

**MINUTES OF PUBLIC HEARINGS AND REGULAR MEETING OF THE
BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF MASTIC BEACH
HELD ON SEPTEMBER 13, 2011 AT 7:00 PM AT THE MASTIC BEACH FIRE
DEPARTMENT, NEIGHBORHOOD ROAD, MASTIC BEACH, NEW YORK**

Approximately 100 residents were in attendance

The meeting was called to order at 7:15PM

Mayor Breschard led the Pledge of Allegiance and Moment of Silence

Roll Call was taken by the Village Clerk

In attendance: Mayor Paul Breschard, Trustee Gary Stiriz, Trustee Bob Morrow, Trustee Bill Biondi and Trustee Kenneth Olivo.

Also in attendance: Village Attorney Joseph W. Prokop

Public Hearing regarding Local Law of 2011 amending Chapter 510, "Vehicle & Traffic"

Resident Susan Steinmann asked if the proposed change to the code pertained to displaying goods for sale in the back of trucks. Attorney Prokop explained that the amendment to Chapter 510 was to adopt current Town of Brookhaven parking regulations.

Resident Alan Chasinov asked if Code Enforcement was handing out speeding violations and if officers are armed. It was explained that Code Enforcement was not authorized to issue speeding violations and are not armed.

Resident Walter Meshenberg stated that he thought a Code Enforcement officer was carrying a sidearm during the hurricane, and if true, would village be liable. Trustee Stiriz replied that during the hurricane, it was necessary to deputize two Code Enforcement officers and authorize them to carry sidearms, and that both officers met all qualifications for same.

Upon motion made by Trustee Bill Biondi, seconded by Trustee Bob Morrow and unanimously carried, it was RESOLVED to close the Public Hearing regarding Local Law of 2011 amending Chapter 510, Vehicle and Traffic.

Public Hearing regarding Local Law of 2011 amending Chapter 300, "Nuisances"

There being no questions regarding the amendment of Local Law of 2011, Nuisances, and

Upon motion made by Trustee Bob Morrow, seconded by Trustee Kenneth Olivo and unanimously carried, it was RESOLVED to close the Public Hearing regarding Local Law of 2011 amending Chapter 300, Nuisances

Public Hearing regarding Local Law of 2011 amending Chapter 350, "Property Maintenance"

Resident Dan McNamara asked if the amendment to Chapter 350 applies to vacant properties and overgrown lawns. The Board responded affirmatively to both questions.

Resident Bill Hack inquired to the status of two abandoned premises in the Village. Attorney Prokop explained that he is meeting with the building inspector every other Friday to discuss Supreme Court actions allowing the Village to take action and authorize clean up, take down and securing same.

Resident Susan Steinmann asked if hedge height can be addressed. It was explained that intersections are the Village's concern and is addressed in the code.

Resident Alan Chasinov asked for the approximate length of time for a board and secure. Mayor Breschard explained that board and secure orders are still in place from the Town of Brookhaven.

Resident Susan Steinmann asked if code enforcement could board and secure the "raccoon house." Attorney Prokop stated that several properties have been acted on and that the Village will ensure that it is secured.

Resident Barbara Scalafani asked if pocket parks can be made after a tear-down. Mayor Breschard stated that we must first find out the owner of record for the property is. Attorney Prokop stated that each case is different and will be evaluated on an individual basis.

Upon motion made by Trustee Kenneth Olivo, seconded by Trustee Bill Biondi and unanimously carried, it was RESOLVED to close the Public Hearing regarding Local Law of 2011 amending Chapter 350, Property Maintenance

Public Hearing regarding Local Law of 2011 amending Chapter 180, "Unsafe Buildings"

A resident questioned the table of contents of Chapter 180-9. Attorney Prokop noted same and will submit change.

Upon motion made by Trustee Bill Biondi, seconded by Trustee Bob Morrow and unanimously carried, it was RESOLVED to close the Public Hearing regarding Local Law of 2011 amending Chapter 180, Unsafe Buildings

Upon motion made by Trustee Bill Biondi, seconded by Trustee Kenneth Olivo and unanimously carried, it was RESOLVED to TABLE a Public Hearing regarding Local Law of 2011 amending Chapter 400, "Sewage Disposal"

TRUSTEE REPORTS

Mayor Breschard thanked the volunteers, employees and residents of the Village of Mastic Beach for helping with the clean up after Hurricane Irene. Mayor Breschard reported on a meeting that he attended with Congressman Bishop and Supervisor Lesko who were "floored" by the performance of our rookie village in response to the clean-up. A statement by Dan Panico was read by the mayor. Mayor Breschard recognized the Board of Trustees with particular thanks to Deputy Mayor Gary Stiriz.

