

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF MASTIC BEACH
HELD ON OCTOBER 11, 2011 AT 7:00 PM AT THE
MASTIC BEACH FIRE DEPARTMENT, SECOND FLOOR**

The meeting was called to order at 7:02 PM

The Mayor led the audience in the Pledge of Allegiance and followed with a Moment of Silence
Roll Call was taken by Virgilia C. Gross, Village Clerk

In attendance: Mayor Breschard, Trustee Stiriz, Trustee Biondi, Trustee Morrow and Trustee Olivo

Also present: Village Attorney Joseph Prokop

Approximately 60 residents were in attendance

A presentation was made by Richard Zuckerman of Lamb & Barnosky, Labor Counselors regarding their proposal to represent the Village in the Mastic Beach Property Owner's lawsuit.

Upon motion made by Mayor Breschard, seconded by Trustee Stiriz and unanimously carried, it was RESOLVED to appoint Francis Fineo as Associate Village Justice.

Upon motion made by Trustee Morrow, seconded by Trustee Stiriz and unanimously carried, it was RESOLVED to create the position of Deputy Treasurer.

Upon motion made by Mayor Breschard, seconded by Trustee Biondi and unanimously carried, it was RESOLVED to appoint Jennifer Brojer as Deputy Treasurer at a salary of \$16 per hour.

The Oath of Office was administered to Justice Francis Fineo and Deputy Treasurer Jennifer Brojer by Mayor Breschard.

Upon motion made by Trustee Stiriz, seconded by Trustee Morrow and unanimously carried, it was RESOLVED to create the position of Village Justice Cashier at a rate of \$50 per session.

Upon motion made by Trustee Olivo, seconded by Trustee Biondi and unanimously carried, it was RESOLVED to approve the hiring of Doris Fink as Village Justice Cashier at a rate of \$50 per Court Session.

Upon motion made by Trustee Biondi, seconded by Trustee Morrow and unanimously carried, it was RESOLVED to approve the retainer of Lamb & Barnosky, Labor Counselors, on an as-needed basis at a rate of \$275 per hour for partner, \$225 per hour for associate, and \$150 per hour for paralegal.

A presentation was made by Charles Barker of Sidney Bowne & Company regarding the MS-4 Storm Water Management project that the village must perform.

Upon motion made by Mayor Breschard, seconded by Trustee Stiriz and unanimously carried, it was RESOLVED to enter into an agreement with Sidney B. Bowne & Son, LLP, for the purpose of preparing a Storm Water Management Program as per their proposal at a rate of \$4,850.00.

Upon motion made by Trustee Stiriz, seconded by Trustee Morrow and unanimously carried, it was RESOLVED to approve retroactive pay to Code Enforcement Officer Michael Catalano in the amount of \$122.66, subject to withholding deductions.

Upon motion made by Trustee Olivo, seconded by Trustee Stiriz and unanimously carried, it was RESOLVED to award the Highway Bid Contract #6, Grass Cutting, to Roy Ratigan, Jr.

Upon motion made by Trustee Biondi, seconded by Trustee Olivo and unanimously carried, it was RESOLVED to award the Highway Bid Contract #8, Tree Cutting, Removal and Disposal, to All Island Tree Service.

Upon motion made by Trustee Morrow, seconded by Trustee Olivo and unanimously carried, it was RESOLVED to reject all Highway Bids received for Contract #1, Asphalt and Pothole Patching and Repair; Contract #2, Asphalt Paving and Sealing; Contract #3, Street Striping; Contract #4, Street Signage; Contract #5, Street Sweeping; Contract #7, Storm Drainage Structure and Pipe Cleaning, Installation & Repairs; and, Contract #9, Curbs & Sidewalks, Maintenance, Installation and Repair.

Upon motion made by Mayor Breschard, seconded by Trustee Olivo and unanimously carried, it was RESOLVED to enter into an Inter-Municipality Agreement with the Town of Brookhaven for the use of the Senior Nutrition Center on Wednesday evenings at a rate of \$30 per week.

Upon motion made by Trustee Stiriz, seconded by Trustee Olivo and unanimously carried, it was RESOLVED to establish a policy regarding Code Enforcement Officers availability. Code Officers must be available 7 days a week for a minimum of 16 hours per week during Code Enforcement working hours.

Upon motion made by Trustee Olivo, seconded by Trustee Stiriz and unanimously carried, it was RESOLVED that until the adoption of a local law amending Section 420-8 of the Mastic Beach Village Code all residents are required to place all garbage and refuse in proper containers as required by Chapter 420 of the Mastic Beach Village Code and to leave the containers along the boundary of the street line in front of their properties.

Upon motion made by Trustee Biondi, seconded by Trustee Stiriz and unanimously carried, it was RESOLVED to set a public hearing on a local law of 2011 amending Section 420-8 of the Mastic Beach Village Code regarding garbage collection to be held on October 26, 2011 at 5:00PM at the Town of Brookhaven Nutrition Center, 265 Neighborhood Road, Mastic Beach, New York.

Upon motion made by Trustee Morrow, seconded by Trustee Olivo and unanimously carried, it was RESOLVED that until the adoption of a local law amending Section 420-3(G)(1) of the Mastic Beach Village Code, the Board of Trustees directs that all leaves must be brought to the front of the property and left in paper bags for pick up.

