

**VILLAGE OF MANORHAVEN
BOARD OF TRUSTEES PUBLIC HEARING
May 23, 2019 – 7 p.m. - MINUTES**

CALL TO ORDER: 7:01 p.m.

Pledge of Allegiance: Jean-Marie Posner

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

ATTORNEYS COMMENTS REGARDING SEQRA RESOLUTION:

- A Motion to designate tonight’s proposed local law #5, #6, and #7 as SEQRA Type II actions and designate the Village Board of Trustees as the lead agency if laws are accepted.

- John Popeleski moved to accept SEQRA for Local Laws 5, 6 and 7 of 2019; seconded by Ken Kraft; motion unanimously carried.

LOCAL LAWS BEFORE THE BOARD:

Proposed Local Law #5-2019 - A local law amending Chapter 118 (Refuse and Recyclables), Article I (Collection and Disposal), by amending Section 118-1 to add regulations regarding the storage and disposal of refuse and recyclables;

WHEREAS, the Board of Trustees seeks to add further regulations to the Village Code regarding the storage and disposal of refuse and recyclables, therefore

BE IT ENACTED by the Board of Trustees of the Inc. Village of Manorhaven as follows:

Chapter 118 Refuse and Recyclables, Article I (Collection and Disposal), Section 118-1 “Regulations for disposing, removing, storing and placing of rubbish, garbage and recyclables” shall be amended by adding the following subsections C, D, and E:

§ 118-1

C. No person shall place for collection any garbage, ashes, rubbish or recyclables in the village or place or utilize any container for such purposes, at the curb for disposal earlier than 5:00 p.m. on the night before the scheduled collection day.

D. No person shall store, place for collection, dispose of or remove garbage, ashes, rubbish or recyclables in the village or place or utilize any container for such purposes, or cause any of the foregoing acts other than in a watertight metal or plastic container with a lid.

E. No person shall permit containers placed for collection to remain out at the curb after pickup beyond midnight of the scheduled collection day.

BE IT FURTHER ENACTED by the Board of Trustees of the Inc. Village of Manorhaven as follows: Chapter 118 Refuse and Recyclables, Article I (Collection and Disposal), Section 118-4 “Penalties for offenses” shall be amended by replacing this subsection with the following language:

§ 118-4 Penalties for offenses.

Any person, association, firm or corporation who or which violates any provision of this article or assists in the violation of any provision of this article shall be guilty of a violation, punishable by a fine of \$75 for a first offense; \$100 for a second offense; and \$150 for a third offense committed within a period of one year. Any subsequent offense shall be guilty of a violation punishable by a fine of not less than \$500. Each week’s continued violation shall constitute a separate additional violation. The provisions of this local law shall take effect upon filing with the Secretary of State.

PUBLIC COMMENTS: None

- Rita Di Lucia moved to close public comment on Local Law 5; seconded by John Popeleski; motion unanimously carried. NOTE: The Board will vote on Local Law #5 at the Special Session on May 31.

Proposed Local Law #6-2019 – A local law amending Chapter 155 (Zoning), Article IX (Administration), to revise the procedural requirements for site plan review;

WHEREAS, the Board of Trustees seeks to make certain changes to the procedural requirements for applications for site plan review, specifically increasing the required radius for notification of surrounding property owners from 100 feet to 200 feet, therefore

BE IT ENACTED by the Board of Trustees of the Inc. Village of Manorhaven as follows:

Chapter 155 Zoning, Article IX (Administration), Section 155-63 “Site plan review standards” shall be amended by replacing subdivisions (B) (2) and (4) with the following:

§ 155-63 “Site plan review standards”

(2) Applications for site plan approval shall be made on forms adopted by the Board for that purpose. An original and seven copies of the application, together with eight copies of the proposed site plan, floor plan and elevation plans, and a survey which served as the basis for the site plan, and eight copies of an area map showing the subject property, together with the use of all land within **200** feet of any portion of the subject property, and the zoning classification thereof shall be filed with the Village Clerk, together with the fee established by resolution of the Board.

(4) The Board shall fix a time within 62 days from the day an application for site plan approval is received for a public hearing on the application and give public notice thereof by publication in the official newspaper at least five days prior to the date thereof. At the same time the Village Board of Trustees shall forward the application to the Planning Board for review and recommendations, if the review is before the Village Board of Trustees. The Planning Board will review and make recommendations regarding the site plan in writing and return these to the Village Board of Trustees at least five days prior to the scheduled public hearing. Before an application for a site plan approval may be heard by the Board, a complete and accurate list of the names and addresses of the owners of all the lands within a radius of **200** feet of the property affected by such application, as it appears on the latest completed assessment roll of the County of Nassau, shall be submitted simultaneously with the application. The applicant shall send, by registered or certified mail, to each owner shown on said list, not less than 10 nor more than 20 days before the date set for a hearing upon the application, a notice addressed to such owners generally, signed by the applicant, identifying the property affected thereby and setting forth the use requested and the date, hour and place fixed by the Board for the hearing thereon. Before such application may be heard by the Board, the applicant must file with the Clerk of the Board, not later than five days prior to the hearing date, an affidavit of the mailing of such notices as herein provided, said affidavit to be made on forms to be provided by the Village Board of Trustees. The Board shall act to approve, disapprove or approve with conditions or modifications any such site plan within 62 days after the hearing on the application. The provisions of this local law shall take effect upon filing with the Secretary of State.

PUBLIC COMMENTS: None

- *John Popeleski moved to close public comment on Local Law 6; seconded by Rita Di Lucia; motion unanimously carried. NOTE: The Board will vote on Local Law #6 at the Special Session on May 31.*

- **Proposed Local Law #7-2019** – A local law amending Chapter 54 (Dogs and Other Animals), Article III (Dog Park) to revise the dog park regulations.

