

**VILLAGE OF MANORHAVEN  
BOARD OF TRUSTEES  
MINUTES OF REGULAR MEETING  
DECEMBER 16, 2010**

The Board held a public hearing at 7:30 p.m. to consider a certain proposed contract with the Port Washington Fire Department to provide fire protection and emergency services to the Village, for the calendar year commencing January 1, 2011, at the Village Hall, 33 Manorhaven Boulevard, Port Washington, NY. The public hearing was called to order at 7:33 p.m. by Mayor Michael T. Meehan with Trustees DiLucia, Fahey, Gibson, and eleven members of the public present. Public comment was offered by Chief Thomas McDonough, Mr. Bob Kropak, and Mr. Chris Bollerman. At 7:48 p.m., Trustee Fahey made a motion to close the public hearing. Trustee Gibson seconded the motion, which passed unanimously. Please see the stenographic record for further details.

The Board held its regular monthly meeting on December 16, 2010 at 8:00 p.m. The meeting was called to order at 8:01 p.m. by Mayor Michael T. Meehan, with the following in attendance

Michael T. Meehan	Mayor
Rita DiLucia	Trustee
Brendan Fahey	Trustee
Patrick Gibson	Trustee
Gerard Terry, Esq.	Village Attorney
Jonathan P. Fielding	Village Clerk-Treasurer
David L. Mammina, R.A.	Superintendent of Buildings
Donato Gallo	Superintendent of Highways
Carmela Aiello	Deputy Village Clerk

Six members of the public were in attendance. The Mayor asked Mr. Thomas Aiello to lead the assembly in reciting the Pledge of Allegiance.

The Mayor and Board of Trustees considered proposed minutes of the regular meeting held November 18, 2010. The Mayor and the Board of Trustees reviewed and considered these proposed minutes. Trustee DiLucia made a motion to accept the minutes as presented. Trustee Gibson seconded the motion which passed unanimously.

The Mayor and Board of Trustees reviewed and considered the departmental reports. Trustee Gibson left the meeting at 8:07

p.m. Trustee DiLucia made a motion to accept the departmental reports, seconded by Trustee Fahey. The Board was polled as follows:

Trustee Gibson	Absent
Trustee Fahey	Aye
Trustee DiLucia	Aye
Mayor Meehan	Aye

The Mayor and Board of Trustee then considered the resolution calendar for November 18, 2010.

**RESOLUTION NO. 78 - DECEMBER 16, 2010**  
**A RESOLUTION SCHEDULING A PUBLIC HEARING**

Trustee Fahey offered the following resolution and moved for its adoption. Trustee DiLucia seconded the motion.

**BE IT RESOLVED**, that the Board of Trustees of the Inc. Village of Manorhaven shall conduct a public hearing on Thursday, January 27, 2011, commencing at 7:00 p.m., at the Village Hall, 33 Manorhaven Boulevard, Port Washington, NY, on the application of 20-22-26 LLC having an address at 242 West 36<sup>th</sup> Street, New York, NY 10018, for subdivision approval in connection with real property located at 22 Sagamore Hill Drive within the Village and designated on the Nassau County Land and Tax Map as section 4, block 34, lots 1-10 and 56-58; and

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

The Board was polled as follows:

Trustee Gibson	Absent
Trustee Fahey	Aye
Trustee DiLucia	Aye
Mayor Meehan	Aye

**RESOLUTION NO. 79 - DECEMBER 16, 2010**  
**A RESOLUTION IN CONNECTION WITH A FUND BALANCE**

Trustee DiLucia offered the following resolution and moved for its adoption. Trustee Fahey seconded the motion.

**BE IT RESOLVED**, that upon the joint recommendation of the Village Clerk-Treasurer and the Village Accountant, a certain

fund balance in the amount of \$54,152.00 currently designated as "Fund Balance Reserved - Designated for Study" be and hereby is re-designated "Fund Balance Unreserved"; and

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

The Board was polled as follows:

Trustee Gibson	Absent
Trustee Fahey	Aye
Trustee DiLucia	Aye
Mayor Meehan	Aye

Trustee Gibson rejoined the meeting at 8:18 p.m.

