

**VILLAGE OF MANORHAVEN  
BOARD OF TRUSTEES  
JUNE 29, 2022 – 6:30 P.M.  
PUBLIC HEARING  
MINUTES**

**CALL TO ORDER:** 6:30 p.m.

**PLEDGE OF ALLEGIANCE:** Anthony Ressa

**ATTENDANCE:** Mayor Jim Avena, Deputy Mayor Rita DiLucia (via Zoom), Mayor-Elect John Popeleski (via Zoom), Trustee Vincent Costa, Joanie Corbo Hanna, Esq., Village Clerk-Treasurer (via Zoom), Alex Kovacevic, Deputy Village Clerk, Jonathan Fielding, Esq., Village Attorney.

**LOCAL LAWS:**

Pursuant to notice, the Board conducted a public hearing on Proposed Local Law #1-2022 A Local Law Amending Chapter 132 (“Streets and Sidewalks”).

The text of the law as considered was as follows:

**INC. VILLAGE OF MANORHAVEN  
BOARD OF TRUSTEES  
PROPOSED LOCAL LAW 1 of 2022**

A Local Law Amending Chapter 132 (“Streets and Sidewalks”)

**BE IT RESOLVED** that section 132-1 subsection (B) of the Code of the Inc. Village of Manorhaven shall be repealed and replaced with the following:

**CHAPTER 132. STREETS AND SIDEWALKS**

**ARTICLE I. Excavations, Curb Cuts and Driveways.**

§ 132-1. Street openings and curb cuts.

B. On notification by the Village, full compliance with all specifications attached to the permit and replacement of the temporary closing with permanent pavement shall be required at the sole expense of the permit holder. Notwithstanding the above, all restoration of utility cuts or road openings on any Village road or street shall include curb-to-curb resurfacing in a strip that is at least ten (10) feet wide on both sides of the road opening area required to be disturbed.

**BE IT FURTHER RESOLVED**, that the provisions of this local law shall take effect upon filing with the Secretary of State.

The Village Attorney gave a brief presentation to the Board comparing similar provisions in other local villages and the Town of North Hempstead. No members of the public chose to comment on the proposed local law.

*Trustee Costa made a motion to close the public hearing on Local Law#1-2022 and adopt the local law. Trustee Farina seconded the motion, which passed unanimously.*

**ADJOURNMENT:**

*Trustee Costa made a motion to move into the regular meeting. Trustee Farina seconded the motion, which passed unanimously.*

The Board considered the reports from the Justice Court, Building Department and Police Department.

*Trustee Costa made a motion to accept the reports, which was duly seconded by Mayor Avena and passed unanimously.*

**MINUTES:**

The Board considered the draft minutes of the May 25th meeting.

*Mayor-Elect Popeleski made a motion to approve the minutes, which was duly seconded by Deputy Mayor Di Lucia and passed unanimously.*

**ABSTRACT OF CLAIMS:**

The Board considered and audited the abstract of claims for the General Fund and Trust Fund for the period from 5/24/2022 through 6/29/2022, as well as the claim of Posillico Civil previously held by the Village. Mayor-Elect Popeleski requested that the claim on the General Fund Abstract submitted by Leventhal, Mullaney & Blinkoff be held for further investigation.

*Mayor Avena made a motion to approve the General Fund abstract with the exception of the Leventhal, Mullaney & Blinkoff claim, the Trust Fund abstract, and the previously held Posillico claim. Trustee Costa seconded the motion, which passed unanimously.*

**RESOLUTIONS:**

**RESOLUTION NO. 32 - 2022  
A RESOLUTION ENGAGING A PROFESSIONAL ENGINEERING FIRM**

WHEREAS, the Inc. Village of Manorhaven is undertaking a certain public works project to remediate the slope failure at the north end of the Village along its border with the Village of Sands Point (“Slope Failure Remediation”); and

