

VILLAGE OF MANORHAVEN
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
OCTOBER 22, 2009

The Board held its regular monthly meeting on October 22, 2009 at 8:00 p.m. The meeting was called to order at 8:25 p.m. by Mayor Michael T. Meehan, with the following in attendance:

Michael T. Meehan	Mayor
John M. DiLeo, Jr.	Trustee
Rita DeLucia	Trustee
Brendan Fahey	Trustee
Gerard Terry, Esq.	Village Attorney
Donato Gallo	Superintendent of Highways
Carmela Aiello	Deputy Village Clerk
David L. Mammina	Superintendent of Buildings
Gary Hertzan	Village Accountant

Eighty-seven members of the public were in attendance. The Mayor asked Cali Burke to lead the assembly in reciting the Pledge of Allegiance.

The public was supplied a packet entitled:
Public Information Packet
Actions taken by the Former Village Administration
Application of AG Towers, Inc. - 41 Pequot Avenue
(Partial List - Documents in Date Order)

The Village Attorney, Gerard Terry, Esq., offered explanatory comments on the contents of this packet.

The Mayor and the Board of Trustees suspended the order of business to consider the following resolution:

RESOLUTION NO. 85 - OCTOBER 22, 2009
A RESOLUTION ENGAGING SPECIAL COUNSEL

Trustee DiLucia offered the following resolution, seconded by Trustee Fahey.

BE IT RESOLVED, THAT UPON THE RECOMMENDATION OF THE Village Attorney, the firm of Lynn, Gartner & Dunne, LLP, having an office at 330 Old Country Road, Suite 103, Mineola, NY

11501, be and hereby is engaged as special counsel to the Inc. Village of Manorhaven, for the purpose of investigating and reporting back to the Mayor, Board of Trustees and said Village Attorney as to the legal options of the Village, if any, in respect to all prior grants, approvals and permits issued by the Village and any of its constituent communications tower at 41 Pequot Avenue within the Village; and

BE IT FURTHER RESOLVED, that the maximum to be paid to said firm under such engagement shall be \$7,500; and

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

The Board was polled as follows:

Trustee Fahey	Aye
Trustee DiLucia	Aye
Trustee DiLeo	Aye
Mayor Meehan	Aye

The Mayor opened the floor to public comment regarding the cell phone tower. Comments were offered by Mr. Howard Greenlawn, Ms. Victoria Spielman, Mr. Wayne Warlit, Mr. Earl Grenfell, Mr. Eric Patterson, Ms. Maria Gabriel, Mr. Keith Klein, Mr. Joe McGinnon, Mark Lazarovic, Ms. Bernadette Dolan, Ms. Theresa Staccione, Ms. Giovanna Giunta, Mr. Jeff Lesquadro, Ms. Linda Dlugolecki, Mr. Joe Giunta, Ms. Angela Militano, and Ms. Tricia Jester.

The Mayor and Board of Trustees returned to third regular business.

Five members of the public were in attendance.

The Mayor and Board of Trustees reviewed the proposed minutes of the regular meeting held on September 25, 2009. Trustee Fahey made a motion to accept these minutes as presented. Trustee DiLeo seconded the motion. The Board was polled as follows:

Trustee Fahey	Aye
Trustee DiLucia	Aye
Trustee DiLeo	Aye
Mayor Meehan	Aye

The Mayor and the Board of Trustees reviewed and considered the abstract of claims for October 22, 2009. Trustee DiLucia made a motion to approve the abstract of claims. Trustee DiLeo seconded the motion, which passed unanimously.

The Mayor and Board of Trustees reviewed and considered the departmental reports. Trustee Fahey made a motion to accept the departmental reports, seconded by Trustee DiLucia. The motion carried on unanimous approval.

RESOLUTION NO. 86 - OCTOBER 22, 2009
A RESOLUTION ADOPTING A LOCAL LAW

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

BE IT RESOLVED, that Introductory Local Law E - 2009, "A Local Law to Amend Chapter 147 of the Code of the Inc. Village of Manorhaven - Vehicles and Traffic", be and hereby is adopted; and

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

The Board was polled as follows:

Trustee Fahey	Aye
Trustee DiLucia	Aye
Trustee DiLeo	Aye
Mayor Meehan	Aye

RESOLUTION NO. 87 - A RESOLUTION SCHEDULING A PUBLIC HEARING

Trustee DiLucia 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 Introductory Local Law F - 2009, " A Local Law to Amend Chapter 147 of the Code of the Inc. Village of Manorhaven - Vehicles and Traffic", on Thursday, November 19, 2009 7:30 pm, at the Village Hall, 33 Manorhaven Boulevard, Port Washington, NY; and

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

** Note: Public hearing on proposed stop signs for certain intersections of residential streets with Orchard Beach Boulevard

The Board was polled as follows:

