

**VILLAGE OF MANORHAVEN
BOARD OF TRUSTEES
REGULAR MEETING
DECEMBER 20, 2021 – 3:00 P.M.
AGENDA**

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ATTENDANCE:

REPORTS:

MINUTES:

ABSTRACT OF CLAIMS:

PUBLIC COMMENT:

UPCOMING MEETINGS AND EVENTS:

- Friday, December 24th Village Office Closed
- Saturday, December 25th Merry Christmas!
- Friday, December 31st Village Office Closed
- Wednesday, January 12th BOT Work Session 5:00 P.M.
- Wednesday, January 26th BOT General Meeting 6:30 P.M.

Manorhaven, NY
Alex Kovacevic., Deputy Village Clerk
December 16, 2021

**Incorporated Village of Manorhaven
Justice Court**

**PURSUANT TO THE REQUEST OF
THE MAYOR AND BOARD OF TRUSTEES**

**JUSTICE COURT CLERK'S
Summary of Total Collected Paid Fines**

For the Month of November 2021

122	Parking Tickets Paid	\$9,310.00
4	Moving Violations Paid	\$600.00
49	Code Violations Paid	\$6,003.00
TOTAL:		<u>\$16,163.00</u>

JUNE 2020 - MAY 2021

June 2020	\$5,200.00
July 2020	\$14,540.00
August 2020	\$18,858.00
September 2020	\$16,707.00
October 2020	\$21,211.00
November 2020	\$14,888.00
December 2020	\$10,640.00
January 2021	\$28,895.00
February 2021	\$26,849.00
March 2021	\$36,301.00
April 2021	\$15,861.00
May 2021	<u>\$26,654.00</u>

TOTAL AMOUNT \$209,950.00

JUNE 2021 - MAY 2022

June 2021	\$20,541.00
July 2021	\$18,030.00
August 2021	\$17,175.00
September 2021	\$17,018.00
October 2021	\$22,687.00
November 2021	\$16,163.00
December 2021	\$0.00
January 2022	\$0.00
February 2022	\$0.00
March 2022	\$0.00
April 2022	\$0.00
May 2022	\$0.00

TOTAL AMOUNT \$111,614.00

**Incorporated Village of Manorhaven
Justice Court**

**PURSUANT TO THE REQUEST OF
THE MAYOR AND BOARD OF TRUSTEES**

JUSTICE COURT CLERK'S REPORT

COLLECTED FINES FOR THE MONTH OF

NOVEMBER 2021

PARKING TICKETS		MOVING/CODE/APPEARANCE TICKETS	
Fines collected:	\$9,310.00	Fines collected:	\$6,603.00
Less FBS fee:	\$1,515.00	Less State surcharges:	\$0.00
Total Net:	\$7,795.00	Total Net:	\$6,603.00

Total GROSS:	\$ 15,913.00
Less Surcharge/*FBS fee	<u>\$ 1,515.00</u>
TOTAL NET:	<u>\$ 14,398.00</u>

* Parking Tickets: FBS Service Fee

**Inc. Village of Manorhaven
Justice Court Clerk's Report**

**PURSUANT TO THE REQUEST OF THE
MAYOR AND BOARD OF TRUSTEES**

STOP SIGN TICKETS ADJUDICATED

COURT DATE: November 16, 2021

Ticket No:	Date Issued	Time Issued	Location:
K136DMPDTS	9/29/2021	7:42PM	Manorhaven Blvd.
K136DN7V3W	10/4/2021	11:01PM	Manorhaven Blvd.
K136DPPCQ8	10/18/2021	1:26PM	Manorhaven Blvd.

