

**VILLAGE OF MANORHAVEN
BOARD OF TRUSTEES PUBLIC HEARING
June 27, 2019 – 7 p.m. - MINUTES**

CALL TO ORDER: 7:02 p.m.

Pledge of Allegiance: Gary Maynard

Attendance: Trustee Rita Di Lucia; Trustee Ken Kraft; Trustee John Popeleski; Deputy Mayor Priscilla von Roeschlaub - excused; Mayor Jim Avena; Village Clerk Sharon Abramski; Village Attorney Jonathan Fielding.

ATTORNEYS COMMENTS REGARDING SEQRA RESOLUTION:

- A Motion to designate tonight's proposed local law #8, and #9 as SEQRA Type II actions and designate the Village Board of Trustees as the lead agency if the laws are accepted.

- Motion to accept by Rita Di Lucia; seconded by John Popeleski; unanimously carried.

LOCAL LAWS BEFORE THE BOARD:

Proposed Local Law #8-2019 - A local law amending Village Code Chapter 133 ("Subdivision of Land"), Article VII ("Fees and Deposits") to set filing fees for subdivision applications.

PUBLIC COMMENTS: None

- Motion to close public comment by John Popeleski; seconded by Ken Kraft; unanimously carried.

Proposed Local Law #9-2019 - A local law amending Village Code by enacting a new Chapter 102 ("Parks") to provide for regulations and ordinances on Village lands to be used for public recreation.

- Motion to close public comment by John Popeleski; seconded by Ken Kraft; unanimously carried.

PUBLIC COMMENTS: None

ADJOURNMENT: 7:05 p.m.

- Motion to close public hearings and move into the General Meeting by Rita Di Lucia; seconded by John Popeleski; unanimously carried.

Manorhaven, NY
Sharon Natalie Abramski, RMC, CMC
Village Clerk-Treasurer
June 27, 2019

**VILLAGE OF MANORHAVEN
BOARD OF TRUSTEES MEETING
June 27, 2019 – 7 p.m. - MINUTES**

CALL TO ORDER: 7:06 p.m.

MAYOR COMMENTS:

Mayor Avena commented on how proud he is of the new Morgan’s Dock Park and thanks Trustee Di Lucia and Clerk Abramski for their work on the project and for the successful opening.

REPORTS:

Justice Court

Police Department

Building Department

- *Motion to accept reports by Rita Di Lucia; seconded by John Popeleski; unanimously carried.*

MINUTES:

Draft Minutes of the May 23, 2019 - BOT Meeting

Draft Minutes of the June 12, 2019 - Special Session for Abstract Review

- *Motion to accept reports by John Popeleski; seconded by Rita Di Lucia; unanimously carried.*

ABSTRACT OF CLAIMS:

- Abstract of Claims – 6/1/19 through 6/26/19 – General Fund

- Abstract of Claims – 6/1/19 through 6/27/19 – Capital Fund

- *Motion to accept abstracts by Jim Avena; seconded by John Popeleski; unanimously carried.*

RESOLUTIONS:

RESOLUTION #24- 2019 - REGULATIONS FOR MORGAN’S DOCK PARK

BE IT RESOLVED that the Board of Trustees of the Inc. Village of Manorhaven hereby adopts the following regulations for the Village property known as Morgan’s Dock Park:

- RULE 1.1 The following rules and regulations shall apply to Morgan’s Dock Park.
- RULE 2.1 Days and hours – Morgan’s Dock Park shall be open to the public from April 1st through November 30th, between the hours of 6:00 a.m. and 10:00 p.m. No persons or property may remain during hours of closure.
- RULE 2.2 The presence of any person on the property at Morgan’s Dock outside of the days and hours permitted under Rule 2.1 shall constitute a trespass as defined in Chapter 145 of the Code of the Inc. Village of Manorhaven and any person trespassing shall be subject to the fines and penalties set forth in section 145-6 of the Code.
- RULE 3.1 No smoking shall be permitted at Morgan’s Dock Park, including but not limited to cigars, pipes, cigarettes, e-cigarettes, vaping, and the use of any device to burn or vaporize substances.
- RULE 3.2 Possession of open containers and consumption of alcohol is prohibited at Morgan’s Dock Park.
- RULE 3.3 All litter must be disposed of properly or removed from the park if containers are full. It is prohibited to dispose of trash in the park which is not generated by regular park activities.
- RULE 4.1 No overnight parking of vehicles at Morgan’s Dock Park shall be permitted.
- RULE 4.2 No overnight mooring and/or storage of boats at Morgan’s Dock shall be permitted.
- RULE 5.1 No pets shall be permitted at Morgan’s Dock Park. A qualified service animal, as defined under the Americans with Disabilities Act and/or regulations promulgated thereunder, shall be permitted.
- RULE 6.1 Penalties for offenses. The following schedule of fines for offenses of the above regulations is hereby adopted:

