

**VILLAGE OF MANORHAVEN
PUBLIC HEARING
MINUTES – JUNE 22, 2017 at 7:00 p.m.**

CALL TO ORDER: 7:00 p.m.

Pledge of Allegiance: Elise Ledda

Attendance: Trustee Ken Kraft, Trustee John Popeleski, Deputy Mayor Priscilla von Roeschlaub, Mayor Jim Avena. Trustee Rita Di Lucia – excused, Village Clerk Sharon Abramski, Village Attorney Steve Leventhal

COMMENTS REGARDING SEQRA RESOLUTION: Steve Leventhal

- *Motion to Accept SEQRA Resolution for Proposed Local Laws by Trustee Popeleski; seconded by Deputy Mayor von Roeschlaub; unanimously accepted.*

LOCAL LAWS BEFORE THE BOARD:

Local Law 19 of 2017

A local law amending Chapter 155 (Zoning), Article IX (Administration), by amending Section 155-60 (Board of Zoning Appeals), to reduce the number of members of the Board of Zoning Appeals from seven to five.

PUBLIC COMMENTS ON LOCAL LAW 19:

- *Caroline DuBois contacted NYCOM with questions regarding her term of office and a conflict of interest. She is against reducing the BZA Board. She quoted “Home Rule” and the use of alternate member positions. Attorney Leventhal discussed the law with regard to BZA Boards.*

- *John Orr likes the idea of having seven members, but he said he didn’t realize that a Village Attorney and Village Engineer attended each meeting now.*

- *Motion to Close Public Comment by Trustee Popeleski; seconded by Deputy Mayor von Roeschlaub; unanimously accepted.*

- *Motion to Accept Local Law by Trustee Popeleski; seconded by Deputy Mayor von Roeschlaub; unanimously accepted..*

Local Law 20 of 2017

A local law amending Chapter 147 (Vehicles and Traffic), Article III (Parking, Stopping and Standing), by amending Section 147-41 (Stop Intersections) to designate as a stop intersection, Mohegan Avenue at Sintsink Drive West.

PUBLIC COMMENTS ON LOCAL LAW 20

- None

- *Motion to Close Public Comments by Deputy Mayor von Roeschlaub; seconded by Trustee Popeleski, unanimously accepted.*

- *Motion to Accept Local Law and close the Public Meeting at Trustee Kraft; seconded by Deputy Mayor von Roeschlaub; unanimously accepted.*

Local Law 21 of 2017

A local law amending Village Code Chapter 146 (Vehicles, emergency repair of), by adding Section 146 - 2 (Maintenance or repair in yard or buildings restricted) to require certification by the NYS Department of Motor Vehicles, or the County of Nassau, of certain commercial auto repair activities

in yards or buildings; and Section 146 - 3 (Penalties for offenses) to fix the fine for violations of Chapter 146 at an amount established by resolution of the Board of Trustees.

PUBLIC COMMENTS ON LOCAL LAW 21

- None
- *Motion to Close Public Comments by Trustee Popeleski; seconded by Deputy Mayor Priscilla von Roeschlaub; unanimously accepted.*
- *Motion to Accept Local Law by Trustee Popeleski; seconded by Trustee Kraft; unanimously accepted.*
- *Motion to Close the Public Meeting at Trustee Kraft; seconded by Trustee Popeleski; unanimously accepted.*

ADJOURNMENT: 7:30 p.m.

Sharon Natalie Abramski, RMC, CMC
Village Clerk-Treasurer
June 22, 2017

**VILLAGE OF MANORHAVEN
BOARD OF TRUSTEES MEETING
MINUTES – JUNE 22, 2017 at 7:00 p.m.**

CALL TO ORDER: 7:32 p.m.