Trustee Fahey	Aye
Trustee DiLucia	Aye
Trustee DiLeo	Aye
Mayor Meehan	Aye

**RESOLUTION NO. 88 - OCTOBER 22, 2009
A RESOLUTION MAKING AN APPOINTMENT**

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

WHEREAS, David L. Mammina, R.A. was previously appointed Acting Superintendent of Buildings (part-time) for the period commencing July 6, 2009 and ending October 31, 2009; and

WHEREAS, THE Village wishes to extend and modify such appointment;

NOW, THEREFORE, BE IT RESOLVED, THAT David L. Mammina, R.A. be and hereby is appointed Superintendent of Buildings of the Inc. Village of Manorhaven, for the period November 1, 2009 to July 5, 2010, at an annualized salary of \$45,000 (no medical benefits); and

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

The Board was polled as follows:

Trustee Fahey	Aye
Trustee DiLucia	Aye
Trustee DiLucia	Aye
Mayor Meehan	Aye

**RESOLUTION NO. 89 - OCTOBER 22, 2009
A RESOLUTION REGARDING A PERSONNEL ACTION**

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

BE IT RESOLVED, that Karen M. Marereo, Clerk to Justice (Court Clerk) of the Inc. Village of Manorhaven, be and

hereby is granted a leave of absence, without pay, for the period commencing November 16, 2009 and ending January 15, 2010; and

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

The Board was polled as follows:

Trustee Fahey	Aye
Trustee DiLucia	Aye
Trustee DiLeo	Aye
Mayor Meehan	Aye

RESOLUTION NO. 90 - OCTOBER 22, 2009

A RESOLUTION ACCEPTING A PROPOSAL FOR PROFESSIONAL SERVICES

Trustee DiLeo offered the resolution, seconded by Trustee Fahey.

BE IT RESOLVED, that a certain proposal for professional services submitted to the Inc. Village of Manorhaven by the firm of Nelson, Pope & Voorhis, LLC, having an address at 572 Walt Whitman Road, Melville, NY 11747, be and hereby is accepted; and

BE IT FURTHER RESOLVED, that the engagement set forth in and contemplated by said proposal shall be set at a maximum fee of \$19,200; and

BE IT FURTHER RESOLVED, that the Mayor or his designee be and hereby is authorized and directed to execute an agreement on behalf of the Village memorializing said engagement; and

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

The Board was polled as follows:

Trustee Fahey	Aye
Trustee Dilucia	Aye
Trustee DiLeo	Aye
Mayor Meehan	Aye

RESOLUTION NO. 91 - OCTOBER 22, 2009

A RESOLUTION RATIFYING A MEMORANDUM OF UNDERSTANDING

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

BE IT RESOLVED, that upon the recommendation of the Commissioner of Health and Safety, a certain "Memorandum of understanding in Regard to the Establishment and Operation of a Point of Dispensing Site in the Event of an Emergency", between and among the County of Nassau, the Nassau County Office of Emergency Management and the Incorporated Villages of Baxter Estates, Manorhaven, Plandome Heights, Plandome Manor, Port Washington North and Sands Point, for the purpose of maintaining a "Point of Dispensing" (POD) site, be and hereby is ratified; and

BE IT FURTHER RESOLVED, that the mayor or his designee be and hereby is authorized and directed to execute such documents as may be necessary and appropriate to effectuate the terms of this Resolution; and

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

The Board was polled as follows:

Trustee Fahey	Aye
Trustee Dilucia	Aye
Trustee DiLeo	Aye
Mayor Meehan	Aye

RESOLUTION NO. 92 - OCTOBER 22, 2009

A RESOLUTION AUTHORIZING SUBSCRIPTION TO A SERVICES AGREEMENT

Trustee Fahey offered the following resolution, seconded by Trustee DiLucia.

BE IT RESOLVED, that upon the request of the Port Washington Office of emergency Management and the recommendation of the Commissioner of Health and Safety, authorization be and hereby is given for the Inc. Village of Manorhaven to subscribe to a certain Services Agreement by and between said Port Washington Office of Emergency Management and Blackboard Connect, Inc., at the present stated annual cost of \$3.838, for the purpose of participation by the Village in a "fully hosted alert notification system", and

BE IT FURTHER RESOLVED, that the Mayor or his designee be and hereby is authorized and directed to execute such

documents as may be necessary and appropriate to effectuate the terms of this Resolution; and

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

The Board was polled as follows:

Trustee Fahey	Aye
Trustee DiLucia	Aye
Trustee DiLeo	Aye
Mayor Meehan	Aye

The Mayor opened the Floor to public comment. Comments were offered by Ms. Claire DiNapoli and Ms. Elise Ledda.

At 11:15 p.m., Trustee Fahey made a motion to close the floor for public comments and adjourn the regular meeting. Trustee DiLeo seconded the motion, which passed unanimously.

Dated: Manorhaven, New York
November 13, 2009

Respectfully submitted,

Carmela Aiello
Deputy Village Clerk