

**VILLAGE OF MANORHAVEN
BOARD OF TRUSTEES
REGULAR MEETING
THURSDAY, NOVEMBER 20, 2014 7:30 pm**

The regularly scheduled Board of Trustees meeting was called to order at 7:30 pm by Mayor Giovanna Giunta. The Mayor asked Mr. Richard Carey to lead those assembled in the Pledge of Allegiance. Roll was called with the following in attendance:

Giovanna Giunta, Mayor
Lucretia Steele, Deputy Mayor
Rita DiLucia, Trustee
Kevin Gately, Trustee
Priscilla von Roeschlaub, Trustee
James E. Toner, Village Attorney
Leslie C. Gross, Village Clerk-Treasurer

There were 30 +/- members of the public in attendance.

At the start of the meeting, an award was presented to Eric Zausner and Peter Vita of Nassau County Office of Emergency Management who made a 'Hurricane Safety' presentation to the Village on the second anniversary of Hurricane Sandy. The Mayor commented that she was disappointed at the low turnout for what was such important and worthwhile information. Next, Jason Watkins and Doug White from DMS made a presentation letting the Board know that November 21st is the last day for any applications to be filed with FEMA for municipal damage done during Sandy. Jason and Doug work for a private company which that has a contract with the Town of North Hempstead to file for Sandy reimbursement for the Town. They (DMS) brought outside engineers to tour the Manorhaven Pump Station, noting that there was a lot of rust and they felt that six months or more down the road, much of the pump station that had been compromised will need replacement. Since the deadline is the tomorrow, they filed for areas in The Village that they thought incurred damage: The pump station, underground pipes, the force main, Morgan's Dock, streets and Tom's Point. Jason also noted that he has aerial photos of Morgan's Dock right before and after the storm showing damage. Specifically, he said we lost riprap. Deputy Mayor Steele asked what would happen if we started a project which later was disallowed by FEMA. Jason said that DMS won't let us get into something they don't think is correct. DMS, he said, is a company based in Louisiana, and has 18 years of experience. Jason explained that the Public Assistance (PA) pot of funds is different from the Individual Assistance (IA) which is for individual's property. DRF (Disaster Recovery Fund) has set aside 50 billion dollars to assist municipalities, he said. Deputy Mayor Steele asked how many companies were doing what they do, to which Jason answered "A bunch. A few dozen." Clerk Gross added that if the Village were

to move forward with any applications, we would contract with a company according to our regular procurement policy.” With that, the Board thanked Jason and Doug and let them know that we would be in touch with them in the near future.

The Mayor and the Board of Trustees considered proposed minutes of the meeting held on October 23rd. Trustee Di Lucia noticed that at the last meeting, she made the motion to adjourn and Deputy Mayor Steele made a second to that motion. The correction was noted. Deputy Mayor Steele made a motion to approve the minutes of the October 23rd meeting as corrected, and Trustee von Roeschlaub seconded the motion.

The Board was polled as follows:

Trustee DiLucia	Aye
Trustee Gately	Aye
Trustee von Roeschlaub	Aye
Deputy Mayor Steele	Aye
Mayor Giunta	Aye

The Clerk gave her report, echoing the disappointment that there was low turnout for the programming offered by the Village pointing to the e-mail received today from the Chief of the Port Washington Police to beware of telephone scammers, subject of the seminar the Village held with a representative from the Attorney General’s office. The Clerk mentioned that we have spent much time and energy recovering funds which have been in ‘limbo’: \$25,000 which was owed to the Village since finishing the “Rain Garden Project” which had been completed and filed for by the Village but never followed through by the last legislator at the County. A \$50,000 grant is being signed now to mitigate mold in Village Office walls, purchase new windows and carpet etc. for the Village Hall office space. In addition, we just received notification that \$44,000 was being deposited this week in our account from a FEMA Sandy reimbursement. The Mayor is arranging a seminar on Tax Assessment for Village residents in early January of 2015. The Mayor and Board members considered the department reports, with no extraordinary items of note. Deputy Mayor Steele made a motion to accept the department reports, seconded by Trustee DiLucia.

