ADJUSTMENT, CORRECTION, CHANGE IN GRADE, AND/OR SALARY OF EMPLOYEES OF THE VILLAGE

Mayor Giovanna Giunta offered the following resolution and moved its adoption, seconded by Trustee Rita Di Lucia, which resolution was declared adopted after a poll of the members of this Board:

BE IT RESOLVED THAT the approval of The Board of Trustees has been requested for the employment, appointment, adjustment correction or change in grade in salary and/or termination of certain individuals, employees of The Village; and

BE IT FURTHER RESOLVED THAT Village Civil Service employees, Mike Calvanese and Christopher Fay were promised, at the time of their employment that their hourly wages would be increased to \$21 per hours after successfully completing a three month probation period; and

BE IT RESOLVED THAT Mike Calvanese and Christopher Fay commenced their employment with the village on February 2, 2015; and

BE IT RESOLVED THAT Mike Calvanese and Christopher Fay successfully completed their probation period on May 2, 2015; and

BE IT RESOLVED THAT the Board of Trustees recognizes the importance of keeping its promises and representations to prospective employees and values the diligent work of Mike Calvanese and Christopher Fay; and

BE IT FURTHER RESOLVED THAT the hourly rate of pay for Mike Calvanese and Christopher Fay shall be increased to \$21 retroactive to May 1st, 2015; and

THEREFORE BE IT RESOLVED THAT the Village Clerk-Treasurer is hereby authorized to effect necessary changes to the payroll to ensure the above increases; and

THEREFORE IT IS RESOLVED THAT the Village Clerk-Treasurer is hereby authorized to pay Mike Calvanese and Christopher Fay retro-pay in the sum of \$3.50 per hour, for each hour worked, between May 2nd, 2015 and the present and that said sums due and owing shall be paid within fourteen days of this resolution.

The Board was polled as follows:

Mayor Giovanna Giunta	Aye
Trustee James Avena	Aye

Trustee Rita Di Lucia Aye
Trustee Kevin Gately Aye
Trustee Priscilla von Roeschlaub Aye

8. RESOLUTION #78 - NOVEMBER 19, 2015 - A RESOLUTION AUTHORIZING THE VILLAGE CLERK-TREASURER TO ADVERTISE THE POSITION OF PART-TIME BOOK KEEPER

Trustee Rita Di Lucia offered the following resolution and moved its adoption, seconded by Trustee Priscilla von Roeschlaub which resolution was declared adopted after a poll of the members of this Board:

BE IT RESOLVED THAT the position of Part-Time book keeper will be vacated on November 25, 2015; and

BE IT RESOLVED THAT the Board of Trustees recognizes the importance or maintaining orderly and up to date accounting records in the Village; and

THEREFORE IT IS RESOLVED THAT the Village Clerk-Treasurer is hereby authorized to advertise the position of Part-Time bookkeeper with a salary of not more than twenty dollars per hour commensurate with experience.

Trustee Di Lucia made a Motion to accept Resolution Proposal #8 as noted above; Trustee von Roeschlaub seconded the Motion.

The Board was polled as follows:

Mayor Giovanna Giunta Aye
Trustee James Avena Aye
Trustee Rita Di Lucia Aye
Trustee Kevin Gately Aye
Trustee Priscilla von Roeschlaub Aye

Old Business:

Trustee Avena discussed a work session topic regarding assigning commissioners or liaisons to various departments within the Village. Attorney Toner will research whether Trustees may serve in this role. Further discussion will take place at the next work session.

Public Comment:

Mayor Giunta opened the floor to public comments from the assembly in attendance.

Gary Maynard – Introduced information regarding the *Manorhaven Action Committee* (known hereafter as MAC), a non-political organization in Manorhaven which meets monthly to discuss findings and issues within the Village.

Ken Kraft – Distributed a sheet of supposed Code Violations to the Board that were discussed at a recent MAC meeting., and a “Do You Care” sheet for residents to list 5 community concerns. He requested an A to Z list of some of the more common violations. He spoke about top resident concerns including: property conditions, budget & finance, codes & violations, overcrowding (*3 and 8 Cambridge*), environment and waterfront grant opportunities (Long Island Sound Grant.) He recommended a “Tour of Duty” of part-time weekend Code Enforcement patrolling local neighborhoods.

Barbara Ruemenapp – Interested in two part-time Code Enforcer positions. MAC recommends a Trustee as a “point” person. Rita Di Lucia is interested in this position. She is working on comparing local Villages doing the same. It will be discussed further at the next work session. She discussed video-taping of meetings, and mentioned other communities, such as Freeport, Glen Cove & Long Beach who are doing the same.

Bill Aronsohn – Stated that DPW Union Contract – Article I states that the employer has the right to set standards and duties. He met recently with a Union delegate. He said that he was speaking on behalf of the whole DPW, that they do not want James Avena to be the Liaison to their department.

Nick Marra – Requested that a review be done again about past work done on the handicap ramp at Ford Place. He feels they did not complete the job as per contract. He has been contacting Brian at CHIPS telling him that he feels the ramps were never brought up to standard.

Barbara Mallon – Spoke about the Cell Tower Case, its Summary Judgment, and mentioned that discovery of documents began. Attorney Toner will be presenting more information on this matter.

Roy Smithheimer – Requested that resident packets include actual drafts of the resolutions in the future.

Kareem Buckley – Discussed ongoing investigations and overcrowding issues.

Carmine DeMeo – Urged residents to notify the Village of suspected overcrowding.

Gerald Tedeschi – owner of 58 Firwood discussed parking issue in front of his property.

There was an open meeting style discussion which ensued between the Board and assembly regarding parking, parking stickers, and possible commercial parking permits in the Preserve.

The Mayor closed the floor for comments for the evening.

New Business:

A request was made for no parking between 56a and 58 Firwood Road between the two driveways. This will be discussed at the next work session on December 14, 2015 at 7 p.m.

The next Board of Trustees meeting will take place on Thursday, December 17, 2015 at Village Hall at 7:30 p.m.

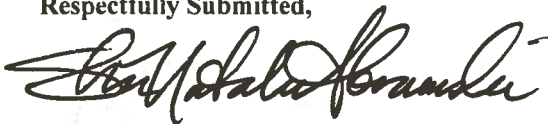
Adjournment:

Mayor Giunta made a Motion to adjourn the meeting; Trustee Gately seconded the Motion at 9:13 p.m.

The Board was polled as follows:

Mayor Giovanna Giunta	Aye
Trustee James Avena	Aye
Trustee Rita Di Lucia	Aye
Trustee Kevin Gately	Aye
Trustee Priscilla von Roeschlaub	Aye

Respectfully Submitted,



Sharon Natalie Abramski
Deputy Clerk-Treasurer
November 20, 2015