

**VILLAGE OF MANORHAVEN  
BOARD OF TRUSTEES  
MINUTES OF THE PUBLIC HEARING  
AND REGULAR BOARD MEETING  
THURSDAY, DECEMBER 17, 2015 7:00 pm**

The Public Hearing was called to order at 7:00 pm by Trustee DiLucia, as the Mayor had a family emergency. The Pledge of Allegiance was led by Nick Di Lucia. The Clerk called the roll and verified that there was a quorum. In attendance were:

**James Avena, Trustee  
Rita DiLucia, Trustee  
Kevin Gately, Trustee  
Priscilla von Roeschlaub, Trustee  
James E. Toner, Village Attorney  
Leslie C. Gross, Village Clerk-Treasurer**

There were 43 +/- members of the public in attendance.

Attorney Toner gave a short description of the new Fire Department contract while waiting for representatives of the Port Washington Fire Department to arrive. Trustee Avena made a motion to temporarily close the public hearing, seconded by Trustee von Roeschlaub in order to hear a report from Sarah Deonarine, Executive Director of the Manhasset Bay Protection Committee while waiting for the Fire Department members.

Ms. Deonarine introduced herself, and continued by saying that she has been circulating an IMA among 13 villages, the Town and Nassau County to work together to protect The Bay. She hopes to have all participants sign by March. She said that usually either Michelle Roper or Trustee Priscilla has been representing The Village of Manorhaven at their meetings. She continued that they are not a regulatory organization, and may not take a stance on an issue without full committee approval. They concentrate on public education and outreach.

At 7:29 pm, Trustee Avena made a motion to return to the public hearing, which motion was seconded by Trustee Gately and approved by all Board members.

Michael Tedeschi, Chairman of the Board of the Port Washington Fire Department addressed the Board, and thanked Mr. Toner for his report. He added that the fire department worked hard to cut the budget by \$19,000 which resulted in a \$7,000 savings for Manorhaven. He then introduced Chief Brian Waterson who reported that from January 1, 2015 to this date, there were 308 aided incidents and 114 fire incidents in Manorhaven. The Board thanked the members for their service, the entire transcript of which can be accessed from The Village.

Trustee Avena made a motion to close the Public Hearing, seconded by Trustee Gately. The vote was unanimous. Trustee Avena then made a motion to adopt the 2016 Fire Department contract, seconded by Trustee von Roeschlaub.

Trustee Avena	AYE
Trustee Gately	AYE
Trustee Di Lucia	AYE
Trustee von Roeschlaub	AYE

Trustee di Lucia then asked to open the Regular Meeting of the Board of Trustees, calling upon Debbie Greco to lead the Pledge. Trustee Gately made a motion to approve the minutes of the November 19<sup>th</sup> board meeting, which motion was seconded by Trustee Avena. The vote was as follows:

Trustee Avena	AYE
Trustee Gately	AYE
Trustee Di Lucia	AYE
Trustee von Roeschlaub	AYE

The Clerk asked the Board to review the department reports. Trustee Gately made a motion to accept the minutes, seconded by Trustee von Roeschlaub. The vote was as follows:

Trustee Avena	AYE
Trustee Gately	AYE
Trustee Di Lucia	AYE
Trustee von Roeschlaub	AYE

The Board then reviewed the abstract of claims from November 20<sup>th</sup> through December 17<sup>th</sup>. With all questions answered about the bills which were paid, Trustee Avena made a motion to approve the abstract which was seconded by Trustee von Roeschlaub. The vote was as follows:

Trustee Avena	AYE
Trustee Di Lucia	AYE
Trustee Gately	AYE
Trustee von Roeschlaub	AYE

The following resolutions were presented at the meeting:

**BOARD OF TRUSTEES – INC. VILLAGE OF MANORHAVEN**  
**RESOLUTION #79-2015**  
**DECEMBER 17, 2015**

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO AMEND SECTION §155.60 OF THE MANORHAVEN VILLAGE CODE TO PERMIT THE BOARD OF ZONING AND APPEALS TO ISSUE SHORT FORM DECISIONS AND TO REQUIRE THAT ALL BOARD DECISIONS BE SIGNED BY THE CHAIRMAN**

Trustee Gately offered the following resolution and moved its adoption, seconded by Trustee von Roeschlaub, which resolution was declared adopted after a poll of the members of this Board:

**WHEREAS**, the Village Board, as legislative body of the Village of Manorhaven is empowered to amend the local laws of the village.

