

**VILLAGE OF MANORHAVEN
BOARD OF TRUSTEES PUBLIC HEARING
MINUTES – MARCH 23, 2017 at 7:00 p.m.**

CALL TO ORDER: 7:00 p.m.

Pledge of Allegiance Mike Masiello

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

ATTORNEY COMMENTS: SEQRA Discussion

LOCAL LAW REVISIONS:

SEQRA RESOLUTION

Local Laws 2 through 8 – 2017

WHEREAS, the Board of Trustees of the Incorporated Village of Manorhaven has the exclusive authority to adopt a local law amending the Code of the Village of Manorhaven; and

WHEREAS, these are Type II Actions for the purposes of SEQRA pursuant to 6 NYCRR 617.5(c)(20) as they involve continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees hereby designates itself as lead agency pursuant to the implementing regulations of the State Environmental Quality Review Act, specifically 6 NYCRR §§617.6(b)(1), with respect to the above-described proposed actions.

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: Deputy Mayor von Roeschlaub; Seconded by Trustee Popeleski; unanimously accepted.

Local Law 2-2017: A local law amending Village Code Chapter 4 (Appearance Tickets) as follows: Amending Section 4-6 (Issuance for vehicle and traffic offenses), by adding subsection C, to authorize such member or members of the Board of Trustees as may be designated from time to time by resolution of the Board of Trustees to issue appearance tickets returnable in the Village Justice Court pertaining to the enforcement of any and all provisions of the Village Code relating to parking violations committed during the effective period of snow emergencies as set forth in Village Code §147-25.

Motion to accept: Trustee Di Lucia; Seconded by: Deputy Mayor von Roeschlaub; unanimously accepted.

Local Law 3-2017: A local law amending Village Code Chapter 38 (Building Code Administration) as follows: Amending Section 38-10 (Operating permits) A(1)(d) to require permits for Buildings containing one or more areas of public assembly with an occupant load of 50 persons or more.

Motion to accept: Deputy Mayor von Roeschlaub; Seconded by Trustee Popeleski; unanimously accepted.

Local Law 4-2017: Village Code Chapter 120 (Rental Housing) as follows:
Amending Section 120-17 (Penalties for offenses) to fix the fine for violation of Section 120-3 (Permit required) at an amount equal to twice the then current permit fee payable pursuant to Section 120-14 (Schedule of fees).

Motion to accept: Trustee Di Lucia; Seconded by Deputy Mayor von Roeschlaub; unanimously accepted.

Local Law 5-2017: A local law amending Village Code Chapter 155 (Zoning) as follows:
Amending Section 155-68 (Penalties for offenses) to fix the fine for violation of Section 155-43 (Storage and parking of certain vehicles), Subsection A & B, at an amount established by resolution of the Board of Trustees.

Public Comment: Gary Maynard and Caroline DuBois commented regarding campers.

Motion to accept: Trustee Popeleski; Seconded by Deputy Mayor von Roeschlaub, unanimously accepted.

Local Law 6-2017: A local law amending Village Code Chapter 132 (Streets and sidewalks) as follows: Amending Section 132-15 (Penalties for offenses) to fix the fine for violation of Section 132-9 (Snow and ice removal) at an amount established by resolution of the Board of Trustees.

Public Comment: Anna Pizzolato commented regarding ice.

Motion to accept: Trustee Di Lucia; Seconded by Trustee Popeleski; unanimously accepted.

Local Law 7-2017: A local law amending Village Code Chapter 155 (Zoning) as follows:
Amending Section 155-20 (Commercial Retail and Sales Stores, C-3 District) to limit the permitted hours of operation of retail stores, retail shops and trade stores to the hours between 5:00 a.m. and 11:00 p.m.

Motion to accept: Trustee Popeleski; Seconded by Trustee Kraft; unanimously accepted.

Local Law 8-2017: A local law amending Village Code Chapter 138 (Building Code Administration) as follows: Amending Section 138-4 (Building permits) to limit the permitted hours of construction activities to the hours between 8:00 a.m. to 6:00 p.m. on weekdays, and between 9:30 a.m. to 5:00 p.m. on Saturdays. No construction activities are permitted on Sundays or holidays.