Trustee Gary Stiriz presented over 23 Certificates of Appreciation to residents that participated in the clean-up effort. Trustee Stiriz described how these volunteers went out and covered ten sections of the village and reported damage to the clean-up crews and the coordination of same. The volunteer residents received a standing ovation from the audience. Trustee Stiriz also thanked Trustee Biondi and the Mastic Beach Fire Department, Walter Meshenberg of the Mastic Beach Ambulance Company and presented them with certificates as well. Trustee Stiriz then thanked the employees who manned Village Hall, in particular: Ann Smith, Rae Busa, Jenn Brojer, Doris Fink and Clerk Gross.

A presentation was made to the residents and the Board of Trustees by Joseph Iannucci and Nancy Lenz of Cashin and Associates regarding MS-4 Storm Water Management.

Ms. Lenz answered questions from the residents regarding storm water management.

Upon motion made by Trustee Kenneth Olivo, seconded by Trustee Gary Stiriz and unanimously carried, it was RESOLVED to adopt a SEQRA Resolution for the adoption of a Local Law of 2011 amending Chapter 510, "Vehicle & Traffic."

Upon motion made by Trustee Gary Stiriz, seconded by Trustee Bob Morrow and unanimously carried, it was RESOLVED to Adopt a Local Law of 2011 amending Chapter 510, "Vehicle & Traffic."

Upon motion made by Mayor Paul Breschard, seconded by Trustee Bill Biondi and unanimously carried, it was RESOLVED to adopt a SEQRA Resolution for the adoption of a Local Law of 2011 amending Chapter 300, "Nuisances."

Upon motion made by Trustee Bill Biondi, seconded by Trustee Kenneth Olivo and unanimously carried, it was RESOLVED to Adopt a Local Law of 2011 amending Chapter 300, "Nuisances."

Upon motion made by Trustee Bill Biondi, seconded by Trustee Bob Morrow and unanimously carried, it was RESOLVED to adopt a SEQRA Resolution for the adoption of a Local law of 2011 amending Chapter 350, "Property Maintenance."

Upon motion made by Trustee Kenneth Olivo, seconded by Trustee Bill Biondi and unanimously carried, it was RESOLVED to Adopt a Local Law of 2011 amending Chapter 350, "Property Maintenance."

Upon motion made by Trustee Gary Stiriz, seconded by Trustee Kenneth Olivo and unanimously carried, it was RESOLVED to adopt a SEQRA Resolution for the adoption of a Local Law of 2011 amending Chapter 180, "Unsafe Buildings."

Upon motion made by Trustee Gary Stiriz, seconded by Trustee Bob Morrow and unanimously carried, it was RESOLVED to Adopt a Local Law of 2011 amending Chapter 180, "Unsafe Buildings."

Upon motion made by Mayor Paul Breschard, seconded by Trustee Bill Biondi and unanimously carried, it was RESOLVED to Designate the Board of Trustees as the Accessory Apartment Review Board.

Upon motion made by Trustee Bob Morrow, seconded by Trustee Gary Stiriz and unanimously carried, it was RESOLVED to set the date and time and fees of the Accessory Apartment Review Board.

Upon motion made by Trustee Bill Biondi, seconded by Trustee Bob Morrow and unanimously carried, it was RESOLVED to Authorize the Village to Investigate the possible purchase of Smitty's Home Center.

Upon motion made by Trustee Kenneth Olivo, seconded by Trustee Bill Biondi and unanimously carried, it was RESOLVED to Authorize the Village Clerk to attend a three day NYCOM training in Saratoga Springs at a cost for meals, lodging, travel and registration of approximately \$700.00.

Upon motion made by Trustee Gary Stiriz, seconded by Trustee Bob Morrow and unanimously carried, it was RESOLVED to Schedule a Public Hearing and Special Meeting regarding a Local Law of 2011 amending Chapter 260 of the Housing Standards Code on Wednesday, September 28, 2011 at 5:00PM, to be held at the Mastic Beach Fire Department, 265 Neighborhood Rd., Mastic Beach.

Upon motion made by Mayor Paul Breschard, seconded by Trustee Gary Stiriz and unanimously carried, it was RESOLVED to Authorize chargebacks as tax liens for property maintenance performed by the Village on private property.

Upon motion made by Trustee Bob Morrow, seconded by Trustee Gary Stiriz and unanimously carried, it was RESOLVED to Direct the Village Clerk not to post the Annual Village Budget on the Village Website.

Upon motion made by Trustee Bill Biondi, seconded by Trustee Kenneth Olivo and unanimously carried, it was RESOLVED to Create the position of "Village Grant Writer" and setting the rate of compensation for Village Grant Writer at five percent (5%).