WHEREAS, the Village requires the services of a professional engineering firm in order to provide services on behalf of the Village, including the preparation of report detailing the likely causes of said slope failure, a plan for remediation of the condition and stabilization of the slope, a geotechnical investigation, and topographic survey; and

WHEREAS, the Village Engineer, Cameron Engineering & Associates, L.L.P., having an office at 177 Crossways Park Drive, Woodbury, New York 11797, has submitted a proposal for providing such engineering services in a letter dated May 24, 2022;

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation of the Village Clerk-Treasurer, the proposal of Cameron Engineering & Associates, L.L.P., be and hereby is accepted; and,

BE IT FURTHER RESOLVED, that the Mayor or his designee be and hereby is authorized to execute such documents as may be necessary and appropriate to effectuate such engagement and the terms of this Resolution; and

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

*Mayor Avena made a motion to approve the resolution, which was duly seconded by Trustee Farina and passed unanimously.*

### **RESOLUTION NO. 33 - 2022**

#### **A RESOLUTION DIRECTING THE VILLAGE CLERK-TREASURER TO AUTHORIZE NOTICE AND ACCEPTANCE OF SEALED BIDS FOR THE SANITARY PUMP STATION EMERGENCY GENERATOR PROJECT**

WHEREAS, the Board of Trustees has determined that the Village of Manorhaven is ready to proceed with significant public works to repair and upgrade the emergency generator at the pump station for the sanitary sewer system (the “Sanitary Pump Station Emergency Generator Project”); and

BE IT RESOLVED that the Village Clerk-Treasurer is hereby authorized and directed to solicit and receive sealed bids for the Sanitary Sewer Rehabilitation Project in accordance with the terms of this resolution and the requirements of General Municipal Law § 103; and

BE IT FURTHER 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 Tuesday, August 11, 2022 at 11:00 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. all bids shall be in accordance with the specifications, drawings, and terms of the proposed contracts; and

b. no bids shall be received unless in writing on forms furnished by the Village and unless accompanied by a certified check or bid bond made payable to the Village of Manorhaven in an amount not less than five percent (5%) of the base bid; and

c. the Board of Trustees reserves the right to reject any or all bids and to waive any informality therein; and

d. the Village will not accept bids from, or award contracts to, anyone who cannot prove to the complete satisfaction of the Board of Trustees that he/she has sufficient experience in this type of work and is financially able and organized to successfully carry out the work required in the specific time period; and

e. plans and specifications will be available and may be obtained at the Village Hall, 33 Manorhaven Blvd, Port Washington, NY, starting June 30, 2022 and thereafter, during normal

Village business hours; and  
f. a non-refundable fee of \$100.00 is required for each CD of the 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.

*Mayor Avena made a motion to approve the resolution, which was duly seconded by Mayor-Elect Popeleski and passed unanimously.*

**RESOLUTION NO. 34 - 2022**  
**A RESOLUTION APPROVING A TREE REMOVAL PERMIT**

WHEREAS, the Village has received an application for a tree removal permit with respect to four trees located at the property known as 165 Manorhaven Boulevard within the Village (the “Premises”), including two trees located between the street and sidewalk thereof (the “Street Trees”); and

WHEREAS, notice to the public of the consideration of this application has been made both by Board resolution and by the mailings required under section 143-7(B) of the Code;

NOW, THEREFORE, BE IT RESOLVED, that said application is hereby approved, upon the following condition – that the applicant replace the street trees with six count crepe myrtle trees of a six to seven foot height; and

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

*Mayor Avena made a motion to approve the resolution, which was duly seconded by Trustee Farina and passed unanimously.*

**RESOLUTION NO. 35 - 2022**  
**A RESOLUTION APPROVING A TREE REMOVAL PERMIT**

WHEREAS, the Village has received an application for a tree removal permit with respect to one tree located at the property known as 11 Sintsink Drive West within the Village (the “Premises”),

