

**VILLAGE OF MANORHAVEN
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
APRIL 28, 2011**

The Board held a public hearing at 7:00 p.m. to consider the Tentative Budget of the Inc. Village of Manorhaven for the fiscal year commencing June 1, 2011, at the Village Hall, 33 Manorhaven Boulevard, Port Washington, NY. The public hearing was called to order at 7:04 p.m. by Mayor Michael T. Meehan with Trustees DiLeo, DiLucia, Fahey, Gibson, and eleven members of the public present. Public comment was offered by Mr. John Orr, Ms. Victoria Spielman, and Ms. Linda Dlugolecki. At 8:00 p.m., Trustee Gibson made a motion to close the public hearing. Trustee Fahey seconded the motion, which passed unanimously. Please see the stenographic record for further details.

The Board held a public hearing at 7:30 p.m. on Introductory Local Law A - 2011, "A Local Law to Amend Chapter 38 of the Code of the Inc. Village of Manorhaven Establishing Penalties for Construction Without a Permit." The public hearing was called to order at 8:03 p.m. by Mayor Michael T. Meehan with Trustees DiLeo, DiLucia, Fahey, Gibson, and eleven members of the public present. Please see the stenographic record for further details.

The Board held a public hearing at 7:30 p.m. on Introductory Local Law B - 2011, "A Local Law to Amend Chapter 147 of the Code of the Inc. Village of Manorhaven to Permit Towing of Scofflaw Vehicles." The public hearing was called to order at 8:09 p.m. by Mayor Michael T. Meehan with Trustees DiLeo, DiLucia, Fahey, Gibson, and eleven members of the public present. Public comment was offered by Mr. John Orr and Ms. Victoria Spielman. Please see the stenographic record for further details.

The Board held its regular monthly meeting on April 28, 2011 at 8:00 p.m. The meeting was called to order at 8:20 p.m. by Mayor Michael T. Meehan, with the following in attendance

Michael T. Meehan	Mayor
John M. DiLeo, Jr.	Trustee
Rita DiLucia	Trustee
Brendan Fahey	Trustee
Patrick Gibson	Trustee
Gerard Terry, Esq.	Village Attorney

Jonathan P. Fielding
Nancy Greene

Village Clerk-Treasurer
Clerk to Village Justice

Sixteen members of the public were in attendance. The Mayor asked Ms. Victoria Spielman to lead the assembly in reciting the Pledge of Allegiance.

The Mayor and the Board of Trustees then considered the resolution calendar.

RESOLUTION NO. 21 - APRIL 28, 2011
A RESOLUTION SCHEDULING A PUBLIC HEARING

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

BE IT RESOLVED, that the Board of Trustees of the Inc. Village of Manorhaven shall conduct a public hearing on the Municipal Separate Storm Sewer System (MS-4), Thursday, May 26, 2011, commencing at 7:30 p.m., 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.

The Board was polled as follows:

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

RESOLUTION NO. 22 - APRIL 28 2011
A RESOLUTION IN CONNECTION WITH THE VILLAGE STORM SEWER SYSTEM

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

BE IT RESOLVED, that upon the recommendation of the Mayor, Jeffrey Zeh, Commissioner of Environmental Conservation, be and hereby is engaged to prepare the Annual Report of the Inc. Village of Manorhaven in connection with the Municipal Separate Storm Sewer System ("MS-4"), as required by and to be filed with the New York State Department of Environmental Conservation, and that the compensation therefore shall be fixed at \$1,500; and

BE IT FURTHER RESOLVED, that the Mayor or his designee be and hereby is authorized to execute such forms as may be necessary and appropriate in connection with said filing; 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
Trustee DiLeo	Aye
Mayor Meehan	Aye

RESOLUTION NO. 23 - APRIL 28, 2011

A RESOLUTION MAKING A DETERMINATION UNDER STATE ENVIRONMENTAL QUALITY REVIEW

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

BE IT RESOLVED, that pursuant to State Environmental Quality Review ("SEQR"), the Board of Trustees declares itself "lead agency" in connection with the action known and identified as Introductory Local Law A - 2011, "A Local Law to Amend Chapter 38 of the Code of the Inc. Village of Manorhaven Establishing Penalties for Construction Without a Permit"; and

BE IT FURTHER RESOLVED, that having thoroughly and carefully considered the issue, the Board of Trustees finds and determines that said Introductory Local Law is an "unlisted action" under SEQR, the enactment of which will not have a significant impact on the environment; 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
Trustee DiLeo	Aye
Mayor Meehan	Aye

RESOLUTION NO. 24 - APRIL 28, 2011
A RESOLUTION MAKING A DETERMINATION UNDER STATE ENVIRONMENTAL
QUALITY REVIEW

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

BE IT RESOLVED, that pursuant to State Environmental Quality Review ("SEQR"), the Board of Trustees declares itself "lead agency" in connection with the action known and identified as Introductory Local Law B - 2011, "A Local Law to Amend Chapter 147 of the Code of the Inc. Village of Manorhaven to Permit Towing of Scofflaw Vehicles"; and