CODE TICKET SUMMARY REPORT FOR OCTOBER 2021

A	B	C	D	E	F	J	K
CITE #	DEFENDANT	CITED	CODE SECTION	VIOLATION	DISPOSITION	MAXIMUM	PAID
1							
2							
3	MARTINEZ	3/6/2018	155-103	ILLEGAL OCCUPANCY	Dismissed	\$,3500	DISMISSED
4	MILLER	9/21/2018	120-9	NO RENTAL INSPECTION	Dismissed	\$1,000	DISMISSED
5	MILLER	12/21/2018	99-1C	DEBRIS ACCUMULATING	Dismissed	\$1,000	DISMISSED
6	MILLER	12/21/2018	112-3	POOR PROPERTY MAINTENANCE	Dismissed	\$1,000	DISMISSED
7	MILLER	6/6/2019	112-3	POOR PROPERTY MAINTENANCE	Dismissed	\$1,000	DISMISSED
8	MILLER	7/8/2019	118-1	IMPROPER GARBAGE DISPOSAL	\$75 Fine	\$75	PAID
9	MILLER	8/15/2019	118-1	IMPROPER GARBAGE DISPOSAL	\$100 Fine	\$100	PAID
10	MILLER	8/22/2019	112-3B	POOR PROPERTY MAINTENANCE	Dismissed	\$1,000	DISMISSED
11	MILLER	2/3/2020	118-1	IMPROPER GARBAGE DISPOSAL	\$75 Fine	\$75	PAID
12	QUINTANILLA	3/3/2020	120-5	ILLEGAL RENTAL	\$250 Fine	\$1,000	PAID
13	MILLER	7/9/2020	120-3	NO RENTAL PERMIT	\$625 Fine	\$1,000	PAID
14	VISCO	10/6/2020	147-69	PARKING ON SIDEWALK	Dismissed	\$120	DISMISSED
15	VISCO	10/8/2020	147-69	PARKING ON SIDEWALK	Dismissed	\$120	DISMISSED
16	VISCO	10/6/2020	130-5	ILLCIT DISCHARGE INTO STREET	Dismissed	\$1,000	DISMISSED
17	24 MANORHAVEN BLVD.	10/8/2020	112-3	DUMPSTER NOT ENCLOSED	Dismissed	\$1,000	DISMISSED
18	24 MANORHAVEN BLVD.	10/8/2020	148-3	UNAPPROVED TRAILER	Dismissed	\$100	DISMISSED
19	24 MANORHAVEN BLVD.	10/6/2020	57-2	REFUSE DISCARDED ILLEGALLY	Dismissed	\$1,000	DISMISSED
20	24 MANORHAVEN BLVD.	10/8/2020	57-2	REFUSE DISCARDED ILLEGALLY	Dismissed	\$1,000	DISMISSED
21	CONTINO	12/22/2020	132-9A	SNOW ON SIDEWALK	Dismissed	\$100	DISMISSED
22	CONTINO	12/22/2020	118-1	IMPROPER GARBAGE DISPOSAL	Dismissed	\$75	DISMISSED
23	KHORASSANI	1/7/2021	99-1C	DEBRIS ACCUMULATING	\$150 Fine	\$1,000	PAID
24	MILLER	3/4/2021	118-1	IMPROPER GARBAGE DISPOSAL	\$75 Fine	\$75	PAID
25	MILLER	3/29/2021	118-1	IMPROPER GARBAGE DISPOSAL	\$75 Fine	\$75	PAID
26	CLARKE	5/11/2021	99-1B	GRASS EXCEEDING 6 INCHES	\$50 Fine	\$50	PENDING
27	UHAUL INTERNATIONAL INC.	5/17/2021	147-22	COMMERCIAL VEHICLE	\$120 Fine	\$120	PAID
28	KALABAKAS	8/2/2021	99-1B	GRASS EXCEEDING 6 INCHES	\$50 Fine	\$50	PAID
29	PEREZ	8/2/2021	112-3C	NO DUMPSTER PERMIT	\$100 Fine	\$1,000	PENDING
30	UHAUL INTERNATIONAL INC.	8/12/2021	147-22	COMMERCIAL VEHICLE	\$120 Fine	\$120	PAID
31	UHAUL INTERNATIONAL INC.	8/17/2021	147-22	COMMERCIAL VEHICLE	\$120 Fine	\$120	PAID
32	ESTRADA	8/18/2021	147-22	COMMERCIAL VEHICLE	\$10 Fine	\$120	PAID
33	PEREZ	8/12/2021	99-1C	DEBRIS ACCUMULATING	\$50 Fine	\$1,000	PENDING
34	MALPEDI	8/31/2021	147-22	COMMERCIAL VEHICLE	Dismissed	\$120	DISMISSED
35	UHAUL INTERNATIONAL INC.	9/7/2021	147-22	COMMERCIAL VEHICLE	\$120 Fine	\$120	PAID
36	ZEH	9/13/2021	118-1	IMPROPER GARBAGE DISPOSAL	\$20 Fine	\$75	PAID
37	MALPEDI	9/9/2021	147-22	COMMERCIAL VEHICLE	Dismissed	\$120	DISMISSED
38	GALLARDO	9/16/2021	155-43B	COMMERCIAL VEHICLE	\$40 Fine	\$40	PAID
39	CHAMAN	9/16/2021	112-3	CAR PARKED ON LAWN	\$150 Fine	\$1,000	PAID
40	MORENO	8/11/2021	112-16	NO STORAGE CONTAINER PERMIT	\$100 Fine	\$1,000	PAID
41	MORENO	8/23/2021	112-16	NO STORAGE CONTAINER PERMIT	\$100 Fine	\$1,000	PAID
42	MORENO	8/31/2021	112-16	NO STORAGE CONTAINER PERMIT	\$100 Fine	\$1,000	PAID