NOW, THEREFORE, BE IT RESOLVED, that said application is hereby approved,; and

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

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

**RESOLUTION NO. 36 - 2022**  
**A RESOLUTION APPROVING A TREE REMOVAL PERMIT**

WHEREAS, the Village has received an application for a tree removal permit with respect to two trees located at the property known as 15 Manhasset Avenue within the Village (the “Premises”); and

NOW, THEREFORE, BE IT RESOLVED, that said application is hereby approved, upon the following condition – that the applicant replace the removed trees with two count Leyland Cypress trees of a seven to eight foot height; and

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

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

**RESOLUTION NO. 37 - 2022**  
**A RESOLUTION APPROVING A TREE REMOVAL PERMIT**

WHEREAS, the Village has received an application for a tree removal permit with respect to one tree located at the property known as 29 Pequot Avenue within the Village (the “Premises”); and

NOW, THEREFORE, BE IT RESOLVED, that said application is hereby approved; and

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

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

**RESOLUTION NO. 38 - 2022**  
**A RESOLUTION APPROVING A TREE REMOVAL PERMIT**

WHEREAS, the Village has received an application for a tree removal permit with respect to one tree located at the property known as 73 Edgewood Road within the Village (the “Premises”); and

NOW, THEREFORE, BE IT RESOLVED, that said application is hereby approved; and

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

*Trustee Costa made a motion to approve the resolution, which was duly seconded by Trustee Farina and passed unanimously.*

**RESOLUTION NO. 39 - 2022**  
**A RESOLUTION PROVIDING FOR NOTICE OF THE PROPOSED REMOVAL OF TWO STREET TREES PURSUANT TO SECTION 143-7(B) OF THE VILLAGE CODE**

WHEREAS, the Inc. Village of Manorhaven has received a tree removal permit application from Beachaven Apartments, Inc. with respect to two trees located at the property known as 141 Manorhaven Boulevard within the Village (the “Premises”), including two trees located between the street and sidewalk thereof (the “Street Trees”); and

WHEREAS, section 143-7(B) of the Code of the Inc. Village of Manorhaven requires that interested members of the public be given notice of such public meeting at which the Board of Trustees will discuss said application;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the Code, the applicant shall notify all owners of residential property located within 100 feet of either side of the Premises by certified mail,

return receipt requested and shall conspicuously post written notice on said Street Trees as required therein, stating that the Board of Trustees shall consider this application at its meeting at the Village Hall, 33 Manorhaven Blvd., Port Washington, NY 11050 on Wednesday, July 27, 2022 at 6:30 p.m.; and

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

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

**RESOLUTION NO. 40 - 2022**  
**A RESOLUTION APPROVING A TREE REMOVAL PERMIT**

WHEREAS, the Village has received an application for a tree removal permit with respect to one tree located at the property known as 166 Shore Road within the Village (the “Premises”); and

NOW, THEREFORE, BE IT RESOLVED, that said application is hereby approved; and

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

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

**RESOLUTION NO. 41 - 2022**  
**A RESOLUTION APPROVING A TREE REMOVAL PERMIT**

WHEREAS, the Village has received an application for a tree removal permit with respect to three trees located at the property known as 40 Edgewood Road within the Village (the “Premises”); and

NOW, THEREFORE, BE IT RESOLVED, that said application is hereby approved; and

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

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

**PUBLIC COMMENT:**

Public Comment was offered by Mayor Avena, Deputy Mayor Di Lucia, Mayor-Elect Popeleski, and Maria Carpinelli.

**UPCOMING MEETINGS AND EVENTS:**

Monday – July 4<sup>th</sup> Village Office Closed: Happy Fourth of July  
Wednesday – July 13<sup>th</sup> Annual Organizational Meeting

**ADJOURNMENT:**

*Mayor-Elect Popeleski made a motion to close public comment and adjourn the meeting at 7:01 p.m., which was duly seconded by Deputy Mayor Di Lucia and passed unanimously.*

Dated: Manorhaven, NY

July 6, 2022

Respectfully submitted,

Alex Kovacevic, Deputy Village Clerk