The Board was polled as follows:

Trustee DiLucia	Aye
Trustee Gately	Aye
Trustee von Roeschlaub	Aye
Deputy Mayor Steele	Aye
Mayor Giunta	Aye

The Mayor and The Board next reviewed and considered the abstract of claims. The abstract was reviewed by all of the Trustees, questions asked and answered by the clerk. Trustee Gately thanked Code Enforcement and the Nassau County Police for being vigilant with their ticketing.

Trustee von Roeschlaub commented that she rarely sees reports of money coming into the Village. The Clerk responded that any grant money is always reported, and that each month a detailed report about Justice Court money is available to all. In addition, it was reported that The Village has collected 95% of the taxes due to the Village this year. The Board was reminded that we send late letters monthly in an attempt to collect overdue taxes. Trustee von Roeschlaub requested to meet with the new accountants. The Mayor said she would reach out to AVZ and invite them to do a presentation, and that any trustees could call the accountants with specific questions.

Mayor Giunta made a motion to accept the abstract of claims, and was seconded by Deputy Mayor Steele.

The Board was polled as follows:

Trustee DiLucia	Aye
Trustee Gately	Aye
Trustee von Roeschlaub	Aye
Deputy Mayor Steele	Aye
Mayor Giunta	Aye

BOARD OF TRUSTEES, INC. VILLAGE OF MANORHAVEN

RESOLUTION #142-2014

Mayor Giunta offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF MANORHAVEN, NEW YORK, ADOPTED NOVEMBER 20, 2014, AUTHORIZING THE PAYMENT OF REAL PROPERTY TAX REFUNDS PURSUANT TO TAX CERTIORARI PROCEEDINGS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$104,442, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$104,442 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF MANORHAVEN, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Manorhaven, in the County of Nassau, New York (herein called the "Village"), is hereby authorized to pay real property tax refunds pursuant to tax certiorari proceedings, consisting of \$23,615 to be paid in the Matters of Peter Dejana v. The Board of Trustees of the Incorporated Village of Manorhaven and the Incorporated Village of Manorhaven (Index No. 13/010187) and Sagamore Properties, LLC, et al. v. The Board of Trustees of the Incorporated Village of Manorhaven and the Incorporated Village of Manorhaven (Index No. 13/011660); and \$80,827 to be paid in the Matter of 7 Sintsink Drive East Corp., et al. v. The Mayor and Board of Trustees of the Incorporated Village of Manorhaven and the Village of Manorhaven (Index No. 13/011849). The aggregate estimated maximum cost thereof is \$104,442 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds of the Village in the principal amount of \$104,442 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$104,442 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance the appropriation made pursuant to this resolution.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued is five (5) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of

the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- +(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Village Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice in substantially the form prescribed by Section 81.00 of the Law in the "*Port Washington News*," a newspaper having general circulation in the Village and hereby designated the official newspaper of said Village for such publication.

The adoption of the foregoing resolution was seconded by Deputy Mayor Steele and duly put to a vote on roll call, which resulted as follows:

AYES: Trustee DiLucia, Trustee Gately, Deputy Mayor Steele,

Mayor Giunta

NOES:

ABSTAIN: Trustee von Roeschlaub

The resolution was declared adopted.

Dated: Manorhaven, New York

November 20, 2014

**BOARD OF TRUSTEES, INC. VILLAGE OF MANORHAVEN
RESOLUTION # -2014**

RESOLUTION AUTHORIZING TREE REMOVAL

The following resolution was offered by Mayor Giunta with a recommendation to vote "nay" as the tree was still live and bearing fruit. The resolution was seconded by Deputy Mayor Steele which resolution was voted down.

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>
Frank Parziale	28 Marwood Road North	1 Cherry Tree

; 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

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

Trustee DiLucia	Nay
Trustee Gately	Nay
Trustee von Roeschlaub	Abstain
Deputy Mayor Steele	Nay
Mayor Giunta	Nay

Dated: Manorhaven, New York
November 20, 2014

The next item on the agenda was to set a date for a public hearing to install a handicap parking sign in front of Dunes Lane as follows:

A RESOLUTION OF THE BOARD OF TRUSTEES, INC. VILLAGE OF MANORHAVEN

RESOLUTION #143 -2014

**RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO AMEND
Chapter 147-52 Schedule XVI OF THE CODE OF THE INC. VILLAGE OF
MANORHAVEN- "HANDICAPPED PARKING"**

The following resolution was offered by Trustee DiLucia and Seconded by Deputy Mayor Steele.

