

**VILLAGE OF MANORHAVEN
BOARD OF TRUSTEES PUBLIC HEARING
AGENDA – 8/31/2022 – 6:30 p.m.**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ATTENDANCE

LOCAL LAWS BEFORE THE BOARD

Local Law No. _____ - 2022 – A local law amending Chapter 155-60 A (1) determining that the number of members of the Board of Zoning Appeals be increased from five (5) members to seven (7) members within the Incorporated Village of Manorhaven.

WHEREAS, it appears that the Village of Manorhaven is desirous of increasing the number of members of the Board of Zoning Appeals due to the need for resolving the pending issues, in an efficient and unfettered process, free from being influenced by outside sources; and **WHEREAS**, Municipal Home Rule Law Section 10, authorizes the Village to adopt a local law which amends or supersedes any provisions of the Village Law in relation to the property, affairs or government, terms of office of the Village or in relation to any of the other enumerated subject matters in Section 10, unless there is a legislative restriction on such amendment or supersession; and **WHEREAS**, it is in the best interest of the Village of Manorhaven to increase the members of the Board of Zoning Appeals, so to do; **THEREFORE, BE IT RESOLVED** that the Incorporated Village of Manorhaven determines that the Local Law No. _____, is amended and Chapter 155-60 A (1) is hereby amended which determined that the number of members of the Board of Zoning Appeals is hereby increased from five (5) members to seven (7) members.

PUBLIC COMMENT

Local Law No. _____ - 2022 – A local law amending Chapter 155-62 A (1) determining that the number of members of the Planning Board be increased from five (5) members to seven (7) members within the Incorporated Village of Manorhaven.

WHEREAS, it appears that the Village of Manorhaven is desirous of increasing the number of members of the Planning Board due to the need for resolving the pending issues, in an efficient and unfettered process, free from being influenced by outside sources; and **WHEREAS**, Municipal Home Rule Law Section 10, authorizes the Village to adopt a local law which amends or supersedes any provisions of the Village Law in relation to the property, affairs or government, terms of office of the Village or in relation to any of the other enumerated subject matters in Section 10, unless there is a legislative restriction on such amendment or supersession; and **WHEREAS**, it is in the best interest of the Village of Manorhaven to increase the members of the Planning Board, so to do; and **THEREFORE BE IT RESOLVED**, that the Incorporated Village of Manorhaven hereby determines that LOCAL LAW #_____, is amended and superseded in its application to the Incorporated Village of Manorhaven by deleting the entirety of Chapter 155, §155- 62.A.(10, which determined that the number of members of the Planning Board was five (5) members and all other sections shall remain intact and that the aforesaid chapter and section is hereby increased from five (5) members to seven (7) members.

PUBLIC COMMENT

Local Law No. _____ - 2022 – A Local Law amending Chapter 102 – Parks - Opening and Closing Times §102-2 (A) to add a subsection to the code that regulates the time in which Morgan’s Dock Park and the Manorhaven Preserve which shall be open from April 1, through December 1, from 7 a.m. to dusk, to maintain and regulate the area and keep the area and residents safe.

WHEREAS, it appears that the Village of Manorhaven is desirous of adding a subsection to the code that Morgan’s Dock Park and the Manorhaven Preserve shall be open from April 1 through December 1, from 7 a.m. to dusk, to maintain and regulate the area, and keep the area and residents safe; and **WHEREAS**, Municipal Home Rule Law Section 10, authorizes the Village to adopt a local law which amends or supersedes any provisions of the Village Law in relation to the property, affairs or government, terms of office of the Village or in relation to any of the other enumerated subject matters in Section 10, unless there is a legislative restriction on such amendment or supersession; and **THEREFORE, BE IT RESOLVED**, that the Incorporated Village of Manorhaven hereby determines that LOCAL LAW #_____, is

amended and superseded in its application to the Incorporated Village of Manorhaven by adding a subsection to the code that regulates the time in which Morgan’s Dock Park and the Manorhaven Preserve shall be open from April 1 through December 1, from 7 a.m. to dusk, to maintain and regulate the area and keep the area and residents safe.

PUBLIC COMMENT

Local Law No. _____ - 2022 – A local law amending Chapter 38 - Building Code Administration, Building Permits. §38-4 (L) by eliminating all building or construction on Saturdays, Sundays, or holidays in the Incorporated Village of Manorhaven to decrease traffic and congestion, and allow residents to have a weekend free of the noise, volume, and stress associated with constant building and construction.