RULE #	Offense	Penalty
2.2	Trespass	Per Village Code §145-3, for a first offense, maximum fine of \$1,000 and/or fifteen days imprisonment
3.1	Smoking on park property	\$150
3.2	Possession of open container/consumption of alcohol	\$250
3.3	Littering	\$150
4.1	Overnight parking of automobile	\$250
4.2	Overnight mooring/storage of boat	\$250
5.1	Prohibited pets	\$150

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

- Motion to accept resolution by Rita Di Lucia; seconded by John Popeleski; unanimously carried.

RESOLUTION #25 - 2019 - SEQRA Type II Determination for Manorhaven Preserve Trail

WHEREAS, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQRA) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law; and

WHEREAS, the Inc. Village of Manorhaven is considering a proposed action known as the restoration of the Manorhaven Preserve Trail, and the scope of work of this proposed action involves the re-grading, repair and rehabilitation of an existing pathway and retaining wall as well as landscaping;

NOW, THEREFORE, BE IT RESOLVED that the Incorporated Village of Manorhaven hereby determines that the proposed action, i.e., the restoration of the Manorhaven Preserve Trail is a Type II action under the regulations promulgated by the NYS Department of Environmental Conservation pursuant to SEQRA, and is specifically listed in 6 NYCRR Section 617.5 (c)(1), as the proposed action consists of “maintenance or repair involving no substantial changes in an existing structure or facility” and is therefore a listed Type II action, and is therefore not subject to further review under SEQRA; and.

BE IT FURTHER RESOLVED THAT this action has been determined not to have a significant impact on the environment and is not subject to further review under SEQRA.

- Motion to accept resolution by John Popeleski; seconded by Jim Avena; unanimously carried.

UPCOMING MEETINGS/EVENTS:

- July 4 & 5 – Village Offices Closed
- July 11 at 6 p.m. – Organizational Meeting
- July 27 at 7 p.m. – BOT Meeting

PUBLIC COMMENT:

- Gary Maynard asked that notices on the bulletin boards be posted lower.

- Nick Marra agreed with the Mayor that the dock looks excellent. He is unhappy about the hydrant location at the dock. He also commented on the trees on Manorhaven Blvd. and said he went out to measure them all for the upcoming streetscape work. He feels that not too many trees will have to be taken down. Lastly, he noted that cars are still speeding on Dunes Lane. Mayor Avena assured him that the County would take down as few trees as possible. Marra also wanted to comment about 59 Orchard Beach Blvd., but the Board deferred him to the Zoning Board.

EXECUTIVE SESSION: Litigation and Personnel Matters

- Rita Di Lucia moved to enter into Executive Session; seconded by John Popeleski; unanimously carried.

- Rita Di Lucia moved to close the Executive Session; seconded by Jim Avena; unanimously carried.

MOTIONS:

Motion #18 - 2019 - Motion to renew the contract of C & G Inspection Services Inc. (aka Ron Kaslow) for a term beginning July 1, 2019 and ending June 30, 2021.

- Motion to accept by John Popeleski; seconded by Rita Di Lucia; unanimously carried.

Motion #19 – 2019 – Motion to proceed with a New York State Consolidated Funding Application (CFA) Grant for the Recreational Trails Program for approximately \$200,000. (“Manorhaven Preserve Trail Restoration Project #90611”)

- Motion to accept resolution by Rita Di Lucia; seconded by Jim Avena; unanimously carried.

ADJOURNMENT: 7:54 p.m.

- Motion to close the General Meeting by John Popeleski; seconded by Jim Avena; unanimously carried.

Manorhaven, NY
Sharon Natalie Abramski, RMC, CMC
Village Clerk-Treasurer
June 27, 2019