**RESOLUTION NO. 80 - DECEMBER 16, 2010**  
**A RESOLUTION REGARDING A PREVIOUSLY AUDITED CLAIM**

Trustee Fahey offered the following resolution and moved for its adoption. Trustee DiLucia seconded the motion.

**WHEREAS**, the Town of North Hempstead (the "Town") has previously submitted a certain claim to the Inc. Village of Manorhaven (the "Village"), dated June 22, 2010, in the amount of \$96,993.73, for work performed in connection with site improvements to real property owned by the Village, under a certain Intermunicipal Agreement between the Town and the Village, dated February 4, 2009; and

**WHEREAS**, at a meeting conducted on September 23, 2010, said claim was presented for approval, and was audited and rejected by the Board of Trustees (the "Board"); and

**WHEREAS**, subsequent to said meeting of September 23, 2010, additional information includes efforts by the Village Administration to re-negotiate said claim; and

**WHEREAS**, the Board now wishes at this time to re-audit and reconsider said claim, as modified and amended by the Town of North Hempstead;

**NOW, THEREFORE, BE IT RESOLVED**, that a certain amended claim by the Town of North Hempstead, in the amount of \$73,689.70, for site improvements to real property owned by the Village, be and hereby is added to the "Claims Abstract" for the month of December, 2010; and

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

The Board was polled as follows:

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

**RESOLUTION NO. 81 - DECEMBER 16, 2010  
A RESOLUTION AUTHORIZING TREE REMOVAL**

Trustee DiLucia offered the following resolution and moved for its adoption. Trustee Gibson seconded the motion.

**BE IT RESOLVED**, that upon the recommendation of the Commissioner of Trees, Trustee John M. DiLeo, Jr., 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, as noted: Sharareh Denn, 44 Mohegan Avenue, 1 tree; and

**BE IT FURTHER RESOLVED**, that the permit fees to be charged to the property owner, as set forth in section 143-6 of the Code, be and hereby are waived; and

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

The Board was polled as follows:

Trustee Gibson	Aye
Trustee Fahey	Abstain
Trustee DiLucia	Aye
Mayor Meehan	Aye

**RESOLUTION NO. 82 - DECEMBER 16, 2010  
A RESOLUTION AUTHORIZING TREE REMOVAL**

Trustee DiLucia offered the following resolution and moved for its adoption. Trustee Gibson seconded the motion.

**BE IT RESOLVED**, that upon the recommendation of the Commissioner of Trees, Trustee John M. DiLeo, Jr., 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, as noted: Gerard Dimmler, 14 Linwood Road North, 1 tree; and

**BE IT FURTHER RESOLVED**, that the permit fees to be charged to the property owner, as set forth in section 143-6 of the Code, be and hereby are waived; and

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

The Board was polled as follows:

Trustee Gibson	Aye
Trustee Fahey	Aye
Trustee DiLucia	Abstain
Mayor Meehan	Aye

**RESOLUTION NO. 83 - DECEMBER 16, 2010  
A RESOLUTION AUTHORIZING TREE REMOVAL**

Trustee Fahey offered the following resolution and moved for its adoption. Trustee Gibson seconded the motion.

**BE IT RESOLVED**, that a certain contract by and between the Inc. Village of Manorhaven and the Port Washington Fire Department, Inc., for fire protection and emergency medical services to the Village for calendar year 2011, be and hereby is approved; and

**BE IT FURTHER RESOLVED**, that the Mayor or his designee be and hereby is authorized and directed to execute said contract on behalf of the Board of Trustees and the Village; and

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

The Board was polled as follows:

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

The Board then considered the abstract of claims. Trustee Gibson made a motion to approve the abstract of claims. Trustee Fahey seconded the motion. The Board was polled as follows:

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

Mayor Meehan opened the floor to public comment. Comments were offered by Ms. Idie Perez, Mr. John Orr, Ms. Francine Mienik, and Mr. Peter Dejana.

At 9:12 p.m., Trustee DiLucia made a motion to adjourn the meeting. Trustee Fahey seconded the motion, which passed unanimously.

Dated           Manorhaven, New York  
                  January 14, 2011

Respectfully submitted,

Jonathan P. Fielding  
Village Clerk-Treasurer