WHEREAS, it appears that the Village of Manorhaven is desirous of decreasing the traffic and congestion and allowing the residents to have a weekend free of the noise, volume, and stress associated with the constant building and construction on a 7 day basis; and
WHEREAS, Municipal Home Rule Law Section 10, authorizes the Village to adopt a local law which amends or supersedes any provisions of the Village Law in relation to the property, affairs or government, terms of office of the Village or in relation to any of the other enumerated subject matters in Section 10, unless there is a legislative restriction on such amendment or supersession; and
WHEREAS, it is in the best interest of the Village of Manorhaven to decrease the traffic and congestion and to allow the residents to have a weekend free of the noise, volume, and stress associated with the constant building and construction on a 7 day basis, so to do; and
THEREFORE, BE IT RESOLVED, that the Incorporated Village of Manorhaven hereby determines that LOCAL LAW #_____, is amended and superseded in its application to the Incorporated Village of Manorhaven by decreasing the traffic and congestion and allowing the residents to have a weekend free of the noise, volume, and stress associated with the constant building and construction.

PUBLIC COMMENT

Local Law No. _____ - 2022 – A local law amending Chapter 118 – Refuse and Recyclables, Article I – Collection and Disposal, §118-1 regulations for disposing, removing, storing and placing of rubbish, garbage and recyclables by amending commercial garbage regulations for businesses on Manorhaven Blvd., Orchard Beach Blvd., Shore Road, and all businesses in Manhasset Isle. Regulations shall require that all trash be placed in trash receptacles with a secure lid when placed out for pick-up and that all commercial businesses shall be responsible for emptying and caring for trash receptacles located outside of stores and businesses, along with a related fine schedule, all to benefit the health, safety and welfare of the residents of the Village.

WHEREAS, it appears that the Village of Manorhaven is desirous of adding commercial garbage regulations for businesses on Manorhaven Boulevard , Orchard Beach Boulevard, Shore Road, and all businesses in Manhasset Isle; requiring that all trash must be placed in trash receptacles with a secure lid when placed out for pick-up and that all commercial businesses shall be responsible for emptying and caring for trash receptacles located outside of stores and businesses, along with a related fine schedule, all to benefit the health, safety and welfare of the residents of the Village; and
WHEREAS, Municipal Home Rule Law Section 10, authorizes the Village to adopt a local law which amends or supersedes any provisions of the Village Law in relation to the property, affairs or government, terms of office of the Village or in relation to any of the other enumerated subject matters in Section 10, unless there is a legislative restriction on such amendment or supersession; and
WHEREAS, it is in the best interest of the Village of Manorhaven by adding these commercial business regulations to protect the health, safety and welfare of the residents of the Village; so to do; and
THEREFORE, BE IT RESOLVED, that the Incorporated Village of Manorhaven hereby determines that LOCAL LAW #_____, is amended and superseded in its application to the Incorporated Village of Manorhaven of adding commercial garbage regulations for businesses on Manorhaven Boulevard , Orchard Beach Boulevard, Shore Road, and all businesses in Manhasset Isle; requiring that all trash must be placed in trash receptacles with a secure lid when placed out for pick-up and that all commercial businesses shall be responsible for emptying and caring for trash receptacles located outside of stores and businesses, along with a related fine schedule, all to benefit the health, safety and welfare of the residents of the Village.

PUBLIC COMMENT

Local Law No. _____ - 2022 – A local law amending Chapter 118 – Refuse and Recyclables, Article I – Collection and Disposal, §118-4, Penalties for offenses, by amending and adding a subsection for garbage penalties and fines for businesses on Manorhaven Blvd., Orchard Beach Blvd., Shore Road, and all businesses in Manhasset Isle.

WHEREAS, Municipal Home Rule Law Section 10, authorizes the Village to adopt a local law which amends or supersedes any provisions of the Village Law in relation to the property, affairs or government, terms of office of the Village or in relation to any of the other

enumerated subject matters in Section 10, unless there is a legislative restriction on such amendment or supersession; and **WHEREAS**, the Board of Trustees seeks to add further regulations to the Village Code regarding the storage and disposal of refuse and recyclables by any association, firm, business corporation or commercial business businesses on Manorhaven Blvd., Orchard Beach Blvd., Shore Road, and all businesses in Manhasset Isle; and

THEREFORE BE IT RESOLVED that businesses on Manorhaven Blvd., Orchard Beach Blvd., Shore Road, and all businesses in Manhasset Isle.

who violate 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 \$250 for the first offense, \$500 for a second offense, and \$1,000 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 \$2,500. Each week's continued violation shall constitute a separate additional violation.