Attendance: Trustee Ken Kraft, Trustee John Popeleski, Deputy Mayor Priscilla von Roeschlaub, Mayor Jim Avena. Trustee Rita Di Lucia – arrived at 8:20 p.m., Village Clerk Sharon Abramski, Village Attorney Steve Leventhal

MAYOR COMMENTS:

- Mayor Avena thanked everyone for voting at the recent Village Election. He noted that approximately 200 residents voted.
- He also notified the public the Dejana transcript is now available at Village Hall via FOIL/FOIA request.

REPORTS

Justice Court

Police Department

Building Department

- *Motion to accept by Deputy Mayor von Roeschlaub; seconded by Trustee Popeleski; unanimously accepted.*

MINUTES

Draft Minutes of the May 25, 2017- Public Hearing/BOT

Draft Minutes of the June 8, 2017 - Work Session

- *Motion to accept by Trustee Kraft; seconded by Deputy Mayor von Roeschlaub; unanimously accepted.*

FINANCIALS

Abstract of Claims

- *Motion to accept by Deputy Mayor von Roeschlaub; seconded by Trustee Kraft; unanimously accepted.*

MOTIONS:

Motion to accept roof repair proposal from Clearview General Contracting.

- *Motion to accept by Deputy Mayor von Roeschlaub; seconded by Trustee Kraft; unanimously accepted.*

Motion to authorize Cameron Engineering Proposal for the Project Description and Scope of Services Items II.A (Schematic Design) for the amount of \$9,350 to begin the sewer study for the force main replacement.

- *Motion to accept by Trustee Popeleski; seconded by Trustee Kraft; unanimously accepted.*

RESOLUTIONS:

Resolution #91 – 2017

EXTENSION OF THE WATERFRONT BUILDING MORATORIUM

WHEREAS, in or about August 2016, the Mayor appointed a Waterfront Advisory Committee to review the Village’s comprehensive master plan, local waterfront revitalization plan, and zoning code, and to make recommendations for consideration by the Board of Trustees;

WHEREAS, the Waterfront Advisory Committee, in a series of meetings, has heard public comments and diligently undertaken the contemplated review;

WHEREAS, The Waterfront Advisory Committee has not yet reported its recommendations to the Board of Trustees; and

WHEREAS, For the foregoing reasons, the Board of Trustees deems it to be in the best interest of the Village to extend, for a period of six months, the moratorium on new development or construction within the waterfront area of the affected zoning districts established on June 22, 2016 by the adoption of Local Law 7 of 2016 and extended for six months on January 26, 2017 by the adoption of Local Law 1 of 2017; and

WHEREAS, Local Law 1 of 2017 provided that the moratorium may be further extended, modified or terminated by resolution of the Board of Trustees.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The moratorium on new development or construction within the waterfront area of the affected zoning districts established on June 22, 2016 by the adoption of Local Law 7 of 2016 and extended on January 26, 2017 by the adoption of Local Law 1 of 2017 is hereby extended for a period of six months from the effective date of this Resolution.
2. This moratorium may be further extended, modified or terminated by resolution of the Board of Trustees.
3. This Resolution shall take effect immediately upon filing with the Village Clerk.

- Motion to accept Resolution by Trustee Kraft; seconded by Trustee Popeleski; unanimously accepted.

Resolution #92 – 2017

RESOLUTION TO EXTEND THE TERM OF OFFICE FOR THE MAYOR

WHEREAS, pursuant to New York Village Law Section 3-302, the Board of Trustees is authorized to extend the term of office of the mayor to four years,

WHEREAS, the Board of Trustees deems it to be in the best interest of the Village to extend the term of office of the mayor to four years.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The term of office of the mayor shall be four years, commencing at the beginning of the official year following the next general village election at which the office of mayor is to be filled.
2. Within ten days after the adoption of this resolution by the Board of Trustees, the Village Clerk shall, in the same manner as is provided for notice of a general village election, post and publish a notice which shall set forth the date of the adoption of the resolution and contain an abstract of such resolution concisely stating the purpose and effect thereof, and indicating that such resolution is subject to a permissive referendum.
3. This resolution shall take effect thirty days after its adoption, or upon approval by permissive referendum in accordance with New York Village Law Chapter 9, if any.