Public Comment: Ann Rose wants to be sure construction deliveries are considered to be a construction activity, not to begin before 8 a.m.; Barbara Rumenapp commented on penal code; Nick Marra would like to see delivery restriction included on Building Dept. forms; Frank Ottaviani feels weekends and holidays need more enforcement.

Motion to accept: Trustee Popeleski; Seconded by Deputy Mayor von Roeschlaub, unanimously accepted.

ADJOURNMENT: 7:48 p.m.

Motion to adjourn the hearings: Trustee Popeleski; Seconded by Trustee Kraft; unanimously accepted.

Sharon Natalie Abramski, RMC, CMC
Village Clerk-Treasurer
March 23, 2017

**VILLAGE OF MANORHAVEN
BOARD OF TRUSTEES MEETING
MINUTES – MARCH 23, 2017 at 7:00 p.m.**

CALL TO ORDER: 7:52 p.m.

MAYOR COMMENTS:

Flashing Signs and Seizures – Research sheet for distribution
Last Snow Storm satisfied with our DPW and extra workers, but was dissatisfied with CowBay.
Snow plans will be reassessed for next year.

REPORTS:

Justice Court

Police Department

Building Department

Motion to accept: Deputy Mayor von Roeschlaub; Seconded by Trustee Popeleski; unanimously accepted.

MINUTES:

Draft Minutes of the March 9, 2017 Public Hearing & Work Session; Draft Minutes of Work Session of February 15, 2017; Draft Minutes of the February 16, 2017 Board of Trustees Meeting
Motion to accept: Deputy Mayor von Roeschlaub; Seconded by Trustee Popeleski; unanimously accepted.

FINANCIALS:

Abstract of Claims

Motion to accept: Deputy Mayor von Roeschlaub; Seconded by Trustee Popeleski; unanimously accepted.

RESOLUTIONS:

RESOLUTION #82-2017-- MARCH 23, 2017

A RESOLUTION EXTENDING A CONTRACT FOR THE COLLECTION, REMOVAL AND DISPOSAL OF SOLID WASTES AND RECYCLABLES

WHEREAS the Board of Trustees previously authorized and directed the Village Clerk-Treasurer to advertise and solicit for bids in connection with the collection, removal and disposal of solid waste and recyclables within the **WHEREAS** an award of contract was made to Meadow Carting Company of 581 Dickens Street, Westbury, NY 11590, being the best value bidder in the amount of \$595,000 for the period of June 1, 2015 to May 31, 2016 and the amount of \$654,200 for the period of June 1, 2016 to May 31, 2017.

WHEREAS that said contract may be renewed for an additional two years at the discretion of the Board of Trustees in accordance with the conditions and criteria set forth in the bid package.

THEREFORE BE IT RESOLVED that at the direction of the Manorhaven Board of Trustees, the Carting Agreement between the Village of Manorhaven and Meadow Carting Company shall be extended for a term of two years as follows, effective immediately:

6/1/17 to 5/31/18 – Base fee \$ 640,542 per year + Town mandated disposal increase over the \$85.25 per ton for MSW and \$79.75 for yard waste.

6/1/18 to 5/31/19 – Base fee \$ 646,940.00 per year + Town mandated disposal increase over the \$85.25 per ton for MSW and \$79.75 for yard waste.

Motion to accept: Deputy Mayor von Roeschlaub; Seconded by Trustee Popeleski; unanimously accepted.

RESOLUTION #83-2107 - MARCH 23, 2017

A RESOLUTION APPOINTING ELECTION INSPECTORS

BE IT RESOLVED, that upon the recommendation of the Village Clerk-Treasurer, the individuals set forth below be and hereby are appointed as Inspectors of Election and Ballot Clerks, as the case may be, in connection with the Annual General Election of the Village, to be conducted Tuesday, June 20, 2017, from 6:00 a.m. to 9:00 p.m. Each shall be paid \$150 for the day, with the individual appointed as Chair, to receive \$200.00 for the day; and