A local law amending Chapter 54 (Dogs and Other Animals), Article III (Dog Park) to revise the dog park regulations.

WHEREAS, the Board of Trustees seeks revise Chapter 54 (Dogs and Other Animals), Article III (Dog Park) to therefore BE IT ENACTED by the Board of Trustees of the Inc. Village of Manorhaven as follows:

Chapter 54 (Dogs and Other Animals), Article III (Dog Park) shall be repealed in its entirety and replaced with the following:

§ 54-19. Purpose.

The Board of Trustees of the Inc. Village of Manorhaven, in an effort to expand recreational programs and activities available to residents of the Village and our community at large, has established a Dog Park at the Manorhaven Village Preserve.

§ 54-20. Dog park access.

The Village of Manorhaven Dog Park will be open and accessible to any and all residents within the incorporated villages and non-incorporated areas within the Port Washington peninsula. All dogs using the park must be licensed by the Town of North Hempstead and be current on all vaccinations.

§ 54-21. Dog park regulations.

All persons using the Dog Park must strictly follow such Dog Park regulations and guidelines as may be established by resolution of the Village Board of Trustees.

The provisions of this local law shall take effect upon filing with the Secretary of State.

PUBLIC COMMENTS: None

- *Rita Di Lucia moved to close public comment; seconded by John Popeleski; motion unanimously carried. NOTE: The Board will vote on Local Law #7 at the Special Session on May 31.*

ADJOURNMENT: 7:11 p.m.

- *John Popeleski moved to close the public hearing and move into the Board of Trustees General Meeting; seconded by Jim Avena; motion unanimously carried.*

Manorhaven, NY
Sharon Natalie Abramski, RMC, CMC
Village Clerk-Treasurer
May 23, 2019

**VILLAGE OF MANORHAVEN
BOARD OF TRUSTEES MEETING
May 23, 2019 – 7 p.m. - MINUTES**

CALL TO ORDER:

MAYOR COMMENTS:

PRESENTATION:

Annual MS4 2018 - 2019 Storm Water Report

Jennifer Wilson Pines has been working our Clerk, Sharon Abramski, to complete the required MS4 Annual Storm Water Report for the Village. The report was posted on the website for the last week. Clerk Abramski reviewed the MS4 report with the Board and the Public. There were no questions on the report.

- Jim Avena moved to accept the report; seconded by John Popeleski; unanimously carried.

REPORTS:

Justice Court

Police Department

Building Department

- Rita Di Lucia moved to accept the reports; seconded by John Popeleski; motion unanimously carried.

MINUTES:

- Draft Minutes of the April 17, 2019 BOT Meeting

- Draft Minutes of the April 26, 2019 Special Session for Abstract Review

- Draft Minutes of the May 16, 2019 Work Session

- Rita Di Lucia moved to accept the minutes; seconded by John Popeleski; motion unanimously carried.

ABSTRACT OF CLAIMS:

- Abstract of Claims 4/26/2019 through 5/22/2109

- Abstract of Claims – Capital Fund 5/1/2019 through 5/16/2019

- John Popeleski moved to accept the abstracts; seconded by Ken Kraft; motion unanimously carried.

RESOLUTIONS:

RESOLUTION #23 - 2019 - SETTING FEES FOR PLANNING BOARD SITE REVIEW APPLICATION

WHEREAS, under section 155-63 of the Code of the Incorporated Village of Manorhaven, the fees charged to applicants for filing a site plan review application with the Planning Board or Board of Trustees shall be established by resolution of the Board of Trustees; and

WHEREAS, the Board of Trustees wishes to revise the current schedule of fees for applications brought before the Planning Board or Board of Trustees for site plan review;

NOW, THEREFORE, BE IT RESOLVED that the following schedule of fees for site plan review applications made to the Planning Board or Board of Trustees is adopted:

<u>Category of Application</u>	<u>Filing Fee</u>
Single-family dwelling	\$200
Two-family dwelling	\$500
Multiple dwelling	\$150 per unit
Commercial, Industrial, Governmental Applications	
First 10,000 sq. ft. of lot area or part thereof	\$1,200
Each additional 10,000 sq. ft. of lot area or of part thereof	\$1,200

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

- Rita Di Lucia moved to accept this resolution; seconded by John Popeleski; motion unanimously carried.

UPCOMING MEETINGS/EVENTS:

- May 27, Monday – Village Offices Closed
- May 31, Friday – Special Session for additional Abstract of Claims review at 10:30 a.m.
- June 12, Wednesday – Work Session at 6 p.m.
- June 13, Thursday – Hurricane Preparedness sponsored by Nassau County at 6:30 p.m.
- June 18, Tuesday – **Village Election** – 6 a.m. to 9 p.m. – Village Offices Closed
- June 19, Wednesday – Public Meeting Regarding Manorhaven Blvd at 6:30 p.m.
- June 22, Saturday – Morgan’s Dock Grand Opening at Noon
- June 27, Thursday – BOT General Meeting at 7 p.m.

PUBLIC COMMENT:

- *Nick Marra is concerned about speeding on Dunes Lane. He feels that a lot of people who attended the Town Hall meeting just came to complain even though we have good services, schools and a good administration He is also upset about 59 Orchard Beach Blvd.*
- *Mike Masiello feels that the speed bumps on Dunes Lane needs 3M reflective tape.*

ADJOURNMENT: 7:25 p.m.

- *John Popeski moved to close the General Meeting; seconded by Rita Di Lucia; unanimously carried.*

Manorhaven, NY
Sharon Natalie Abramski, RMC, CMC
Village Clerk-Treasurer
May 23, 2019