- Motion to accept Resolution by Trustee Kraft; seconded by Trustee Popeleski; unanimously accepted.

Resolution #93 – 2017

RESOLUTION AUTHORIZING A STOP SIGN ON MOHEGAN AVENUE AT SINTSINK DRIVE WEST.

WHEREAS, the Board of Trustees is authorized by New York State Vehicle and Traffic Law Article 39 (Regulation of Traffic by Cities and Villages), Section 1640, to establish parking regulations; and

WHEREAS, Local Law 20 of 2017 designates the intersection of Mohegan Avenue at Sintsink Drive West in the westerly direction as a stop intersection.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Clerk is hereby directed to cause appropriate signs to be erected at the aforesaid intersections, consistent therewith.

- Motion to accept Resolution by Deputy Mayor von Roeschlaub; seconded by Trustee Popeleski; unanimously accepted.

SEQRA Resolution related to the Sewer Grant Application - 2017

ADOPTION OF A RESOLUTION EXTENDING FOR A PERIOD OF SIX MONTHS, THE MORATORIUM ON NEW DEVELOPMENT OR CONSTRUCTION WITHIN THE WATERFRONT AREA OF THE AFFECTED ZONING DISTRICTS ESTABLISHED ON JUNE 22, 2016 BY THE ADOPTION OF LOCAL LAW 7 OF 2016 AND EXTENDED FOR SIX MONTHS ON JANUARY 26, 2017 BY THE ADOPTION OF LOCAL LAW 1 OF 2017.

- Motion to accept Resolution by Deputy Mayor von Roeschlaub; seconded by Trustee Popeleski; unanimously accepted.

Resolution #94 – 2017

RESOLUTION TO AUTHORIZE EXECUTION OF A GRANT AGREEMENT WITH NYS ENVIRONMENTAL FACILITIES CORPORATION

WHEREAS the Inc. Village of Manorhaven is in dire need of sewer and force main repairs within the Villages Sanitary Sewer System; and

WHEREAS the Village has sought the advice of certain engineers to evaluate the overall Village Sanitary Sewer System focusing on known trouble spots and aging infrastructure; and

BE IT RESOLVED that with these necessary evaluations in mind, the Board of Trustees of the Village of Manorhaven hereby authorizes the execution of a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Village of Manorhaven’s obligations under the Engineering Planning Grant Agreement; and

BE IT FURTHER RESOLVED that the Inc. Village of Manorhaven authorizes and appropriates a minimum of 20% local match as required by the Engineering Planning Grant Program for the Inc. Village of Manorhaven’s Sewer Restoration Project and understands that under the Engineering Planning Grant Program, this local match must be at least 20% of the grant award of up to \$30,000. The maximum local share for the Engineering Planning Grant project appropriated subject to any changes agreed to by the Inc. Village of Manorhaven shall not exceed \$6,000. The Inc. Village of Manorhaven may increase this local match through the use of in kind services without further approval from the Inc. Village of Manorhaven which shall take effect immediately upon filing with the Village Clerk.

- Motion to accept Resolution by Trustee Popeleski; seconded by Trustee Kraft; unanimously accepted.

Resolution #95 – 2017

A BOND RESOLUTION AUTHORIZING THE PREPARATION OF PRELIMINARY PLANS AND SPECIFICATIONS IN CONNECTION WITH THE PROPOSED IMPROVEMENTS TO THE VILLAGE SEWER SYSTEM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$250,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$250,000 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 prepare preliminary plans and specifications connection with the proposed improvements to the Village sewer system. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$250,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$250,000 bonds of the Village 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 \$250,000 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 said appropriation.

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

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 62 of the Law, 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 attached 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.