CODE TICKET SUMMARY REPORT FOR OCTOBER 2021

	A	B	C	D	E	F	J	K
1	CITE #	DEFENDANT	CITED	CODE SECTION	VIOLATION	DISPOSITION	MAXIMUM	PAID
43	10321	MORENO	9/7/2021	112-16	NO STORAGE CONTAINER PERMIT	\$100 Fine	\$1,000	PAID
44	10334	MORENO	9/27/2021	112-16	NO POD PERMIT	\$100 Fine	\$1,000	PAID
45	10335	CHEN	9/28/2021	155-53	NO SIGN PERMIT	\$150 Fine	\$1,000	PAID
46	10341	MAYOURIAN	9/30/2021	99-1B	GRASS EXCEEDING 8 INCHES	\$50 Fine	\$50	PAID
47	10346	ELSHAER	10/5/2021	118-1	IMPROPER GARBAGE DISPOSAL	\$50 Fine	\$75	PAID
48	10347	LIN	10/8/2021	58-1	NO ELECTRICIAN LICENSE	\$150 Fine	\$1,000	PAID
49	10349	MILLER	10/8/2021	118-1	IMPROPER GARBAGE DISPOSAL	\$150 Fine	\$150	PAID
50	10355	JP EASTERN CREST LLC	10/13/2021	112-10A	VEHICLE WITH NO PLATES	\$250 Fine	\$1,000	PAID
51	10364	MILLER, IRENE	10/18/2021	118-1	IMPROPER GARBAGE DISPOSAL	\$75 Fine	\$75	PAID
52	10365	SCHULTZ	10/18/2021	118-1	IMPROPER GARBAGE DISPOSAL	\$75 Fine	\$75	PAID
53	10366	RESSA FAMILY LLC	10/18/2021	118-1	IMPROPER GARBAGE DISPOSAL	\$75 Fine	\$75	PAID
54	10368	JAY	10/15/2021	118-1	IMPROPER GARBAGE DISPOSAL	Dismissed	\$75	DISMISSED
55	10370	CURMI	10/15/2021	118-1	IMPROPER GARBAGE DISPOSAL	\$75 Fine	\$75	PAID
56	10372	ZOLLER	10/19/2021	118-1	IMPROPER GARBAGE DISPOSAL	\$50 Fine	\$75	PAID
57	10377	LALEZARIAN	10/21/2021	118-1	IMPROPER GARBAGE DISPOSAL	Dismissed	\$75	DISMISSED
58	10379	MORROF	10/21/2021	128-11	FAILED TO PROVIDE TRUCK MAT	Dismissed	\$1,000	DISMISSED
59	10380	LOUCAS	10/25/2021	118-1	IMPROPER GARBAGE DISPOSAL	\$50 Fine	\$75	PAID
60	10381	BEDAR	10/22/2021	118-1	IMPROPER GARBAGE DISPOSAL	\$25 Fine	\$75	PAID
61	10382	SHAHIPOUR	10/23/2021	146-1	REPAIR OF MOTOR VEHICLE ON ST.	Dismissed	\$250	DISMISSED
62	10383	SHAHIPOUR	10/24/2021	112-10A	VEHICLE WITH NO PLATES	\$25 Fine	\$1,000	PAID
63	10384	SHAHIPOUR	10/24/2021	146-1	REPAIR MATERIALS LEFT ON ST.	\$25 Fine	\$250	PAID
64	10385	PETERS	10/24/2021	148-3	TRAILER PARKED ON PROPERTY	\$50 Fine	\$100	PAID
65	10389	GALLARDO	10/25/2021	112-10A	VEHICLE WITH NO PLATES	Dismissed	\$1,000	DISMISSED
66	10414	MILLER	11/16/2021	118-1	IMPROPER GARBAGE DISPOSAL	\$175 Fine	\$175	PAID

