

**INC. VILLAGE OF MANORHAVEN
BOARD OF TRUSTEES SPECIAL SESSION
July 15, 2022 – 10 a.m. - MINUTES**

CALL TO ORDER: 10 a.m.

PLEDGE OF ALLEGIANCE: Sharon Abramski

ATTENDANCE:

Mayor John Popeleski; Deputy Mayor Vincent Costa via ZOOM; Trustee Harry Farina via ZOOM; Trustee Monica Ildefonso via ZOOM; Trustee Khristine Shahipour; Village Attorney Genevieve Lo Presti, Deputy Clerk Alex Kovacevic, Village Clerk-Treasurer, Sharon Abramski

MESSAGE OF NECESSITY: Available in the Clerk's office

NEW LOCAL LAWS:

Local Law #3-2022 - A local law amending and superseding the application of the Village of Manorhaven Local Law No. 19-2017 to permit the appointment of members of the Board of Zoning Appeals to serve a total term limit not to exceed two terms, consecutive or non-consecutive, within the Incorporated Village of Manorhaven. Be it enacted by the Board of Trustees of the Village of Manorhaven as follows:

Chapter 155 - Article IX – Administration

Chapter 155 - §60. A. (1) and 155 - §60. A. (2) Board of Zoning and Appeals.

WHEREAS, the Village of Manorhaven in order to permit the Board of Zoning Appeals to transact business in the best interests of the residents of the Village, in an efficient and unfettered process, free from being influenced from outside sources and from remaining stagnant due to prolonged terms of office, free from conflicts of interest arising due to the length of time of service on said Board of Zoning Appeals, it is deemed advantageous to limit the term of office to two (2) terms of office, of five (5) years each, consecutive or non-consecutive as members or Chairman of the Board of Zoning Appeals; and

WHEREAS, Municipal Home Rule Law Section 10, authorizes the Village to adopt a local law which amends or supersedes any provision 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 such Section 10, unless there is a legislative restriction on such amendment or supersession;

NOW, THEREFORE, BE IT RESOLVED that the Village of Manorhaven hereby determines that the Local Law No. 19-2017 is amended and Chapter 155-60 A. of the Code of the Village of Manorhaven is hereby amended and superseded in its application to the Village of Manorhaven by deleting the entirety of Chapter 155- §60 A. (1) and 155 - §60. A. (2), all the other sections remain intact. Said sections will be replaced with the following:

A. Creation, selection and organization; establishment and membership, term of office.

(1) There is hereby reestablished a Board of Zoning Appeals consisting of five members pursuant to the provisions of Village Law. The Board of Zoning Appeals in existence on the effective date of this Chapter shall continue. Members of the Board of Zoning and Appeals shall be appointed by the Mayor, subject to approval of the Board of Trustees, and shall reside within the Village of Manorhaven. Members shall serve for terms such that one member's term shall expire at the end of the Village official year in which said member was initially appointed and the remaining members' terms shall be so fixed that one member's term shall expire at the end of each official year thereafter. At the expiration of each original member's appointment, the replacement member shall be appointed for a term of five years. **However, the member and Chairman shall be limited to a maximum term of a two term appointment either consecutive or non- consecutive over their lifetime. At no point in time may any person serve more than two terms whether it be consecutive or non-consecutive terms or appointments, which shall include existing members.**

(2) The Chairman and Deputy Chairman of said Board shall be designated annually by the Mayor, **subject to approval by the Board of Trustees, which shall include existing members.** The Chairman or in his absence, the Deputy Chairman shall have the power to issue subpoenas for the attendance of witnesses and the production of records and may administer oaths.

- Trustee Costa moved for its adoption; Trustee Farina seconded it.
- *Mayor John Popeleski, Aye; Deputy Mayor Vincent Costa, Aye; Trustee Harry Farina, Aye; Trustee Khristine Shahipour, Aye; Trustee Monica Ildefonso, Aye.*

Local Law #4-2022 - A local law amending and superseding the application of the Village of Manorhaven Local Law No. 5-2001 to permit the appointment of members of the Planning Board to serve a total term limit not to exceed two terms, consecutive or non-consecutive, within the Incorporated Village of Manorhaven. Be it enacted by the Board of Trustees of the Village of Manorhaven as follows:

Chapter 155 - Article IX – Administration

Chapter 155 - §62. A. (2) Planning Board.

WHEREAS, the Village of Manorhaven in order to permit the Planning Board to transact business in the best interests of the residents of the Village, in an efficient and unfettered process, free from being influenced from outside sources and from remaining stagnant due

to prolonged terms of office, free from conflicts of interest arising due to the length of time of service on said Planning Board, it is deemed advantageous to limit the term of office to two (2) terms of office, of five (5) years each, consecutive or non-consecutive as members or Chairman of the Planning Board; and

WHEREAS, Municipal Home Rule Law Section 10, authorizes the Village to adopt a local law which amends or supersedes any provision 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 such Section 10, unless there is a legislative restriction on such amendment or supersession;

NOW, THEREFORE, BE IT RESOLVED that the Village of Manorhaven hereby determines that the Local Law No. 5-2001 is amended and Chapter 155 - §62 A. (2) of the Code of the Village of Manorhaven is hereby amended and superseded in its application to the Village of Manorhaven by deleting the entirety of Chapter 155 - §62 A. (2) and all other sections shall remain intact. Said section will be replaced with the following:

A. Creation, selection and organization of the Planning Board.

(2) The Chairman and Deputy Chairman of said Board shall be designated annually by the Mayor, subject to approval by the Board of Trustees, which shall include existing members. The Chairman or in his absence, the Deputy Chairman, shall have the power to issue subpoenas for the attendance of witnesses and the production of records and may administer oaths. The Village shall also employ experts, if deemed necessary to review and application before the Board.

- Trustee Shahipour moved for its adoption; Trustee Farina seconded it.
- *Mayor John Popeleski, Aye; Deputy Mayor Vincent Costa, Aye; Trustee Harry Farina, Aye; Trustee Khristine Shahipour, Aye; Trustee Monica Ildefonso, Aye.*

UPCOMING MEETINGS AND EVENTS:

- General Board of Trustees Meeting on July 27, 2022 at 6:30 p.m.

ADJOURNMENT:

- Mayor Popeleski moved to close the Special Session, Trustee Shahipour seconded it.
- All were in favor. Meeting ended at 10:15 a.m.

Manorhaven, NY
Sharon Natalie Abramski, MMC, RMC
Village Clerk-Treasurer
July 15, 2022