PUBLIC COMMENT

Local Law No. _____ - 2022 – A local law amending Chapter 147 – Vehicles and Traffic, Article III, Parking, Stopping and Standing, §147-22 (B) – Parking of trucks and boat trailers, by eliminating all parking of trucks, boat trailers, and commercial vehicles on any Village street within the Village of Manorhaven from 9 p.m. to 6 a.m. on any evening, including Manorhaven Blvd., Orchard Beach Road and Orchard Beach Blvd.

WHEREAS, Municipal Home Rule Law Section 10, authorizes the Village to adopt a local law which amends or supersedes any provisions of the Village Law in relation to the property, affairs or government, terms of office of the Village or in relation to any of the other enumerated subject matters in Section 10, unless there is a legislative restriction on such amendment or supersession; and

WHEREAS, it is in the best interest of the Village of Manorhaven that there shall be “no parking of trucks, boat trailers, or commercial vehicles permitted on any Village street or roadway on any evening between the hours of 9 p.m. and 6 a.m.”, all to benefit the health, safety and welfare of the residents of the Village; so to do; and

THEREFORE, BE IT RESOLVED, that the Incorporated Village of Manorhaven hereby determines that LOCAL LAW # _____, is amended to include the following in its application to the Incorporated Village of Manorhaven, that there shall be “no parking of trucks, boat trailers, or commercial vehicles on any Village street or roadway including Manorhaven Boulevard, Orchard Beach Road and Orchard Beach Boulevard on any evening between the hours of 9 p.m. and 6 a.m.” to benefit the health, safety and welfare of the residents of the Village.

PUBLIC COMMENT

Local Law No. _____ - 2022 – A local law amending Chapter 147 – Vehicles and Traffic, Schedule X, §147-46. No Parking Any Time, in front of 82 Hickory for an undersized space.

In accordance with the provisions of §147-46, no person shall park a vehicle at any time upon the following streets or parts of streets:

Name of Street	Side	Location
Hickory Road	East	From the dead end to a point of 212 feet southerly thereof

WHEREAS, it appears that the Village of Manorhaven is desirous of adding a “no-parking” sign in front of an undersized space in front of 82 Hickory Road; and

WHEREAS, Municipal Home Rule Law Section 10, authorizes the Village to adopt a local law which amends or supersedes any provisions of the Village Law in relation to the property, affairs or government, terms of office of the Village or in relation to any of the other enumerated subject matters in Section 10, unless there is a legislative restriction on such amendment or supersession; and

WHEREAS, it is in the best interest of the Village of Manorhaven to maintain and regulate the area and keep the area and residents safe; and

THEREFORE, BE IT RESOLVED, that the Incorporated Village of Manorhaven determines that the Local Law No. _____, is amended CHAPTER 147, “VEHICLES AND TRAFFIC,” Article I, “GENERAL PROVISIONS,” Subsection 147-46. “SCHEDULE X: NO PARKING ANY TIME,” in its application to the Incorporated Village of Manorhaven.

PUBLIC COMMENT

ADJOURNMENT

Manorhaven, NY
Sharon Natalie Abramski, MMC, RMC
Village Clerk-Treasurer
August 31, 2022

**VILLAGE OF MANORHAVEN
BOARD OF TRUSTEES REGULAR MEETING
AGENDA – 8/31/2022- 6:30 p.m.**

MAYOR COMMENTS

REPORTS

- Justice Court
- Building Department
- Police Department

MINUTES

- Draft Minutes of the July 27, 2022 BOT Meeting
- Draft Minutes of the August 10, 2022

ABSTRACT OF CLAIMS

- **General Fund**, 7/27/2022 through 8/30/2022

MOTIONS BEFORE THE BOARD

Motion - P2022 – **Motion to reappoint William Rogel as Superintendent of Buildings**, for a term ending June 30, 2023.

Motion - P2022 – **Motion to appoint Edward (Jerry) Watt** as an alternate member of the Board of Zoning Appeals for a term on ending 6/30/2027.

Motion - P2022 – **Motion to appoint an additional Laborer** to the Village of Manorhaven Highway/DPW staff.

Motion - P2022 – **Motion to approve a Cyber Security Contract** with Cowbell Cyber through Salerno Brokerage from 8/2022 through 7/2023 in the amount of \$2,277.

Motion - P2022 – **Motion to approve an Agreement with EMF Services** for the reassessment of cell tower radio frequencies in the amount of \$4,130.

Motion - P2022 – **Motion for Sewer Rehabilitation Agreement** with Cameron Engineering for the assessment, bid services, and construction assistance for Mohegan Avenue for \$15,800.

