

VILLAGE OF MANORHAVEN
MINUTES OF
REGULAR MEETING
OF THE BOARD OF TRUSTEES
November 20, 2008

The regular monthly meeting of the Board of Trustees was held on November 20, 2008. The meeting was called to order at 8:49 PM by Mayor Michael T. Meehan with the following in attendance:

Michael T. Meehan	Mayor
Patrick Brostowin	Deputy Mayor
John DiLeo	Trustee
Rita DiLucia	Trustee
Brendan Fahey	Trustee
Gerard Terry	Village Attorney
Jonathan Fielding	Deputy Village Attorney
Tanya Ford	Village Clerk
Carmela Aiello	Deputy Village Clerk

Mayor Meehan asked everyone present to stand and led the assembly in the Pledge of Allegiance.

Trustee DiLucia offered a motion to approve the minutes of the regular meeting of October 16, 2008, the special meeting of October 27, 2008, and the special meeting of November 7, 2008, seconded by Trustee Fahey.

The Board was polled as follows:

Deputy Mayor Brostowin	Abstain
Trustee John DiLeo	Abstain
Trustee Rita DiLucia	Aye
Trustee Brendan Fahey	Aye
Mayor Michael T. Meehan	Aye

Trustee Fahey offered a motion to approve the claims, seconded by Trustee DiLucia, provided two claims were held and stricken from the abstract: the claim of Freudenthal & Elkowitz and the LIPA claim for the Garage. The Board was polled as follows:

Deputy Mayor Brostowin	Abstain
Trustee John DiLeo	Aye
Trustee Rita DiLucia	Aye
Trustee Brendan Fahey	Aye
Mayor Michael T. Meehan	Abstain

Mayor Meehan delivered a statement to the public about the termination of Treasurer Frank Miraglia.

RESOLUTION NO. 100 - November 20, 2008

RESOLUTION ENGAGING A PROFESSIONAL ACCOUNTING FIRM - PAPPAS

Trustee DiLucia offered the following resolution, seconded by Trustee Trustee DiLeo:

BE IT RESOLVED, that upon the recommendation of the Mayor, the firm of Pappas & Company, certified public accountants, be and hereby is engaged as accountants for the Inc. Village of Manorhaven, consistent with a written proposal to the Village dated November 17, 2008; and

BE IT FURTHER RESOLVED, that the Mayor be and hereby is authorized to execute an engagement agreement with said firm of Pappas & Company; not inconsistent with said proposal; and

BE IT FURTHER RESOLVED, that the provisions of this Resolution shall take effect immediately.

Public comment on the resolution was offered by Mr. Klaus Marick, 5 The Bridge, Port Washington, NY 11050; Ms. Francine Mienik, 13 Dunes Lane, Port Washington, NY 11050; and Ms. Carolyn Weber, 49 Ashwood Road, Port Washington, NY 11050.

The Board was polled as follows:

Deputy Mayor Brostowin	Aye
Trustee John DiLeo	Aye
Trustee Rita DiLucia	Aye
Trustee Brendan Fahey	Aye
Mayor Michael T. Meehan	Aye

RESOLUTION NO. 101 - November 20, 2008
A RESOLUTION SCHEDULING A PUBLIC HEARING

Deputy Mayor Brostowin offered the following resolution, seconded by Trustee Fahey:

BE IT RESOLVED, that the Board of Trustees of the Inc. Village of Manorhaven shall conduct a public hearing on Thursday, December 18, 2008, 7:00 pm, at the Village Hall, 33 Manorhaven Boulevard, Port Washington, NY, to consider a certain proposed contract with the Port Washington Fire Department to provide fire protection and emergency services to the Village, for the calendar year commencing January 1, 2009; and

BE IT FURTHER RESOLVED, that the provisions of this Resolution shall take effect immediately.

The Board was polled as follows:

Deputy Mayor Brostowin	Aye
Trustee John DiLeo	Aye
Trustee Rita DiLucia	Aye
Trustee Brendan Fahey	Aye
Mayor Michael T. Meehan	Aye

RESOLUTION NO. 102 - November 20, 2008
A RESOLUTION SCHEDULING A PUBLIC HEARING

Trustee DiLeo offered the following resolution, seconded by Trustee Fahey:

BE IT RESOLVED, that the Board of Trustees of the Inc. Village of Manorhaven shall conduct a public hearing on Thursday, December 18,

2008, 7:30 pm, at the Village Hall, 33 Manorhaven Boulevard, Port Washington, NY, to consider enactment of Introductory Local Law G - 2008, "A Local Law to Amend Chapter 64 of the Code of the Inc. Village of Manorhaven - Fees and Deposits"; and

BE IT FURTHER RESOLVED, that the provisions of this Resolution shall take effect immediately.

The Board was polled as follows:

Deputy Mayor Brostowin	Aye
Trustee John DiLeo	Aye
Trustee Rita DiLucia	Aye
Trustee Brendan Fahey	Aye
Mayor Michael T. Meehan	Aye

RESOLUTION NO. 103 - November 20, 2008
A RESOLUTION AUTHORIZING TREE REMOVAL

Trustee DiLeo offered the following resolution, seconded by Trustee Fahey:

BE IT RESOLVED, that upon the recommendation of Commissioner of Trees Trustee John M. DiLeo, Jr., and consistent with the standards set forth in 143-4(C) of the Code of the Inc. Village of Manorhaven, permission be and hereby is granted to William Collard, having an address at 76 Ashwood Road within the Village, for removal of two (2) trees located at said premises; and

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

BE IT FURTHER RESOLVED, that the provisions of this Resolution shall take effect immediately.