- Motion to accept Resolution by Deputy Mayor von Roeschlaub; seconded by Trustee Popeleski; unanimously accepted.

Resolution #96 – 2017

**RESOLUTION SETTING FINES FOR CHAPTER 146, SECTIONS 1 AND 2 **

WHEREAS, by the adoption on this date of Local Law 21, of 2017, the Board of Trustees amended Village Code Chapter 146 (Vehicles, emergency repair of), Section 146-3 (Penalties for offences) to fix the fine for violations of Chapter 146 at an amount established by resolution of the Board of Trustees.

NOW, THEREFORE, BE IT RESOLVED THAT:

Any person or entity who violates Village Code Chapter 146 (Vehicles, emergency repair of), shall be punishable by fines in the following amounts:

First violation in any calendar year: not more than \$250.00

Second or subsequent violation in the same calendar year: not more than \$500.00

- Motion to accept by Trustee Kraft; seconded by Deputy Mayor von Roeschlaub; unanimously accepted.

* Trustee Di Lucia arrived at 8:20 p.m., after the Motions and Resolutions were voted on.

TRUSTEE COMMENTS:

- Deputy Mayor von Roeschlaub discussed her meeting with Legislator Delia DeRiggi-Whitton regarding sewer lines on Manorhaven Blvd.; a traffic study will be completed by Nassau County this summer. She hopes to have a Town Hall meeting on this topic in late winter/early spring 2018.

- Trustee Popeleski noted that the Village is trying to get any sewer work done on Manorhaven Blvd., prior to Nassau County beginning any work.

NEW TOPICS:

Work Session - July 13 at 6 p.m. at the Senior Center. This session will be dedicated to hearing comments from the Waterfront Committee.

PUBLIC COMMENT:

- *Caroline Dubois – is appalled at how much traffic fines are being reduced. People are doing things that could harm children. Every single fine was reduced this month. (BOT explained that the Judge has a record of first time offenders and they receive leniency. The Mayor will discuss this matter with the Village Justice.)*

- *Elise Ledda – Wanted to know if Typhon Steele will help the Village with upgrading the sewers. (Mayor Avena said that the Village would seek a substantial contribution.) She also noted the Manorhaven Beach parking is already getting bad. She would like to see more ticketing on Saturdays. She also noted that kids are trespassing at Morgan's Dock and feels we need a police presence. (Abramski noted their there are multiple bi-lingual signs in place and she would discuss with the police.)*

- Rudy Santo is upset about the new Thursday/Friday spring parking restrictions. He feels there was not enough of an opportunity for public opinion with regard to the change.

- Barbara Fatticone said that flatbed trucks parking in illegal spots on Sintsink Drive East. (Mayor Avena said that we are in the process of hiring a new fulltime Code Enforcement Officer to help address these types of issues.)

- Nick Marra feels that the Board did an excellent job for its first year. He had a few questions regarding some of the invoices. He said he doesn't like the idea of putting liens on unpaid bills to the Village. He had some insurance questions as well as comments regarding a dedication sign near the 9/11 memorial.

- John Orr Had questions regarding the cell tower and legal settlement. He mentioned that he felt the Town of North Hempstead should reduce their parking lot fees. He also had some questions regarding the Mayoral term of office. (Leventhal noted that terms vary from Village to Village.)

UPCOMING MEETINGS:

Organizational Meeting - July 6 at 7 p.m.

Work Session dedicated to waterfront – July 13 at 6 p.m. at the Senior Center

UPCOMING EVENTS:

- Village Street Festival – Saturday, June 24 from 11:30 a.m. – 4:30 p.m. Please join us!

ADJOURNMENT: 8:40 p.m.

- Motion to Close Regular Meeting by Trustee Popeleski; seconded by Deputy Mayor von Roeschlaub; unanimously accepted.

Sharon Natalie Abramski, RMC, CMC
Village Clerk-Treasurer
June 22, 2017