**WHEREAS**, in order to expedite the issuance of Board of Zoning and Appeals decisions, it has been deemed a necessity to amend the local law to permit the Board of Zoning and Appeals to issue Short Form decisions at its discretion,

**WHEREAS**, to insure accountability and accuracy of Board of Zoning and Appeals decisions, the Board of Trustees deems it necessary for decisions to be signed by the Chairman or acting Chairman of the board.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing be held by this Board on the 21<sup>th</sup> day of January, 2016, at 7:00 pm in the Village Board Room, Village Hall, 33 Manorhaven Blvd., Port Washington, New York, for the purpose of setting a date for a public hearing considering the adoption of the an amendment to section §155.60 of the Manorhaven Village Code to permit Short Form Orders, to establish a procedures for issuing short form orders and to require the Chairman of the Board of Zoning and Appeals to sign all decisions.

**RESOLVED** that the Village Clerk be and hereby is authorized and directed to publish a notice of said hearing, as required by law, which notice shall be in substantially the following form:

**NOTICE OF HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held by the Village Board of Manorhaven at Village Hall, 33 Manorhaven Blvd, Port Washington, New York on the 21<sup>th</sup> day of January, 2015 at 7:00 pm, to consider the amendment of section 155.60 of the Manorhaven Village Code as follows:

**E. BOARD DECISIONS**

(1) The Zoning Board of Appeals may render its decision on any appeal, application, or other

matter in a short-form format, setting forth the Board's determination and conditions, if any, without enumerating the findings which formed the basis for its determination. Any appellant, applicant, or other person or persons jointly or severally aggrieved by a decision of the Board may, within 30 days after the filing of the short-form decision in the office of the Village Clerk, file a written demand with the Village Clerk requesting that the Zoning Board of Appeals render its decision in a long-form format containing findings which formed the basis for the Board's determination. The Village Clerk shall promptly deliver this written demand to the Chairman of the Zoning Board of Appeals and the Village Attorney. The chairman shall then cause the long form decision to be prepared and, upon its approval by the Board, file it with the Village Clerk.

(2) In cases where the Zoning Board of Appeals renders a short-form decision, and no written demand requesting a long-form decision is filed within the required thirty-day period, the date of filing of the short-form decision with the Village Clerk shall be deemed the date of the filing of the Board's decision for all purposes. In cases where the Board renders or is required to render a long-form decision, the date of filing of the long-form decision with the Village Clerk shall be deemed the date of filing of the Board's decision for all purposes.

(3) All decisions of the Board of Zoning and Appeals shall be signed by the Chairman or acting Chairman.

**PLEASE TAKE FURTHER NOTICE** that all persons shall have an opportunity to be heard concerning said Amendment to local law at the time and place advertised.

**PLEASE TAKE FURTHER NOTICE** At said hearing, all interested parties will be given an opportunity to be heard. Copies of the proposed law are on file at the Village Hall and may be seen during regular business hours. Those persons planning to attend the meeting and who require special accommodations because of a disability are requested to notify the Village Clerk no less than 48 hours prior to the meeting.

Dated: December 17, 2015  
Manorhaven, New York

**BY ORDER OF THE VILLAGE BOARD OF MANORHAVEN  
LESLIE C. GROSS, MMC  
VILLAGE CLERK**

Dated: December 17, 2015  
Manorhaven, New York

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TRUSTEE DI LUCIA, Acting for the Mayor  
Incorporated Village of Manorhaven

The vote on the foregoing resolution was as follows:

Trustee Avena	AYE
Trustee Di Lucia	AYE
Trustee Gately	AYE
Trustee von Roeschlaub	AYE

**BOARD OF TRUSTEES, INC. VILLAGE OF MANORHAVEN**  
**RESOLUTION #80- 2015**  
**DECEMBER 17, 2015**

**RESOLUTION AUTHORIZING TREE REMOVAL**

Trustee Gately offered the following resolution and moved its adoption, seconded by Trustee von Roeschlaub, which resolution was declared adopted after a poll of the members of this Board:

**BE IT RESOLVED**, that upon the recommendation of the Board of Trustees, 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,

<b><u>Applicant</u></b>	<b><u>Address</u></b>	<b><u>Quantity</u></b>
Rob Fogel	37 Marwood Rd.South	NW Corner Rear Yard

; and

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

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

Dated: Manorhaven, New York  
December 17, 2015

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TRUSTEE DI LUCIA, Acting for the Mayor  
Incorporated Village of Manorhaven

The Board was polled as follows:

Trustee Avena	AYE
Trustee Di Lucia	AYE
Trustee Gately	AYE
Trustee von Roeschlaub	AYE

**BOARD OF TRUSTEES – INC. VILLAGE OF MANORHAVEN**  
**RESOLUTION #81-2015**  
**DECEMBER 17, 2015**

**A RESOLUTION CREATING AND DESIGNATING LIASON ASSIGNMENTS FOR  
MEMBERS OF THE BOARD OF TRUSTEES**

Trustee von Roeschlaub offered the following resolution and moved its adoption, seconded by Trustee Gately, which resolution was declared adopted after a poll of the members of this Board:

