

**VILLAGE OF MANORHAVEN  
BOARD OF TRUSTEES  
MINUTES OF REGULAR MEETING  
FEBRUARY 16, 2012**

The Board held its regular monthly meeting on February 16, 2012 at 8:00 p.m. The meeting was called to order at 8:05 p.m. by Mayor Michael T. Meehan, with the following in attendance:

Michael T. Meehan	Mayor
Brendan Fahey	Deputy Mayor
John M. Di Leo, Jr.	Trustee
Rita Di Lucia	Trustee
Gerard Terry, Esq.	Village Attorney
Jonathan P. Fielding	Village Clerk-Treasurer
Carmela Aiello	Deputy Village Clerk

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

The Mayor appointed Trustee John M. Di Leo, Jr. as Deputy Mayor and commended former Deputy Mayor Brendan Fahey for his excellent service.

The Mayor appointed James Avena as Trustee to fill the vacancy occasioned by the resignation of former Trustee Gibson.

The Mayor and Board of Trustees considered proposed minutes of the regular meeting held on January 26, 2012. The Mayor and the Board of Trustees reviewed these proposed minutes. Trustee Di Lucia made a motion to accept the minutes. Trustee Fahey seconded the motion. The Board was polled as follows:

Trustee Avena	Excused
Trustee Di Lucia	Aye
Trustee Fahey	Aye
Deputy Mayor Di Leo	Aye
Mayor Meehan	Aye

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

Trustee Avena	Aye
Trustee Di Lucia	Aye

Trustee Fahey           Aye  
Deputy Mayor Di Leo Aye  
Mayor Meehan           Aye

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

Trustee Avena           Aye  
Trustee Di Lucia       Aye  
Trustee Fahey           Aye  
Deputy Mayor Di Leo Aye  
Mayor Meehan           Aye

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

**RESOLUTION NO. 8 - FEBRUARY 16, 2012**  
**A RESOLUTION SCHEDULING A PUBLIC HEARING**

Trustee Di Lucia offered the following resolution and moved for its adoption. Trustee Avena seconded the motion.

**BE IT RESOLVED**, that the Board of Trustees of the Inc. Village of Manorhaven shall conduct a public hearing on Thursday, March 22, 2012, commencing at 7:00 p.m., at the Village Hall, 33 Manorhaven Boulevard, Port Washington, NY, to consider the Tentative Budget of the Inc. Village of Manorhaven for the fiscal year commencing June 1, 2012; and

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

The Board was polled as follows:

Trustee Avena           Aye  
Trustee Di Lucia       Aye  
Trustee Fahey           Aye  
Deputy Mayor Di Leo Aye  
Mayor Meehan           Aye

**RESOLUTION NO. 9 - FEBRUARY 16, 2012**  
**A RESOLUTION MAKING A DETERMINATION UNDER STATE ENVIRONMENTAL QUALITY REVIEW**

Trustee Di Lucia offered the following resolution and moved for its adoption. Trustee Avena 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 - 2012"; 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 constitutes 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 Avena	Aye
Trustee Di Lucia	Aye
Trustee Fahey	Aye
Deputy Mayor Di Leo	Aye
Mayor Meehan	Aye

**RESOLUTION NO. 10 - FEBRUARY 16, 2012  
A RESOLUTION AUTHORIZING TREE REMOVAL**

Deputy Mayor Di Leo offered the following resolution and moved for its adoption. Trustee Avena seconded the motion.

**BE IT RESOLVED**, that upon the recommendation of the Commissioner of Trees, Deputy Mayor John M. Di Leo, 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>
Edith Gogola	32 Ashwood Road	1 (Norway Maple - Rear yard)

; 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, to the extent that the trees are located on the right-of-way, 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 Avena	Aye
Trustee Fahey	Aye
Trustee Di Lucia	Aye
Deputy Mayor Di Leo	Aye
Mayor Meehan	Aye

**PROPOSED RESOLUTION NO. 11A - FEBRUARY 16, 2012  
A RESOLUTION AUTHORIZING TREE REMOVAL**

Deputy Mayor Di Leo offered the following resolution and moved for its adoption. Trustee Di Lucia seconded the motion.

**BE IT RESOLVED**, that upon the recommendation of the Commissioner of Trees, Deputy Mayor John M. Di Leo, 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>
Ressa Family LLC	55, 57, 59, 63 Sands Point Road	34

; 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, to the extent that the trees are located on the right-of-way, 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 Avena	Nay
Trustee Fahey	Nay
Trustee Di Lucia	Nay
Deputy Mayor Di Leo	Aye
Mayor Meehan	Aye

The motion failed passage.

**PROPOSED RESOLUTION NO. 11B - FEBRUARY 16, 2012**  
**A RESOLUTION AUTHORIZING TREE REMOVAL**

Deputy Mayor Di Leo offered the following resolution and moved for its adoption. Trustee Di Lucia seconded the motion.

**BE IT RESOLVED**, that upon the recommendation of the Commissioner of Trees, Deputy Mayor John M. Di Leo, 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>
Yongchul & SooYon Cho	64 Kirkwood Road	2 (driveway/rear yard)

; 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, to the extent that the trees are located on the right-of-way, 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 Avena	Nay
Trustee Fahey	Nay
Trustee Di Lucia	Nay
Deputy Mayor Di Leo	Nay
Mayor Meehan	Aye

The motion failed passage.

The Mayor reappointed the Hon. Sarudzayi Makwande as Acting Village Justice for the term expiring July 2, 2012. Trustee Avena made a motion to ratify the appointment, which was seconded by Trustee Fahey. The Board was polled as follows:

Trustee Avena	Aye
Trustee Fahey	Aye
Trustee Di Lucia	Aye
Deputy Mayor Di Leo	Aye
Mayor Meehan	Aye

The Mayor appointed Walter Krupka as a member of the Board of Zoning Appeals to the term expiring July 2016. Trustee Fahey made a motion to ratify the appointment which was seconded by Deputy Mayor Di Leo. The Board was polled as follows:

Trustee Avena	Aye
Trustee Fahey	Aye
Trustee Di Lucia	Aye
Deputy Mayor Di Leo	Aye
Mayor Meehan	Aye

The Mayor opened the floor to public comment. Public comment was offered by Ms. Linda Portney, Mr. Jim Avena, and Mr. Edward Song.

At 8:49 p.m., Trustee Fahey made a motion to enter executive session to discuss a litigation matter. Trustee Di Lucia seconded the motion, which passed unanimously.

At 9:10 p.m., Trustee Di Lucia made a motion to return from executive session. Deputy Mayor Di Leo seconded the motion, which passed unanimously.

At 9:11 p.m., Trustee Fahey made a motion to adjourn the meeting. Deputy Mayor Di Leo seconded the motion, which passed unanimously.

Dated           Manorhaven, New York  
                  March 10, 2012

Respectfully submitted,

Jonathan P. Fielding  
Village Clerk-Treasurer