Upon motion made by Trustee Kenneth Olivo, seconded by Trustee Bill Biondi and unanimously carried, it was RESOLVED to Appoint Deborah Slack as Village Grant Writer subject to the review of an agreement with her by the Village Attorney.

Upon motion made by Trustee Gary Stiriz, seconded by Trustee Bill Biondi and unanimously carried, it was RESOLVED to Authorize the Building Department to order ten (10) manhole covers and ten (10) storm water drain grates to be used as replacements for missing covers and grates at a cost not to exceed \$5,000.

Upon motion made by Mayor Paul Breschard, seconded by Trustee Bob Morrow and unanimously carried, it was RESOLVED to Authorize the expenditure of \$500 for the purchase of supplies to fabricate road barricades to be used by the Village.

Upon motion made by Trustee Bob Morrow, seconded by Trustee Gary Stiriz and unanimously carried, it was RESOLVED to Authorize the expenditure of up to \$500 for the printing of extra code books to be used by law enforcement personnel.

Upon motion made by Trustee Bill Biondi, seconded by Trustee Gary Stiriz and unanimously carried, it was RESOLVED to Ratify the agreement with ZAMBOLI Contracting for storm clean-up which was previously entered by the Village on an emergency basis.

Upon motion made by Trustee Gary Stiriz, seconded by Trustee Kenneth Olivo and unanimously carried, it was RESOLVED to Ratify the agreement with ALL ISLAND TREE AND FENCE in the amount of \$4,888.13 for storm clean-up which was previously entered by the Village on an emergency basis.

Upon motion made by Trustee Kenneth Olivo, seconded by Trustee Bill Biondi with Trustee Gary Stiriz abstaining and subsequently carried, it was RESOLVED to Ratify the agreement with DHS Contracting in the amount of \$109,165.30 for storm clean-up which was previously entered by the Village on an emergency basis.

Upon motion made by Mayor Paul Breschard, seconded by Trustee Bob Morrow and unanimously carried, it was RESOLVED to Ratify the agreement with PREMIUM MULCH in the amount of \$15,200 for storm clean-up which was previously entered by the Village on an emergency basis.

Upon motion made by Trustee Bob Morrow, seconded by Trustee Bill Biondi and unanimously carried, it was RESOLVED to Ratify the agreement with JOSEPH GUARINO in the amount of \$2,309.16 for storm clean-up which was previously entered by the Village on an emergency basis.

Upon motion made by Trustee Bill Biondi, seconded by Trustee Bob Morrow and unanimously carried, it was RESOLVED to Ratify the agreement with BRUCE ZUMMO, JR. for storm clean-up which was previously entered by the Village on an emergency basis at a rate of \$30 per hour.

Upon motion made by Trustee Kenneth Olivo, seconded by Trustee Bill Biondi and unanimously carried, it was RESOLVED to Ratify the agreement with ROY RATIGAN, JR. for storm clean-up which was previously entered by the Village on an emergency basis at a rate of \$30 per hour.

Upon motion made by Trustee Gary Stiriz, seconded by Trustee Kenneth Olivo and unanimously carried, it was RESOLVED to Authorize retaining the services of a stenographer for Zoning Board of Appeals hearings with the costs to be reimbursed by the applicant.

Upon motion made by Mayor Paul Breschard, seconded by Trustee Bill Biondi and unanimously carried, it was RESOLVED to Appoint CHRISTOPHER RICCIARDI as Chairperson of the Zoning Board of Appeals.

Upon motion made by Trustee Bob Morrow, seconded by Trustee Kenneth Olivo and unanimously carried, it was RESOLVED to Set the date and time of the Zoning Board of Appeals Hearings to be the second Thursday of every month at 6:00PM.

Upon motion made by Trustee Bill Biondi, seconded by Trustee Kenneth Olivo and unanimously carried, it was RESOLVED to Approve and Set the Zoning Board of Appeals fees as follows:

Application fee	\$ 250.00
Area variance residential	\$ 250.00 each variance.
Area variance commercial	\$ 500.00 each variance
Use variance	\$ 1,500.00
Radius search	\$ 50.00
Single and Separate Review	\$ 100.00
SEQRA review	\$ 100.00

Applicants to be responsible to reimburse the Zoning Board of Appeal for stenography, legal and consultant costs. Zoning Board of Appeals Chairperson may require deposit for costs associated with application.

Upon motion made by Trustee Kenneth Olivo, seconded by Trustee Bob Morrow and unanimously carried, it was RESOLVED to Schedule Weekly Work Sessions to be held every Wednesday at 5:00PM, beginning on September 21, 2011, with the location to be determined.