**WHEREAS**, in recognition of the importance of being knowledgeable and responsible members of the board, and to the faithfully execute the public duties and functions of the board; and,

**WHEREAS**, the Board of Trustees wishes to increase communication of the respective departments and the administration; and,

**WHEREAS**, the Board recognizes that the assignment and designation of liaison duties to members of the board would accomplish this purpose; and

**WHEREAS**, said liaison assignments in no way infringe upon or interfere with the Mayor's authority over the day to day operations of the village and the supervision of the conduct of officers and employees of the village; and,

**WHEREAS**, said assignments are not intended to infringe upon the rights, duties and obligations of the chief records officer of the village; and,

**WHEREAS**, said assignments are liaison only and do not convey any additional authority to the board than currently enjoyed under the New York State Village's Law and the Village of Manorhaven code;

**NOW, THEREFORE, BE IT RESOLVED** that the following liaison assignments shall be made this day:

Highway Department - Mayor Giovanna Giunta

Code Enforcement – Trustee Rita Di Lucia

Finance – Trustee Kevin Gately

Budget – Trustee Jim Avena

Business Roundtable / Vision LI and Welcome Wagon – Trustee Priscilla von Roeschlaub

Dated: December 17, 2015  
Manorhaven, New York

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TRUSTEE DI LUCIA, Acting for the Mayor  
Incorporated Village of Manorhaven

The vote on the foregoing resolution was as follows:

Trustee Avena	AYE
Trustee Gately	AYE
Trustee Di Lucia	AYE
Trustee von Roeschlaub	AYE

### **OLD BUSINESS**

James Toner gave an update of the pending lawsuit against AG Towers, stating that the judge would not grant a summary judgment and that discovery will begin in the case. Attorney John McDonald is handling the case.

### **PUBLIC COMMENT**

1. Caroline DuBois and Gary Maynard from MAC reported on the December 16<sup>th</sup> gathering of the Manhasset Action Committee. They thanked the Board for the detailed information they received at the Work Session with AVZ, The Village accountants. The main issues of the group pertain to taxes and quality of life. They specifically mentioned parking, traffic safety and code enforcement issues. Trustee Gately added that he is developing his sticker idea. They expressed concerns about environmental aspects of Dejana Industries, and about having DEC come to inspect our wetlands. Many of their points will be discussed at upcoming work sessions.
2. Barbara Mallon spoke about two points regarding the MAC: she said that a building a bridge to get out of Manhasset Isle in case of flooding is impossible. It had been discussed in the past. She also said that the DEC had come to look into the possibility of something being leaked into the bay, and their suggestion was to 'put wood chips on it.' The main concern is that she has been taking readings of the emissions from the cell tower and that they are very high. She stated that on 11/11/15, the reading near the Mayor's home was over 100 which is considered to be extremely high.
3. Nick Marra wanted to know why bills from Port Plumbing have fluctuated so much. He mentioned several payments from past abstracts. He asked how the Village hires someone with the same wording on a contract, but it was unclear as to which company he was comparing Gold Coast Pavers. He then referred to an \$1,100 charge to repair something on Ford Place. He said Gold Coast Pavers has multiple complaints against it, and that BBB have them an "F" rating. He said someone at the work session complained that they saw a truck going into Dejana filled with garbage and said that the person didn't have proof. Next he said that he asked 15 months ago for a meeting with the police. He was told that Inspector Berry has been asked and has said he will come sometime in early 2016.
4. Mrs. McGrade was concerned about what the Village can do about dangerous trees in the Village.

5. Frank Ottaviani said he was concerned about enforcement of no talking at work sessions.
6. Mr. Orr said he thinks the front stoop of Village Hall is pitched incorrectly because the water pools near the door. He mentioned that last season was rough plowing all the snow, and doesn't feel that we can get away from alternate side parking during the winter months. He feels we should send a letter to remind all residents to shovel sidewalks as soon as it snows.
7. Gary Maynard filed a complaint in April of 2015. He said that Kareem had solved some of the problems, but added that his neighbor's driveway is too wide, and too many cars park there. Kareem will follow up.
8. Patrick Gibson suggested that a list of reimbursable expenses should be added to the reports given.
9. Frank Ottaviani referred to Mr. Orr's comment about the importance of shoveling, and that he likes the way Danny Gallo used to plow the streets.

The next work session will be held on January 11, 2016 beginning at 7:00 pm.

The next Board of Trustees meeting will be held on January 21<sup>st</sup>, with a Public Hearing at 7:00 pm and the Regular Board meeting at 7:30 pm.

With no further business before the Board, Trustee Avena made a motion to adjourn, with a second by Trustee von Roeschlaub. The meeting was adjourned at 9:00 pm.

Respectfully Submitted,

Leslie C. Gross, RMC, MMC