BE IT FURTHER RESOLVED, that having thoroughly and carefully considered the issue, the Board of Trustees finds and determines that said Introductory Local Law is an "unlisted action" under SEQR, the enactment of which will not have a significant impact on the environment; 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
Trustee DiLeo	Aye
Mayor Meehan	Aye

RESOLUTION NO. 25 - APRIL 28, 2011
A RESOLUTION GRANTING AUTHORIZATION FOR TREE REMOVAL

Trustee DiLeo offered the following resolution and moved for its adoption. Trustee Fahey 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:

<u>Applicant</u>	<u>Address</u>	<u>Quantity</u>
East Country Club, LLC	43 Kirkwood Road	2
Franco Capogna	12 Marwood Road	1
Josephine and Victor Roger	31 Kirkwood Road	1
Josephine Stankaitis	60 Dunwood Road	1
Jornei Vigo	78 Hickory Road	1
Catherine Wood	16 Corchaug Avenue	1

; 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	Aye
Trustee DiLeo	Aye
Mayor Meehan	Aye

RESOLUTION NO. 26 - APRIL 28, 2011

A RESOLUTION AMENDING THE TENTATIVE BUDGET OF THE VILLAGE

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

BE IT RESOLVED, that the Tentative Budget of the Inc. Village of Manorhaven for the fiscal year commencing June 1, 2011 and ending May 31, 2012, as filed and submitted by the Budget Officer of the Village, which was the subject of a public hearing, as required by law, on April 28, 2011, be and hereby is amended, as follows:

<u>Budget Code</u>	<u>Tentative Budget</u>	<u>Amended Budget</u>
2110	7,500	10,000
2501	4,000	6,000
2555	25,000	30,000
2560	4,000	5,500
2565	12,500	15,000
2596	140,000	200,000
2610	135,000	150,000
1410.400	15,000	10,000
1620.412	20,000	15,000
1001	2,779,582	2,681,082

; 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
Trustee DiLeo	Aye
Mayor Meehan	Aye

RESOLUTION NO. 27 - APRIL 28, 2011
A RESOLUTION ADOPTING THE ANNUAL BUDGET OF THE VILLAGE

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

BE IT RESOLVED, that upon the recommendation of the Village Clerk-Treasurer and the Village Accountant, the Tentative Budget of the Inc. Village of Manorhaven for the fiscal year commencing June 1, 2011 and ending May 31, 2012, as filed and submitted by the Budget Officer of the Village, and as subsequently amended, be and hereby is adopted as the Budget of the Village for said fiscal year; 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
Trustee DiLeo	Aye
Mayor Meehan	Aye

At 9:26 p.m., Trustee Fahey left the meeting.

The Mayor and Board of Trustees considered proposed minutes of the regular meeting held March 24, 2011. The Mayor and the Board of Trustees reviewed and considered these proposed minutes. Trustee Gibson made a motion to accept the minutes of as presented. Trustee DiLeo seconded the motion. The Board was polled as follows:

Trustee Gibson	Aye
Trustee DiLucia	Excused
Trustee DiLeo	Aye
Mayor Meehan	Aye

The Mayor and Board of Trustees reviewed and considered the departmental reports. Trustee DiLucia made a motion to accept the departmental reports, seconded by Trustee Gibson. The Board was polled as follows:

Trustee Gibson	Aye
Trustee DiLucia	Aye
Trustee DiLeo	Aye
Mayor Meehan	Aye

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

Trustee Gibson	Aye
Trustee DiLucia	Aye
Trustee DiLeo	Aye
Mayor Meehan	Aye

The Mayor opened the floor to public comment. Public comment was offered by Ms. Elise Ledda, Mr. Jeremy Devine, and Mr. John Orr.

At 9:51 p.m., Trustee Gibson made a motion to enter executive session in order to discuss a litigation matter. Trustee DiLeo seconded the motion, which passed unanimously.

At 10:13 p.m., Trustee Gibson made a motion to return from executive session. Trustee DiLeo seconded the motion, which passed unanimously.

RESOLUTION NO. 28 - APRIL 28, 2011

A RESOLUTION APPOINTING INSPECTORS OF ELECTION AND BALLOT CLERKS

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

BE IT RESOLVED, that upon the recommendation of the Village Clerk-Treasurer, the individuals set forth on the attached schedule 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 21, 2011, from 6:00 a.m. to 9:00 p.m.; 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 DiLucia	Aye
Trustee DiLeo	Aye
Mayor Meehan	Aye

Schedule

Michael Barry
Margaret DiLeo
Gail Wendt
Priscilla von Roeschlaub
Mamie L. Kerr
Rabab Ahmed Mohamed
Normand Dumont
William T. Hand
Richard L. Maxted
Dolores D. Holliday

At 10:15 p.m., Trustee DiLeo made a motion to adjourn the meeting. Trustee Gibson seconded the motion, which passed unanimously.

Dated Manorhaven, New York
 May 20, 2011

Respectfully submitted,

Jonathan P. Fielding
Village Clerk-Treasurer