MOVING VIOLATION DISPOSITION REPORT
FOR COURT NIGHT
NOVEMBER 2021

CASE	VIOLATION	REDUCED TO	DISPO	FINE	S/C	TOTAL
1	Stop Sign	Jaywalking	PG	\$150.00	\$0.00	\$150.00
2	Stop Sign	Jaywalking	PG	\$150.00	\$0.00	\$150.00
3	Stop Sign	Jaywalking	PG	\$150.00	\$0.00	\$150.00
	Unregisterd Motor Vehicle	Same	DUP	\$0.00	\$0.00	\$0.00
4	Operating Out of Class	Jaywalking	PG	\$150.00	\$0.00	\$150.00
	No Distinctive Plate	Same	DIS	\$0.00	\$0.00	\$0.00
	No Insurance	Same	DUP	\$0.00	\$0.00	\$0.00
5	Inadequate Stop Lamps	Same	DUR	\$0.00	\$0.00	\$0.00
6	Window Tints	Same	DUR	\$0.00	\$0.00	\$0.00
	Window Tints	Same	DUR	\$0.00	\$0.00	\$0.00
7	Window Tints	Same	DUR	\$0.00	\$0.00	\$0.00
	TOTAL					\$600.00
PG =	Pled Guilty					
DIJ =	Dismissed in the Interests of Justice					
DUR =	Dismissed Upon Repair					
DIS =	Dismissed in Satisfaction					
DEF =	Defective Ticket					
DUP =	Dismissed Upon Production					

**Village of Manorhaven
Building Department and Code
Enforcement Report**

November 2021

Code Enforcement Report	
Complaints Received:	9
Complaints Investigated:	9
Parking Summonses:	65
Code Summonses:	34
Orders To Remedy:	5
Stop Work Order:	0
Rental Registration Report	
New Rental Registrations:	312
Inspected/Approved:	28
Inspected/Disapproved:	3
Permit Applications Received	
Total Received:	2
Building Applications:	1
Gas & Water Applications:	0
Plumbing Applications:	0
Demolition Applications:	0
Sign Permits:	0
Tree Permits:	1
Permits Issued	
Total Permits Issued:	3
Building Permits:	2
Gas & Water Permits:	0
Plumbing Permits:	0
Demolition Permits:	0
Sign Permits:	0
Tree Permits:	1

Certificates Issued	
Certificate of Occupancy:	1
Certificate of Approvals:	3
Certificate of Compliance:	8
Notices of Disapproval:	0

Nassau County



Police Department

LAURA CURRAN
COUNTY EXECUTIVE

1490 Franklin Avenue
Mineola, New York 11501
(516) 573-8800

PATRICK J. RYDER
COMMISSIONER

100 Community Drive
Manhasset, NY 11030

December 17, 2021

Mayor Jim Avena
Incorporated Village of Manorhaven
33 Manorhaven Blvd.
Manorhaven, New York 11050

Dear Mayor Avena:

Shown below in the Police Report for the month of November 2021:

AUTO ACCIDENTS

Accidents: See attached

AIDED CASES (other than auto)

Total Aided: 27

BURGLARY RESIDENCE

None

BURGLARY BUSINESS

None

ROBBERY

None

LARCENY AUTO

None

LARCENY (other than auto)