BE IT FURTHER RESOLVED, that the Village Clerk-Treasurer, in her capacity as Commissioner of Elections for the Village, be and hereby is authorized to make such additions and alterations to said schedule as may be necessary and appropriate to carry out their duties pursuant to law; and

BE IT FURTHER RESOLVED, that the provisions of this resolution shall take effect immediately. Schedule of Election Inspectors and/or Ballot Clerks-General Village Election Tuesday, June 20, 2017 are as follows:

Michele Ferguson – Chair

Yvonne Calabrese

Geraldine Day

Avery Ferguson

Mamie Kerr

Ted Knopp

Christopher Quinn

Paula Quinn

Motion to accept: Trustee Di Lucia; Seconded by Trustee Kraft; unanimously accepted.

RESOLUTION # 84-2017- MARCH 23, 2017

A RESOLUTION ESTABLISHING FINES

WHEREAS, by the adoption on this date of Local Law 5, of 2017, the Board of Trustees provided that any person who violates Section 155-43 (Storage and parking of certain vehicles), Subsection B, shall be guilty of a violation punishable by a fine in an amount established by resolution of the Board of Trustees; and

WHEREAS, by the adoption on this date of Local Law 6, of 2017, the Board of Trustees provided that any person who violates Section 132-9 (Snow and ice removal) shall be guilty of a violation punishable by a fine in an amount established by resolution of the Board of Trustees. Each week's continued violation shall constitute a separate violation of this chapter.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Any person who violates Section 155-43 (Storage and parking of certain vehicles), Subsection B, shall be punishable by a fine in the amount of \$40, and
2. Any person who violates Section 132-9 (Snow and ice removal) shall be punishable by a fine in the amount of \$100 for the first offense, \$150 for the second offense and \$250 for each offense thereafter within that calendar year.

Motion to accept: Deputy Mayor von Roeschlaub; Seconded by Trustee Kraft; unanimously accepted.

RESOLUTION # 85-2017- MARCH 23, 2017

A RESOLUTION DETERMINING PUBLIC ASSEMBLY AND BUILDING APPLICATION FEES

WHEREAS, by the adoption on this date of Local Law 3, of 2017, the Board of Trustees provided that operating permits shall be required for Buildings containing one or more areas of public assembly with an occupant load of 50 persons or more; and

WHEREAS, Village Code Section 38(G) provides that a fee as set forth in Village Code Section 38-16 must be paid at the time of submission of an application for an operating permit, for an amended operating permit, or for reissue or renewal of an operating permit; and

WHEREAS, Village Code Section 38-16 provides that the Board of Trustees, by resolution, shall establish fees for, among other things, applications for building permits and operating permits.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. A fee of \$250 shall be payable at the time of submission of an application for an operating permit, or for reissue or renewal of an operating permit for buildings containing one or more areas of public assembly with an occupant load of 50 to 99 persons; and
2. A fee of \$350 shall be payable at the time of submission of an application for an operating permit, or for reissue or renewal of an operating permit for Buildings containing one or more areas of public assembly with an occupant load of 100 persons or more; and
3. New construction valuations will be estimated at \$225 per square foot on all construction; and
4. A fee in the amount of half the original permit fee shall be payable at the time of submission of an application for renewal of a building permit for all construction. Six months after the first renewal expires, a fee of \$500 for one and two family homes will be incurred per month, and all others will incur a \$1,000 renewal fee per month.

Motion to accept: Trustee Popeleski; Seconded by Deputy Mayor von Roeschlaub; unanimously accepted.

RESOLUTION # 86-2017- MARCH 23, 2017

A RESOLUTION AUTHORIZING TRUSTEE POPELESKI TO ISSUE PARKING TICKETS DURING SNOW EMERGENCIES

WHEREAS, by the adoption on this date of Local Law 2, of 2017, the Board of Trustees authorized such of its members as may be designated from time to time by resolution of the Board of Trustees to issue appearance tickets returnable in the Village Justice Court pertaining to the enforcement of any and all provisions of the Village Code relating to parking violations committed during the effective period of snow emergencies as set forth in Village Code §147-25.