Upon motion made by Trustee Gary Stiriz, seconded by Trustee Bill Biondi and unanimously carried, it was RESOLVED to Cancel the Work Sessions scheduled on the fourth Monday of every month.

Upon motion made by Mayor Paul Breschard, seconded by Trustee Bill Biondi and unanimously carried, it was RESOLVED to Accept the Minutes of the July 15, 2011 Work Session.

Upon motion made by Trustee Bob Morrow, seconded by Trustee Kenneth Olivo and unanimously carried, it was RESOLVED to Accept the Minutes of the July 25, 2011 Special Meeting.

Upon motion made by Trustee Bill Biondi, seconded by Trustee Bob Morrow and unanimously carried, it was RESOLVED to Accept the Minutes of the July 29, 2011 Special Meeting.

Upon motion made by Trustee Kenneth Olivo, seconded by Trustee Gary Stiriz and unanimously carried, it was RESOLVED to Accept the Minutes of the August 3, 2011 Special Meeting.

Upon motion made by Trustee Gary Stiriz, seconded by Trustee Bob Morrow and unanimously carried, it was RESOLVED to Accept the Minutes of the August 9, 2011 Regular Meeting.

Upon motion made by Mayor Paul Breschard, seconded by Trustee Kenneth Olivo and unanimously carried, it was RESOLVED to Accept the Minutes of the August 22, 2011 Special Meeting.

Upon motion made by Trustee Bob Morrow, seconded by Trustee Bill Biondi and unanimously carried, it was RESOLVED to Accept the Minutes of the September 1, 2011 Special Meeting.

PUBLIC COMMENT

Resident James Seafross brought to the attention of the Board a problem premises – cockroaches are infesting the neighboring homes. Trustee Biondi took the address and will investigate same.

Resident Joseph Scalafani introduced boxing coach Mike Murphy. Coach Murphy appealed to the Board and the audience for a suitable building in which to relocate his gym after damage due to Hurricane Irene.

Resident Maura Spery expressed her displeasure of several issues to the Board, including, but not limited to: illegal dumping on Riviera Drive, phragmites, tires, bags of garbage, pot holes and \$4 million budget, not \$500,000 as originally proposed prior to election. Ms. Spery questioned the Board regarding special meetings, development of the waterfront, mass assembly permits and a proposed cell tower. Ms. Spery was also unhappy that the Village did not properly secure property after calling for an evacuation. Trustee Biondi explained to Ms. Spery that the evacuation was called for by Suffolk County.

Resident Michelle Wilkinson asked the Board to address the problem of tree pile on Aspen Road. Mayor Breschard explained that low hanging trees are being attended to and that the Village is dealing with 15-20 years of vegetation growth.

Resident Susan Steinmann defended the Board and its efforts in the Village. Ms. Steinmann expressed her displeasure at what Ms. Spery had stated.

Resident Norma Jean Berg asked the Board for its help in overcoming roadblocks by FEMA and her efforts to raise her home to prevent further flooding. Ms. Berg was invited to visit Village Hall for assistance by Mayor Breschard.

Resident Jane Powers commended the Board for their quick action in cleaning up the Village after the storm and asked the Board if they could ask Suffolk County Police Dept. for help in addressing quality of life issues. Mayor Breschard responded that he had a meeting with Inspector Neubauer of the Seventh Precinct that afternoon. Trustee Stiriz stated that the biggest

problem in the area right now is drugs and of not feeling well protected. The Village Board is working on solutions to getting more coverage.

Resident Kitty Hennessey applauded Susan Steinmann for her kind words to the Board and implored others to stop being negative.

Resident Aida Wietzel called to the Board's attention a problem with trees hanging over electrical lines that were handled within 20 minutes of calling. Ms. Wietzel also asked Trustee Stiriz about the proposed cell tower and that she was against any development of the waterfront. Mayor Breschard told the audience that there would be a hearing regarding the cell tower and that it was unfair to put Trustee Stiriz on the spot. Mayor Breschard also stated that the Village will be looking into the purchase of Smitty's as a possible location for Village Hall.

Resident Ray Hubschmidt stated that we have pristine waters because there has been no development along the waterfront. Regarding cell towers, NIMBY is usually the residents' response and asked the audience if they were willing to give up their cell phones. Mr. Hubschmidt stated that the trustees were put in charge of looking after us and that we should let them do their job.

Attorney Prokop reported the status of the highway bids, and that the bids will be opened tomorrow.

Upon motion made by Trustee Bill Biondi, seconded by Trustee Gary Stiriz and unanimously carried, it was RESOLVED to close the meeting at 9:45PM.

DATED: September 27, 2011
MASTIC BEACH, NEW YORK


VIRGILIA C. GROSS
Village Clerk