None

CRIMINAL MISCHIEF

(1) incident

SUMMONS

Movers: 15

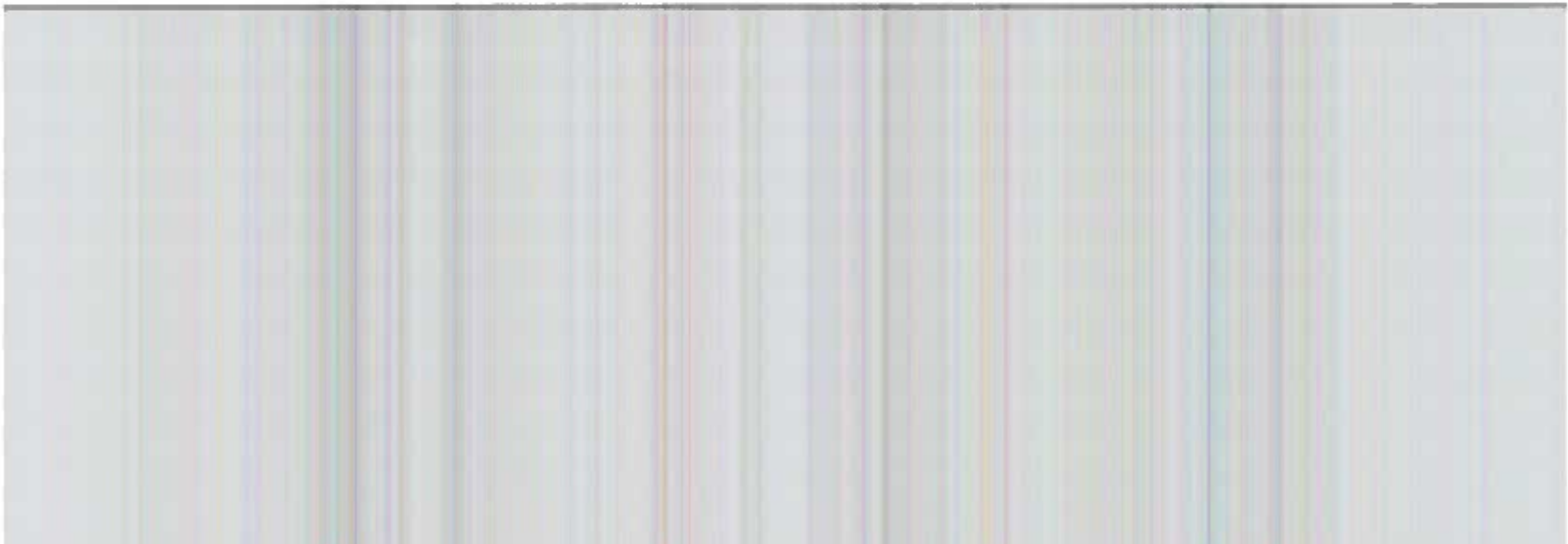
Parkers: 5

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael Dolan".

Michael Dolan
Deputy Commanding Officer
Sixth Precinct

DATE	LOCATION	INJURY
11/01/2021	SHORE RD and MANORHAVEN BLVD Passing or Lane Usage Improper	0



**VILLAGE OF MANORHAVEN
BOARD OF TRUSTEES
November 24, 2021 6:30 p.m.
MINUTES**

CALL TO ORDER: The meeting was called to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE: Mayor Avena asked Deputy Mayor Rita Di Lucia to lead the assembly in the Pledge of Allegiance.

ATTENDANCE: Present - Mayor Jim Avena, Deputy Mayor Rita DiLucia, Trustee John Popeleski, Trustee Vincent Costa, Jonathan Fielding, Esq., Village Attorney, Deputy Clerk Alex Kovacevic; Excused – Trustee Harry Farina, Joanie Corbo Hanna, Esq., Village Clerk-Treasurer

SEORA RESOLUTION:

Mayor Avena asked the Village Attorney to formulate a resolution with respect to the proposed local laws for compliance with the State Environmental Quality Review Act (“SEQRA”), this resolution was stated as follows:

BE IT RESOLVED, that the Board of Trustees of the Inc. Village of Manorhaven, considering the adoption of proposed local law #4-2021, hereby declares itself “lead agency” with respect to those actions under SEQRA, finds that the adoption of said local law constitutes an “unlisted action” under Part 617 of the regulations promulgated by the NYS Department of Environmental Conservation, and finds that said adoption would have no significant adverse impact on the environment under SEQRA.

Mayor Avena moved to adopt the SEQRA Resolution, which was duly seconded by Trustee Popeleski and passed unanimously.