Motion - P2022 (A - C) – **Motion to remove trees as follows:**

A. – **Motion to Allow the Removal of a Tree –68 Inwood Road** for the removal of one diseased fruit tree on the property. Owner Joseph Kashinsky seeks a tree removal permit.

B. – **Motion to Allow the Removal of a Tree – 24 Manhasset Avenue** for the removal of one oversized oak tree. The root structure is damaging the driveway creating a trip and fall hazard. Owner Monta Ozols seeks a tree removal permit.

C. – **Motion to Allow the Removal of Trees – 20 Manorhaven Blvd.** for the removal of three deceased trees. Owner, The Port Jewish Center seeks to renew an approved tree permit which expired during COVID.

RESOLUTIONS

RESOLUTION NO. - P2022 - A RESOLUTION DIRECTING THE VILLAGE CLERK-TREASURER TO AUTHORIZE NOTICE AND ACCEPTANCE OF SEALED BIDS FOR THE SANITARY SEWER REHABILITATION PROJECT OF THE JUNIPER/HICKORY ROADS PROJECT

WHEREAS, the Board of Trustees has determined that the Village of Manorhaven is ready to proceed with significant sewer repairs on Juniper and Hickory Roads; and

BE IT RESOLVED, that the Village Clerk-Treasurer is hereby authorized and directed to solicit and receive sealed bids for said Juniper/Hickory Roads Project in accordance with the terms of this resolution and the requirements of General Municipal Law §103; and **BE IT RESOLVED** that the Board of Trustees will receive sealed bids for this Project at the Village Hall, 33 Manorhaven Boulevard, Port Washington, NY 11050, until Thursday, October 13, 2022 at 10 a.m., at which time they will be publicly opened and read with a contract to be awarded as soon thereafter as practicable; and

BE IT FURTHER RESOLVED that:

a. The major scope of sewer rehabilitation work shall include, but not necessarily be limited to: Pipe lining approximately 2400 linear ft. of 8- and 12-inch pipe, and sewer cleaning and CCTV inspection; and

b. No Bid will be considered from any person who is in arrears to the Village of Manorhaven, or who is in default as surety or otherwise upon any obligation to the Village of Manorhaven, nor shall a Bid be considered from any Contractor whose performance of any previous Contract with the Village of Manorhaven has been unsatisfactory in the opinion of the Village. Such a Contractor whose performance has been unsatisfactory shall not be deemed a responsible Bidder.

c. Each Bid must be accompanied by a Bid Bond payable to the Village of Manorhaven in the amount of five percent (5%) of the gross amount of the Bid as security for Bidder obligation, if its Bid is accepted, to enter into and perform the Contract work and execute such further security as may be required for faithful performance of the Contract. All proposals must be upon forms furnished by the Owner. Any other will be rejected.

All bids shall be in accordance with the specifications, drawings, and terms of the proposed contracts; and

d. The Village of Manorhaven reserves the right to reject any and all Bids received, to waive informalities and to increase, decrease, or omit any portions of the Specifications. Subject to the foregoing, the Village of Manorhaven will award the Contract to the lowest responsible Bidder qualified by past experience to satisfactorily perform the required work of this Contract; and

e. The successful Bidder shall furnish a Performance Bond and a Labor and Materials Payment Bond at least equal to the full amount of the Contract price as security for the faithful performance of all the successful Bidder's obligations under the Contract; and

f. Contract Documents may be picked up in flash drive pdf format at the Village Clerk-Treasurer Office, Village of Manorhaven, 33 Manorhaven Boulevard, Port Washington, New York, 11050 on Tuesday September 13, 2022 during normal business hours. A non-refundable fee of \$100.00 by to the Village of Manorhaven will be required for each set of Contract Documents; and

g. The Village Clerk-Treasurer is directed to post and publish this information in Manorhaven's designated locations and local newspapers effective immediately.

NEW BUSINESS

The following topics will be discussed at the September Work Session:

- 30 Sagamore Hill Drive
- Haven Marina – Matinecock Avenue
- Considerations of Local Law revisions on the following matters:
 - a. A moratorium on cell node installations
 - b. A moratorium on new building

PUBLIC COMMENT

UPCOMING MEETINGS AND EVENTS

- Labor Day, Monday, September 5, Village offices closed.
- Celebrate Manorhaven Day, Saturday, September 10, noon to 3 p.m.
- 9/11 Ceremony, Sunday, 12 p.m.
- 9/14 Work Session, Wednesday at 6 p.m.

ADJOURNMENT

Manorhaven, NY
Sharon Natalie Abramski, MMC, RMC
Village Clerk-Treasurer
August 31, 2022