

**VILLAGE OF MANORHAVEN
BOARD OF TRUSTEES WORK SESSION
MINUTES – JUNE 8, 2017 at 6:00 p.m.**

CALL TO ORDER: 6:00 p.m.

Pledge of Allegiance: Sharon Abramski

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

UPCOMING LOCAL LAW DISCUSSIONS FOR JUNE PUBLIC HEARING:

- Change BZA Board from 7 members back to original law of 5 members
- Change Term of Mayoral office from 2 years to 4 year term
- Maintenance of Autos on Village Streets/Non-Commercial Venues – LL Chapter 146 -1 and 2

UPCOMING MOTIONS AT BOT MEETING:

- BOT will vote on Resolution to extend the June 22, 2017 Moratorium for an additional six (6) months to December 26, 2017 (Pending Nassau County Planning Commission.)
- Decision to proceed with the first bond application
- Decision to accept a Sanitary System investigation

CURRENT MOTIONS:

- **Motion to hire** a surveyor to investigate recreational property belonging to the Village.
- *Motion Accepted by Trustee Di Lucia; seconded by Deputy Mayor von Roeschlaub; unanimously accepted.*
- **Motion to hire** a company to repair damaged roof areas at Village Hall and the Pump Station. *Will decide upon a contractor at 6/22/17 Meeting*

RESOLUTIONS:

RESOLUTION #90

DIRECTING ABATEMENT OF HAZARDOUS CONDITION PURSUANT TO CHAPTER 112 OF THE VILLAGE CODE ENTITLED “PROPERTY MAINTENANCE” AND CHAPTER 99 OF THE VILLAGE CODE ENTITLED “NUISANCES”

WHEREAS, the Board of Trustees of the Incorporated Village of Manorhaven (“Board”) having been made aware of a hazardous tree located at 21 Graywood Road, Port Washington, New York 11050 within the Village; and

WHEREAS, the Board having considered the applicable provisions of the Village Code; and

WHEREAS, Section 112-3 of the Code entitled “Maintenance standards” at subparagraph (5) provides that, “Any trees or portions thereof located on private property and constituting a hazard to person or property shall be removed by the property owner;” and

WHEREAS, Section 112-5 of the Code entitled “Abatement of Nuisances” provides:

All buildings, yards, courts, open areas and vacant lots which are in violation of this chapter and/or Chapter 99 of this Code are hereby declared to be nuisances and shall be abated by being corrected, made sanitary, repaired, vacated or demolished in accordance with all the orders issued pursuant to the provisions of this chapter by the Building Inspector or by the Board of Trustees; and

WHEREAS, Section 99-2 provides:

The Board of Trustees may adopt a resolution requiring the owner and/or person in control of any property found not to be in conformance with the provisions of this chapter to comply with these provisions. A copy of the notice of adoption of said resolution shall be served and upon such owner and/or person in control of said property by ordinary mail and by certified mail, return receipt requested, specifying that within 10 days from the adoption of such resolution, such person shall bring the premises into compliance and how the premises shall be brought into compliance; and

WHEREAS, Section 99 – 3 then provides:

Upon a failure by the owner or the person in control to comply with the requirements of such notice of violation, the Board of Trustees shall authorize the work to be done and pay the cost thereof out of general funds appropriated by the Board of Trustees for such purpose. The Board of Trustees may incur such legal fees as necessary to have such work done to correct the violations. In case of a failure to comply, the owner and/or person in control of the property whereon the violation occurs is deemed to consent to the right of entry by the Village officials for the sole purpose of inspecting and correcting such violation; and

WHEREAS, Section 99-4, entitled “Reimbursement of village” provides:

The Village shall be reimbursed for the cost of the work performed or the services rendered, including legal fees incurred, as hereinabove provided, by assessment of all such costs against the real property where such work was performed or services were rendered or that was affected by such work or services; and

WHEREAS, the Board having issued Notice to the above named homeowner for a hearing regarding the hazardous tree at the property by letter dated June 2, 2017; and

WHEREAS, the owner appeared at a work session of the Board of Trustees on June 8, 2017 and asked that the Village proceed with the said tree removal without a hearing; and

NOW, THEREFORE, BE IT RESOLVED:

That the tree identified on the subject property owned by Alberta D’Angelo and located at 21 Graywood Road, Port Washington, New York is a hazardous tree as defined by the above provisions of the Code and constitutes a violation of this Code;

*That the homeowner, **Alberta D’Angelo** has declined to abate the violation by removing the tree;*

That, based on the failure of the homeowner to do so, the Village made arrangements for the removal of the tree; That the Village shall be reimbursed for the cost of the work performed and the services rendered, including legal fees incurred, by assessing all such costs against the subject real property;

*That a copy of this resolution is to be forwarded to Alberto D’Angelo at the address of **21 Graywood Road, Port Washington, New York 11050** by the Village Clerk by both ordinary and certified mail, return receipt requested.*

- Motion to Adopt Resolution by Trustee John Popeleski, seconded by Trustee Ken Kraft, unanimously accepted.

NEW TOPICS:

- We will be ordering a copy of the Dejana transcript to have available for anyone that would like to review it.
- Questionnaire on parking and parking stickers will be in the next newsletter issue.
- TONH Annual Salt Storage Fee
- Parking Signage Confusion: Sintsink Drive East and Manorhaven Blvd.
- Committee to Review Codes on Boating Regulations
- The BOT will hold a special round table work session with the Waterfront Committee on July 13 at 6 p.m.

BOARD TO DO LIST:

- Please submit conflicts for upcoming calendar year 2017 – 2018 for Work Sessions and BOT Meetings by June 30 for the organizational meeting.

OLD TOPICS:

- Street/Road Analysis began this week

NEXT BOT MEETING: June 22 at 7 p.m.

NEXT WORK SESSION: No July work session

ORGANIZATIONAL MEETING: July 6 at 7 p.m.

UPCOMING EVENTS:

- Village Election – Tuesday, June 20, 6 a.m. – 9 p.m. – **Be Sure to Vote! Every vote is important!**
- Village Street Festival – Saturday, June 24, 11:30 a.m. – 4:30 p.m.

EXECUTIVE SESSION:

- Personnel Matters
- Code Book Definitions
- Update on Legal Matters
- *Motion to Enter into an Executive Session by Mayor Avena; seconded by Trustee Popeleski; unanimously accepted.*
- *Motion to Close the Executive Session by Trustee Popeleski; seconded by Mayor Avena; unanimously accepted.*

ADJOURNMENT: 7:58 p.m.

Sharon Natalie Abramski, RMC, CMC
Village Clerk-Treasurer
June 8, 2017