PUBLIC HEARING

The Board conducted a public hearing on Proposed Local Law #4-2021 - A Local Law Adopted Pursuant to Cannabis Law § 131 Opting Out of Licensing and Establishing Retail cannabis Dispensaries and/or On-Site Cannabis Consumption Establishments Within the Village of Manorhaven.

The text of the law as considered was as follows:

A LOCAL LAW ADOPTED PURSUANT TO CANNABIS LAW § 131 OPTING OUT OF LICENSING AND ESTABLISHING RETAIL CANNABIS DISPENSARIES AND/OR ON-SITE CANNABIS CONSUMPTION ESTABLISHMENTS WITHIN THE VILLAGE OF MANORHAVEN

Section 1. Legislative Intent

It is the intent of this local law to opt the Inc. Village of Manorhaven out of hosting retail cannabis dispensaries and/or on-site cannabis consumption establishments within its boundaries.

Section 2. Authority

This local law is adopted pursuant to Cannabis Law § 131, which expressly authorizes cities and villages to opt-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.

Section 3. Local Cannabis Retail Dispensary and/or On-Site Consumption Opt-Out

The Board of Trustees of the Inc. Village of Manorhaven, County of Nassau, hereby opts-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments from locating and operating within the boundaries of the Inc. Village of Manorhaven.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to Cannabis Law § 131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or a referendum has been conducted approving this local law.

The Village Attorney made a presentation to the Board on the proposed local law. After comments and questions from Board members, the Mayor asked if any members of the public wished to offer public comment. No members of the public offered any comment on the proposed local law.

Mayor Avena made a motion to close the public hearing and adopt Local Law #4-2021, which was duly seconded by Deputy Mayor DiLucia and passed unanimously.

Trustee Popeleski made a motion to adjourn the public hearing and proceed to the regular meeting of the Board of Trustees at 6:41 p.m., which was duly seconded by Mayor Avena and passed unanimously.

**VILLAGE OF MANORHAVEN
BOARD OF TRUSTEES
REGULAR MEETING
NOVEMBER 24, 2021
MINUTES**

REPORTS: The Board considered and reviewed the monthly reports from the Village Justice Court, Building Department, and Police Department. Trustee Popeleski made a motion to accept the reports, which was duly seconded by Trustee Costa and passed unanimously.

MINUTES: The Board considered and reviewed draft minutes of the regular meeting held on October 27, 2021 and the work session held on November 10, 2021. Trustee Costa made a motion to accept the minutes, which was duly seconded by Trustee Popeleski and passed unanimously.

ABSTRACT OF CLAIMS: The Board considered and reviewed the Abstracts of Claims for the General Fund for the period from October 23, 2021 through November 19, 2021 and the Trust Fund for the period from October 23, 2021 through November 19, 2021. Mayor Avena made a motion to approve the abstracts, which was duly seconded by Trustee Costa and passed unanimously.

RESOLUTION CALENDAR:

RESOLUTIONS:

RESOLUTION NO. 40 – NOVEMBER 24, 2021
A RESOLUTION AUTHORIZING A CONSULTING AGREEMENT

WHEREAS, the Board of Trustees has determined that the Village requires the services of a consultant to provide administrative and clerical services, including but not limited to graphic design, preparation of Newsletters and other written communications and other related tasks; and

WHEREAS, the Mayor has negotiated an agreement with Greco Integrated Communications, to provide such services to the Village on a temporary basis, and said proposed agreement is on file with the Village Clerk;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby authorizes the Mayor to execute said agreement; and

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

Mayor Avena made a motion to adopt the resolution, which was duly seconded by Trustee Popeleski and passed unanimously.

RESOLUTION NO. 41 – NOVEMBER 24, 2021

A RESOLUTION REGARDING FISCAL YEAR 2021-2022 BUDGET TRANSFERS

WHEREAS, Pursuant to the provisions of Section 5-520 of the New York State Village Law, the Board of Trustees, by resolution, may transfer funds from existing and unexpended balances; from a contingent account; from available cash surplus or unanticipated revenues within a fund; or by borrowing; and

WHEREAS, during the Village Fiscal Year 2021-2022, it is necessary to make supplemental appropriations to fund increased contractual expenditures; and

WHEREAS, there are sufficient fund balances available to cover the transfers; and

NOW, THEREFORE BE IT RESOLVED that pursuant to Village Law 5-520, the Board of Trustees hereby authorizes and directs the proper Village officers to modify the 2021-2022 Budget by making the following transfers effective immediately:

Increase

1410120 Part Time/Seasonal Salaries \$13,000.00

Increase

5990 Appropriated Fund Balance \$13,000.00

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

Mayor Avena made a motion to adopt the resolution, which was duly seconded by Trustee Popeleski and passed unanimously.