Upon motion made by Mayor Breschard, seconded by Trustee Morrow and unanimously carried, it was RESOLVED that the Board of Trustees will conduct a public hearing on a local law of 2011 amending Section 420-3(G)(1) of the Mastic Beach Village Code regarding leaf pick up on October 26, 2011 at 5:00PM at the Town of Brookhaven Nutrition Center, Neighborhood Road, Mastic Beach.

Upon motion made by Trustee Stiriz, seconded by Trustee Olivo and unanimously carried, it was RESOLVED to table a resolution setting forth legal holidays as recognized by the Village of Mastic Beach.

Upon motion made by Trustee Biondi, seconded by Trustee Morrow and unanimously carried, it was RESOLVED to set the minimum liability coverage for Contractors at \$300,000 per occurrence, with a recommendation of \$1 million or more.

Upon motion made by Trustee Morrow, seconded by Trustee Biondi and unanimously carried, it was RESOLVED to authorize the hiring of an alternate Village Justice Court Clerk on a per diem basis.

Upon motion made by Mayor Breschard, seconded by Trustee Biondi and unanimously carried, it was RESOLVED to authorize the hiring of two alternate Village Justice Court Officers on a per diem basis.

Upon motion made by Trustee Stiriz, seconded by Trustee Morrow and unanimously carried, it was RESOLVED to authorize the Village of Mastic Beach to participate in the New York State Disability Benefits program for Village employees.

Upon motion made by Trustee Biondi, seconded by Trustee Stiriz and unanimously carried, it was RESOLVED to hire Frank Perino, Sr. and Frank Perino, Jr. as maintenance mechanics, a position formerly titled "Laborer."

Upon motion made by Trustee Olivo, seconded by Trustee Morrow and unanimously carried, it was RESOLVED to cancel the scheduled Weekly Work Session to be held on Wednesday, October 12, 2011.

Upon motion made by Trustee Stiriz, seconded by Trustee Olivo and unanimously carried, it was RESOLVED to approve the minutes of the September 13, 2011 Public Hearing and Regular Meeting.

Upon motion made by Trustee Morrow, seconded by Trustee Stiriz and unanimously carried, it was RESOLVED to approve the minutes of the September 28, 2011 Public Hearing.

Mayor Breschard reported on a proposal by a public relations firm that was given to the Board of Trustees.

Trustee Olivo reported on the upcoming Fright Fest.

PUBLIC COMMENT

Jerri Breschard, Ducky Lane: Invited residents to attend the upcoming Harvest Festival.

Ken Paladino, Pineway Ave.: Questioned the Board regarding the Accessory Apartment permit fees. Attorney Prokop explained the importance of safety inspections and costs involved with same.

Denise Paladino, Pineway Ave.: Believes the Accessory Apartment fees are unfair.

Jane Powers, Phyliss Rd.: Inquired to the lack of Sheriffs' cars in the Village. Trustee Stiriz commented on the Sheriff's department. Ms. Powers also inquired as to the status of the MBPOA litigation. Attorney Prokop expects a trial date to be set soon.

Ann Petruso, Overlook Dr.: Asked for clarification regarding bid rejections. Attorney Prokop explained the procedure, that some were not seen as favorable to the Village, and that some bids will be re-written.

Roberta Muller, Fawn Place: Stated that Fawn was nearly impassable. Trustee Stiriz responded that the Village was in the process of soliciting bids for Fawn Place and that Village is awaiting one more bid.

John A., Hawthorne Rd.: Asked about a media company, community bulletin board and a newsletter. Mr. A. also inquired about the Westbury Law. Trustee Stiriz replied that our code does include similar sections.

Susan Steinmann, Locust Dr.: Suggested that residents be good citizens and follow neighborly rules.

Aida Wetzel, Magnolia Dr.: Inquired to the many missing street signs. Trustee Biondi explained the high cost of metal.

Bill Fahey, Cedar Rd.: Suggested that the Village have a column in South Shore Press and announced the Zoning Commission Work Session date and time.

Mike Lovell, Elm Rd.: Questioned our code and renters with different last names. Building Inspector Palazzotto explained the square footage requirement on rentals.

Donna Vellenien, Orchid Dr.: Questioned the cell tower rumor. Trustee Stiriz stated that an application has not been submitted. Mayor Breschard added that any such application would be subject to a Zoning Board of Appeals hearing and advised the residents to be wary of rumors.

Denise Paladino, Pineway Ave.: Inquiry regarding part time hours. Trustee Morrow explained it could be up to 20 hours per week. Mrs. Paladino also inquired regarding paper leaf bags and if Village was providing same. Mayor Breschard answered that QuickWay is looking into it.

Alan Chasinov, Mastic Rd.: Inquired as to the status of a Cablevision Channel. Trustee Biondi answered that Channel 18 is owned by the Town of Brookhaven and that the Village will have to enter into an agreement with the Town to use it. Mr. Chasinov inquired as to code enforcement being 24/7. Trustee Biondi responded in the negative.

Mayor Breschard reminded the audience of court session at 7 pm.

Trustee Biondi stated that there will be a meeting with Sen. Lee Zeldin at 7pm Thursday.

Upon motion made by Trustee Biondi, seconded by Trustee Morrow and unanimously carried, it was RESOLVED to close the meeting at 8:45PM.

DATED: October 20, 2011
MASTIC BEACH, NEW YORK




VIRGILIA C. GROSS
Village Clerk