Public comment on the resolution was offered by Ms. Michelle Forgione. Trustee DiLucia suggested that for future applications for tree removal that photographs of the tree in question be taken and presented to the Board.

The Board was polled as follows:

Deputy Mayor Brostowin	Aye
Trustee John DiLeo	Aye
Trustee Rita DiLucia	Aye
Trustee Brendan Fahey	Aye
Mayor Michael T. Meehan	Aye

RESOLUTION NO. 104 - November 20, 2008
A RESOLUTION AUTHORIZING TREE REMOVAL

Trustee DiLeo offered the following resolution, seconded by Trustee Fahey:

BE IT RESOLVED, that upon the recommendation of Commissioner of Trees Trustee John M. DiLeo, Jr., 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 Patricia Amato, having an address at 3 Dunwood Road within the Village, for removal of one (1) tree located at said premises; and

BE IT FURTHER RESOLVED, that the permit fee to be charged to the property owner, as set forth in section 143-6 of the Code, be and hereby is waived; and

BE IT FURTHER RESOLVED, that the provisions of this Resolution shall take effect immediately.

The Board was polled as follows:

Deputy Mayor Brostowin	Aye
Trustee John DiLeo	Aye
Trustee Rita DiLucia	Aye
Trustee Brendan Fahey	Aye
Mayor Michael T. Meehan	Aye

RESOLUTION NO. 105 - November 20, 2008
A RESOLUTION AMENDING AN INDEPENDENT CONTRACTOR AGREEMENT

Trustee Fahey offered the following resolution, seconded by Deputy Mayor Brostowin:

BE IT RESOLVED, that upon the recommendation of the Mayor, the hourly rate of compensation set forth in a certain independent contractor agreement with Karen M. Piga, be and hereby is amended to read "\$20.00/hour", effective November 20, 2008; and

BE IT FURTHER RESOLVED, that the provisions of this Resolution shall take effect immediately.

The Board was polled as follows:

Deputy Mayor Brostowin	Aye
Trustee John DiLeo	Abstain
Trustee Rita DiLucia	Aye
Trustee Brendan Fahey	Aye
Mayor Michael T. Meehan	Aye

The Mayor called the public comment portion of the meeting.

Resident Fran Mienik inquired as to the change in rate of pay for Ms. Piga. The Mayor informed her that Ms. Piga had been paid at a rate of \$15 per hour during her training, and the increase in pay rate was appropriate given the end of her training period. Ms. Mienik also stated that someone should investigate the older maple trees on the

south streets, mentioning that a large limb came down off of a tree on Norwood. Trustee DiLeo observed that there are a lot of silver maple trees in Orchard Beach, including eight landmark trees.

Resident Michelle Forgione made an inquiry about 70 Ashwood Road, mentioning that she had seen the windows boarded up. The Mayor stated that the Village had made a discreet inquiry to the Ressa family regarding the property, but had received no response. Ms. Forgione stated that she was dissatisfied with the appearance of the houses owned by the Ressa family in the area, and she stated her belief that the Resses are trying to use their unwillingness to renovate these poor-condition properties as leverage for the acceptance of their other development projects.

Resident Ressa stated that it had never been his intention to threaten anyone, that anyone can call his office and view or inspect the plans for his developments. Mr. Ressa also promised that the improvement on 60 Ashwood would be demolished and leveled before the end of the year.

Resident Rita, for the Concerned Citizens of Manorhaven commended the Board on retaining Pappas & Company. She brought to the Board's attention that the weekly publication North Shore Today had eliminated Manorhaven from its distribution area. The Mayor stated that the Village would investigate and take appropriate action.

B.Z.A. Chairman Douglas Schlaeffer rose to speak about temporary shoring going on at Sands Point Road, stating that the construction was under the supervision of a professional engineer, that the shoring would be removed after the pouring of the foundation. Chairman Schlaeffer also recounted that former Mayor Pagano had condemned a house up on the hill, and that the homeowner ultimately prevailed over the Village in court, receiving \$500,000. Chairman Schlaeffer reminded the Board that a substantial tree study had been performed in the past at significant expense, and that "the trees of significance and substance are still out there."

Resident Carolyn Weber stated that she had a problem with a tree from an adjacent property leaning onto her house, and that she thought there was a Village ordinance that applied to the situation. The Mayor asked her to write him a letter describing the problem and citing the relevant ordinance, and promised to take appropriate action once he had the letter.

Resident Edie Perez rose to inquire about the maintenance of the pocket parks, dog park, 9-11 park, and gazebo. Ms. Perez also mentioned that there were ongoing problems with litter in Sheets Creek from trespassers "partying" on Village property at night.

Resident Antonella Spinelli rose to address parking issues, stating that people aren't using their driveways, and that the Board should carefully consider changing the alternate side parking rules.

Resident Mary Jane Panullo rose to state that she was elated about Mr. Ressa knocking down the Ashwood house, and she reminded the residents that they need Board approval to remove a tree with a 6" diameter.

Resident Fran Mienik rose to inquire about whether or not new developments would be rental properties.

Resident Tom Panullo rose to inquire about tree replacement, including whether dwarf root stock or fruiting trees were contemplated.

Deputy Mayor Brostowin made a motion to close the public portion and close the meeting at 10:15 PM, seconded by Trustee DiLucia. The Board was polled as follows:

Deputy Mayor Brostowin	Aye
Trustee John DiLeo	Aye
Trustee Rita DiLucia	Aye
Trustee Brendan Fahey	Aye
Mayor Michael T. Meehan	Abstain

Dated: Manorhaven, New York
December 12, 2008

Respectfully submitted,

Jonathan P. Fielding
Village Clerk