RESOLUTION NO. 42 – NOVEMBER 24, 2021

A RESOLUTION ACCEPTING A PROPOSAL FOR ENGINEERING SERVICES RELATED TO USEPA COMPLIANCE

WHEREAS, the Board of Trustees has received a proposal dated November 19, 2021 from Cameron Engineering & Associates, LLP, with offices located at 177 Crossways Park Drive, Woodbury, NY 11797, to provide the Village with engineering services relating to the preparation of a response to the USEPA's Sanitary Sewer Compliance Evaluation Report dated November 4, 2021; and

WHEREAS, such proposal is on file in the office of the Village Clerk;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby authorizes the Mayor to accept said proposal; and

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

Mayor Avena made a motion to adopt the resolution, which was duly seconded by Trustee Popeleski and passed unanimously.

RESOLUTION NO. 43 – NOVEMBER 24, 2021

A RESOLUTION ACCEPTING A PROPOSAL FOR SNOW REMOVAL SERVICES

WHEREAS, the Board of Trustees has received a proposal dated October 28, 2021 from Scobbo Contractors, Inc., with offices located at 1212 Port Washington Boulevard, Port Washington, NY 11050, to provide the Village with snow removal services, including plowing, salting, and sanding for the 2021-2022 winter season as needed for snow-related emergencies; and

WHEREAS, such proposal is on file in the office of the Village Clerk;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby authorizes the Mayor to accept said proposal; and

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

Mayor Avena made a motion to adopt the resolution, which was duly seconded by Trustee Costa and passed unanimously.

RESOLUTION NO. 44 - NOVEMBER 24, 2021

A RESOLUTION WAIVING SUBDIVISION APPROVAL OF PREMISES OWNED BY THE INCORPORATED VILLAGE OF MANORHAVEN DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 4, BLOCK L, LOT 161

WHEREAS, the Incorporated Village of Manorhaven (hereinafter, the “Village”) is the fee owner of certain Premises designated on the Nassau County Land and Tax Map as Section 4, Block L; Lot 161 (hereinafter, the “Premises”); and

WHEREAS, Scott Balterman and Brooke Rosenberg, a/k/a Brooke Balterman (hereinafter, “Balterman”) are the owners of certain real property designated on the Nassau County Land and Tax Map as Section 4, Block L; Lots 6 and 7, which real property adjoins the Premises; and

WHEREAS, pursuant to Resolution #11-2021 the Village agreed to convey to Balterman a portion of the Premises that adjoins the Balterman’s property, (hereinafter, the “Acquisition Parcel”), as shown on a certain map entitled “Map of Subdivision Plan of Manhasset Isle” prepared by AK Associates, dated June 26, 2021, and more particularly described as follows:

“All that certain plot, piece or parcel of land, situate, lying and being in the Incorporated Village of Manorhaven, County of Nassau, State of New York, known as Described Property being adjacent westerly to Lots 6 and 7 in Block 1 on a certain map entitled “Subdivision Plan of Manhasset Isle” and filed in the Office of the Clerk of the County of Nassau on June 5, 1926 as map number 606, case number 649, being more particularly bounded and described as follows:

COMMENCING at a point on the westerly side of Sintsink Drive West, distant 51.60 feet westerly as measured along a line which would be the northerly side of Pequot Avenue, if the northerly side of Pequot Avenue was extended westerly in a straight line to the westerly side of Sintsink Drive West;

RUNNING THENCE from said point of commencement the following two (2) courses to the true point of beginning;

- 1. South 03 ° 47' 40" West along the westerly side of Sintsink Drive West, 41.28 feet (41.20 feet – deed);**
- 2. South 79 ° 30' 10" West, 99.50 feet;**

RUNNING THENCE from said point of beginning the following four (4) courses:

- 1. South 79° 30' 10" West, 63.72 feet to the proposed channel line of the Proposed Sheets Creek Channel and a non-tangent curve;**
- 2. THENCE northeasterly along said proposed channel line, along the arc of a circular curve to the right having a radius of 400.00 feet a length of 41.63 feet to a point of non-tangency;**
- 3. THENCE North 79° 30' 10" East, 62.46 feet to the filed map line of the Subdivision Plan of Manhasset Isle;**
- 4. THENCE South 03° 47' 40" West along said filed map line 41.28 feet (41.20 feet – deed) to the point or place of BEGINNING.**

Containing within said bounds 2,539± Sq. Ft. or 0.058± Acres, more or less."