WHEREAS, a recommendation has been made for the adoption of an ordinance affecting Dunes Lane, Manorhaven, New York and,

WHEREAS, The Board of Trustees would like to consider a handicapped parking sign in front of 10 Dunes Lane,

NOW, THEREFORE BE IT RESOLVED that a public hearing be held before the Village Board of Trustees of the Village of Manorhaven on December 11, 2014 at 7:00 in the evening for the purpose of considering the adoption of the following ordinance:

PROPOSAL:

ADOPT: Sect. 147-52 Schedule XVI: Handicapped Parking

Name of Street: Dunes Lane

Side: East

Location: In front of No. 10

RESOLVED that the Village Clerk be and hereby is directed to affect the required publishing and posting of the hearing on December 11, 2014 at 7 o'clock in the evening.

Dated: Manorhaven, New York
November 20, 2014

The vote on the foregoing resolution was recorded as follows:

AYES: Trustee DiLucia, Trustee Gately, Trustee von Roeschlaub, Deputy Mayor Steele,
Mayor Giunta

NAYS:

BOARD OF TRUSTEES, INC. VILLAGE OF MANORHAVEN

RESOLUTION # 144-2014

**RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO ENACT A LOCAL
LAW PERMITTING THE VILLAGE OT SELL TAX LIENS**

The following resolution was offered by Trustee DiLucia with a second by Deputy Mayor Steele.

WHEREAS, The Inc. Village of Manorhaven is responsible for collecting tax dollars; and

WHEREAS, The Inc. Village of Manorhaven depends upon those tax dollars to operate The Village; and

WHEREAS, several properties are behind in paying property taxes; and

THEREFORE, The Inc. Village of Manorhaven is desirous to hold a public hearing to discuss the enactment of a local law to collect taxes due by issuing tax liens, and directing the Village Clerk to post and publish a notice for that hearing on December 11, 2014.

The Board was polled as follows:

Trustee DiLucia	Aye
Trustee Gately	Aye
Trustee von Roeschlaub	Aye
Deputy Mayor Steele	Aye
Mayor Giunta	Aye

Dated: Manorhaven, New York
November 20, 2014

**BOARD OF TRUSTEES, INC. VILLAGE OF MANORHAVEN
RESOLUTION #145-2014**

The following resolution was offered by Trustee Gately, Seconded by Trustee von Roeschlaub:

**RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO AMEND CHAPTER
147-53 XVII A & B ENTITLED
"NO PARKING CERTAIN HOURS OF CERTAIN DAYS"**

WHEREAS, The Village of Manorhaven understands the importance of keeping The Village Clean; and

WHEREAS, The Village of Manorhaven sweeps each street each week during the warm-weather season; and

WHEREAS, The Village of Manorhaven allows only a one-hour window to reach certain streets;

THEREFOR BE IT RESOLVED, that the Village Clerk be and is hereby authorize and directed to publish and post for a public hearing on December 11th to amend the times for cleaning the streets of Manorhaven.

The Board was polled as follows:

Trustee DiLucia	Aye
Trustee Gately	Aye
Trustee von Roeschlaub	Aye
Deputy Mayor Steele	Aye
Mayor Giunta	Aye

Dated: Manorhaven, New York
November 20, 2014

**BOARD OF TRUSTEES, INC. VILLAGE OF MANORHAVEN
RESOLUTION #146-2014**

**RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO AMEND CHAPTER
147-48 XII OF THE CODE OF THE INC. VILLAGE OF MANORHAVEN-
“NO PARKING CERTAIN HOURS”**

The following resolution was offered by Mayor Giunta, Seconded by Trustee DiLucia.