NOW, THEREFORE, BE IT RESOLVED THAT Trustee John Popeleski is hereby authorized to issue appearance tickets, returnable in the Village Justice Court pertaining to the enforcement of any and all provisions of the Village Code relating to parking violations committed during the effective period of snow emergencies as set forth in Village Code §147-25.

Motion to accept: Trustee Di Lucia; Seconded by Deputy Mayor von Roeschlaub; unanimously accepted.

MOTIONS:

- A Motion to purchase a White 2017 - Chevrolet Trax LS1 AWD for the Building Department from the NYS Contract Bid List at \$19,979.28 from Van Bortel Chevrolet.

Motion to accept: Trustee Popeleski; Seconded by Trustee Kraft; unanimously accepted.

-Motion to Pay Court Ordered Tax Refunds to Owners 2005 – 20015 through Koeppel, Martone

Motion to accept: Deputy Mayor von Roeschlaub; Seconded by Trustee Popeleski; unanimously accepted.

-Motion to initiate a 1.25% property tax increase for the 2017-2018 tax year.

Motion to accept: Deputy Mayor von Roeschlaub; Seconded by Trustee Popeleski; unanimously accepted.

-Motion to implement the 2017 Village of Manorhaven Emergency Sewer Plan.

Motion to accept Trustee Di Lucia; Seconded by Trustee Popeleski; unanimously accepted.

-Motion to allow Manorhaven Preserve to be used for Bagels and Barks on Sunday, April 30, 11 a.m. at 2 p.m. in the Preserve.

Motion to accept Trustee Di Lucia; Seconded by Trustee Popeleski; unanimously accepted.

NEW TOPICS:

OLD TOPICS:

- Firwood Wall Completion

- Parking Sticker Program – Will schedule a Town Hall Meeting

PUBLIC COMMENT:

Ann Rose – Wants outside Board to stay current.

John Orr – Felt Cottonwood looked good during snow removal; feels people move their cars too quickly after 10 a.m.; would like Village to move forward on the Baywalk project.

Anna Pizzolato – Was plowed in; felt there was too much ice to move her car; wants alternate street parking eliminated.

Nick Marra – Had question regarding number of BZA meetings and tax refunds; felt snow removal has been the best it has ever been; feels too many people are doing projects without permits; and should be fined.

Rudy Santo – Highway Dept. Did a great job during Snow storm but he had parking difficulties. Would like BOT to revisit alternate-street parking policy.

Oskar Cibants - Great job with the snow; also had problems with cars and parking; discussed his garbage fines; would like to see blinking stop signs removed on Manorhaven Blvd. as his tenants complained to him.

Barbara Rumenapp – Wants to compliment Mike Calvanese and Steve Leventhal on the job they are doing; Complaint about front yard fencing and use of vinyl; feels Code needs to be addressed regarding “on property” parking and driveways.

Angela McGrade – Really liked the snow robocall; in other Villages there is no on street parking at all.

Frank Ottaviani – Good job on snow removal; would like to see magnets on unmarked plows that show the Village of Manorhaven logo.

Rose Masiello – Is in favor of alternate street parking. It really works.

WATERFRONT ADVISORY MEETING WITH PUBLIC COMMENT: March 29, 2017 at 7 p.m.

BUDGET WORK SESSION FOLLOWED BY A PUBLIC HEARING: March 30, 2017 at 4 p.m.
and 5:30p.m. Budget Hearing.

NEXT WORK SESSION: April 13, 2017

NEXT PUBLIC HEARING AND BOT MEETING: April 27, 2017

MARK YOUR CALENDARS:

- Village Bulk Clean-up Day – Saturday, May 6
- Free Health Screenings (St. Francis Hospital) – Friday, May 19 – 10 a.m. – 2 p.m., Village Parking Lot
- Village Elections – Tuesday, June 20
- Village Street Festival – Saturday, June 24 – 11:30 a.m. to 4:30 p.m.

ADJOURNMENT: 9:15 p.m.

Motion to Adjourn: Trustee Popeleski; Seconded by Deputy Mayor von Roeschlaub, unanimously accepted.

Sharon Natalie Abramski, RMC, CMC

Village Clerk-Treasurer

March 23, 2017