WHEREAS, pursuant to Resolution #11-2021 the Village determined the conveyance of the Acquisition Parcel to Balterman constituted a Type II action under applicable SEQRA regulations; and

WHEREAS, pursuant to Chapter 133 of the Code of the Incorporated Village of Manorhaven the conveyance of the Acquisition Parcel to Balterman constitutes a minor subdivision of land requiring approval of the Board of Trustees of the Village; and

WHEREAS, pursuant to Section 133-23 of Chapter 133 of the Code of the Incorporated Village of Manorhaven the Board of Trustees of the Village may vary, subject to appropriate conditions, the subdivision requirements of Chapter 133 in its judgment of special circumstances and conditions relating to a particular subdivision; and

WHEREAS, it is the judgment of the Board of Trustees of the Village that since the Village is the owner of the Premises to be subdivided, it is unnecessary for the Village to file a subdivision application pursuant to Chapter 133 of the Code of the Incorporated Village of Manorhaven with the Board of Trustees of the Village for approval of the conveyance of the Acquisition Parcel to Balterman.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby waives subdivision approval of the Premises, subject to the following conditions:

- 1. The Acquisition Parcel shall only be used as an accessory parcel to the adjoining residential property. No other commercial or industrial use of the Acquisition Parcel is allowed. No separate residential dwelling may be constructed on the- Acquisition Parcel.**
- 2. Balterman agrees to maintain and repair the bulkheading on the shore line of the Acquisition Parcel.**

3. The Acquisition Parcel shall not be further subdivided or merged with another parcel for purposes of creating a minor subdivision.

4. For as long as any portion of the Acquisition Parcel is subject to regulation under State or Federal Wetland Laws, there shall be no construction, grading, filling, excavating, clearing or other related activity, as defined by these laws, on the Acquisition Parcel within any wetland area or any adjacent area as set forth in said laws, at any time without having first secured the necessary permission and permit -required pursuant to the above noted laws. This restriction shall bind Balterman, their successors and assigns.

5. These conditions are to run with the land and shall be binding on Balterman, their successors and assigns. The invalidation of any one of these conditions by judgment or court order shall in no way affect any of the other conditions which shall remain in full force and effect. These conditions may be enforced by the Village of Manorhaven. If the Village of Manorhaven brings an action to enforce any of these conditions, the non-prevailing party must pay all costs and expenses of such action, including reasonable attorney's fees, to the prevailing party.

;and

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

Deputy Mayor DiLucia made a motion to adopt the resolution, which was duly seconded by Trustee Costa and passed unanimously.

EXISTING DISCUSSION ITEMS:

- Discussion of Manorhaven Boulevard project
- Discussion of snow removal

UPCOMING MEETINGS AND EVENTS:

- Thursday, November 25, 2021 – Village Office Closed – Happy Thanksgiving
- Thursday, November 26, 2021 – Village Office Closed – Happy Thanksgiving

PUBLIC COMMENT

Deputy Mayor DiLucia made comments about a preliminary meeting between herself, Trustee Popeleski, Deputy Clerk Kovacevic, the Village's engineers and the NYS Department of Environmental Conservation about the Village Preserve and the CDBG grant program.

Jill Luciano offered public comment about proposing a stop sign on Manorhaven Boulevard at Edgewood Road, stating that she experiences great difficulty safely turning onto the Boulevard from Edgewood.

No other members of the public, either in person or on Zoom offered public comment.

ADJOURNMENT:

Trustee Popeleski made a motion to close public comment and adjourn the meeting at 6:59 p.m., which was duly seconded by Deputy Mayor DiLucia and passed unanimously.

Dated: Manorhaven, New York
December 7, 2021

Respectfully submitted,

Alex Kovacevic
Deputy Village Clerk