WHEREAS The Village of was put on notice that signs on Sintsink East are confusing; and

WHEREAS a particular sign contradicts another sign on the same pole ;

THEREFORE BE IT RESOLVED that the Village Clerk is hereby authorized to publish and post a for a public hearing on December 11th, 2014 to amend Ch. 147-48 XII of the Village Code to remove a sign on Sintsink East.

WHEREFORE, this RESOLUTION, hereby adopted by unanimous vote November 20, 2014 before a duly constituted meeting of the Board of Trustees, shall be promptly recorded in the Office of the Village Clerk and made part of the public record.

The Board was polled as follows:

Trustee DiLucia	Aye
Trustee Gately	Aye
Trustee von Roeschlaub	Aye
Deputy Mayor Steele	Aye
Mayor Giunta	Aye

Dated: Manorhaven, New York
November 20, 2014

The Mayor asked for a motion to declare the 1986 Ford truck and sander to be surplus and to allow the Village to sell it through Auctions International .

Trustee DiLucia made the motion, followed by a second by Trustee Steele.
The vote was unanimous in favor.

The Village Clerk requested permission of the Board to attend the IIMC Conference in Hartford Connecticut in May, 2015. This was tabled, but will not re-appear, as permission was granted to attend conference/s at the organizational meeting in July, 2014.

NEW BUSINESS

Mayor Giunta made a motion that the Board of Trustees appoint Juan Carlos Barrera as Commissioner of Community Outreach for the Village of Manorhaven. On behalf of the entire Board, the Mayor thanked the previous Commissioner, Mr. Gomez, for his service to the community in this capacity. The motion was seconded by Trustee Steele.

The Board was polled as follows:

Trustee DiLucia	Aye
Trustee Gately	Aye
Trustee von Roeschlaub	Aye
Deputy Mayor Steele	Aye
Mayor Giunta	Aye

PUBLIC COMMENT

*Linda Portney from the Port Washington News asked if our accountants give the Village a

monthly profit and loss statement. The answer was no, not at this point. It will be brought up with the new accountants who just started at the end of October, 2014.

*Pat DeBari gave a report on trees as a member of the Tree Committee that they want to join "Tree City USA" which will qualify The Village to get DEC grants.

*A resident asked if we would consider changing the code to allow the use of pavers on aprons.

*Linda Dlugolecki commented that it was disappointing that prior administrations disposed of permanent records such as meeting minutes. She said she wished that the old administration should be responsible for that. She said she has some of the very old minutes which she would share with The Village.

*Deputy Mayor Steele said that Sustainable Long Island is going to come to The Village in January to discuss potential projects for us.

*Mr. Gibson handed a list of what he believed to be trailers throughout the Village to the Trustees and was admonished for disturbing the meeting by handing out his letter to anyone who would take one from him.

*Mrs. Dlugolecki noted that Mr. Gibson was wrong because the correct information is on the Internet.

*Mr. Avena stated that he thinks the deficit in the Village is \$1,555,000. The Comptroller's report, he said, states that it is \$715,000. He was reminded by the Mayor that the auditors came to The Village in May of 2014 to make a presentation and address that point, and that Mr. Avena was told he was wrong in May and that he is still wrong.

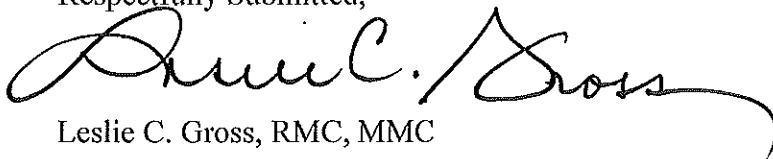
New Business

The Christmas Tree lighting will take place in front of Village Hall on December 11th at 5:00 pm.

The next meeting of the Board of Trustees will be held on December 11, 2014 at 7:30 pm instead of December 18th. The entire Board of Trustees felt that the 18th was too close to the holidays. Public hearings will be held at 7:00 pm before the BOT meeting.

A motion to adjourn was made by Mayor Giunta. A second was made by Deputy Mayor Steele.
The meeting was adjourned at 9:30 pm.

Respectfully Submitted,



Leslie C. Gross, RMC, MMC

Village Clerk