

MINUTES OF THE SPECIAL MEETING AND PUBLIC HEARING OF THE BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF MASTIC BEACH HELD ON FEBRUARY 8, 2012 AT THE SENIOR NUTRITION CENTER, 369 NEIGHBORHOOD ROAD, MASTIC BEACH, NEW YORK AT 5:00 PM

The Special Meeting was called to order at 5:15PM

Mayor Breschard led the audience in the Pledge of Allegiance and Moment of Silence
Roll Call was taken by the Village Clerk

Present: Mayor Breschard, Trustee Stiriz, Trustee Biondi, Trustee Morrow and Trustee Olivo
Also present: Village Attorney Joseph Prokop

Upon motion made by Mayor Breschard, seconded by Trustee Biondi and unanimously carried, it was RESOLVED to appoint Vincent J. Nasta and Denise Paladino to serve as Certified Election Inspectors for the Village election to be held on March 20, 2012.

Upon motion made by Trustee Olivo, seconded by Trustee Biondi and unanimously carried, it was RESOLVED to set March 10, 2012 as Village Registration Day from Noon to Five O'clock at Village Hall.

Upon motion made by Trustee Stiriz, seconded by Trustee Olivo and unanimously carried, it was RESOLVED to accept the Town of Brookhaven 2011/2012 Assessment Roll as the tentative Village Assessment Roll.

Upon motion made by Trustee Morrow, seconded by Trustee Olivo and unanimously carried, it was RESOLVED to schedule Village Grievance Day for Tuesday, February 21, 2012 from 3:00PM to 7:00PM at Village Hall.

Upon motion made by Trustee Biondi, seconded by Trustee Morrow and unanimously carried, it was RESOLVED to direct the Village Clerk to obtain voting machines, supplies and support staff from the Suffolk County Board of Elections at a cost of \$ 4,080.

Upon motion made by Mayor Breschard, seconded by Trustee Olivo and unanimously carried, it was RESOLVED to set February 22, 2012 as the date of a Public Hearing on a Local Law of 2012 Adopting Chapter 220 of the Mastic Beach Village Code regarding the Fire Code for the Village of Mastic Beach.

Upon motion made by Trustee Olivo, seconded by Trustee Stiriz and unanimously carried, it was RESOLVED to set February 22, 2012 as the date of a Public Hearing on a Local Law of 2012 Adopting Chapter 260 of the Mastic Beach Village Code regarding Housing Standards of the Village of Mastic Beach.

Upon motion made by Trustee Stiriz, seconded by Trustee Biondi and unanimously carried, it was RESOLVED to set February 22, 2012 as the date of a Public Hearing on a Local Law 2012 Adopting Chapter 350 of the Mastic Beach Village Code regarding Property Maintenance of the Village of Mastic Beach.

Upon motion made by Trustee Morrow, seconded by Trustee Biondi and unanimously carried, it was RESOLVED to approve and authorize the Village of Mastic Beach to enter into a contract with ECM Consulting, Inc. for public relations services at a rate of \$1,500 per month.

Trustee Olivo will meet with Treasurer Wienclaw to finalize auditor selection.

A motion was made by Trustee Morrow and seconded by Trustee Stiriz to terminate Joseph W. Prokop as the Village Attorney effective immediately. A discussion followed regarding the authority of the board to proceed with termination. Attorney Prokop and Mayor Breschard stated

that the board did not have the authority to fire Mr. Prokop; a roll call vote was made on the motion:

Trustee Morrow – YES
Trustee Biondi – YES
Trustee Olivo – YES
Trustee Stiriz – YES
Mayor Breschard – NO

The floor was then opened to public comment.

Upon motion made by Trustee Biondi, seconded by Trustee Stiriz and subsequently carried, it was RESOLVED to hire J. Lee Snead, Esq. as Village Attorney at a rate of \$150 per hour, effective immediately. A roll call vote on the motion was as follows:

Trustee Morrow – YES
Trustee Biondi – YES
Trustee Olivo – YES
Trustee Stiriz – YES
Mayor Breschard – NO

The meeting was then reopened for public comment.

Upon motion made by Trustee Biondi, seconded by Trustee Olivo and unanimously carried, the Special Meeting was closed at 6:45PM.

PUBLIC HEARING

The Public Hearing was called to order at 7:00PM

Mayor Breschard advised the residents to address comments to the board and not the audience.

Ray Hubschmitt – advised the board to keep town zoning for now and not rush zoning changes with a comprehensive study of Neighborhood Road and downtown area first.

Susan Steinmann – does not believe we should keep town zoning in place and suggests that waterfront issue be removed from code.

John Mutt – sewers were not addressed and commercialization of Neighborhood Road should be the priority.

Ann Petruso – Neighborhood Rd should be priority, not afraid of change but afraid of overdevelopment of waterfront district.

Chris Ricciardi – asked whether it is possible to designate parcels that cannot be built on along the waterfront as parkland.

Mayor Breschard stated that a copy of the proposed code was online, and that it was voted on to hire a planner. Beginning next week, it will be discussed at public meetings.

James Griffin – questioned the integrity of the process, feels violations within 200' of proposed zoning code change should file papers.

Mr. Winters – would like to see waterfront kept beautiful and pristine, would be hard to reverse damage. Does not see “undeveloped” on proposed zoning map.

Mario Vigliotta – Had an opportunity to review letter from village to NYS and is in total agreement with facts as presented in same. Mr. Vigliotta stated that the commission was not concerned with the property currently held by the MBPOA along the waterfront because it is not developable under the proposed zoning. Town zoning is not appropriate for our village because it does not fit.

Maura Sperry – Asked the board if developers have approached the trustees and spoken to anyone.

Alan Chasinov – Has sent another letter to NYS to look into violation possibility. Asked Deputy Mayor Stiriz and ownership and whether or not he can vote on the proposed zoning. Attorney Prokop stated that there would be no conflict in voting on the initial zoning code.

Rich Wilkinson – stated that a small percentage of residents were present and that a majority of those present are speaking about Neighborhood Road as priority and that no time constraints are present. Attorney Prokop stated that the zoning must be changed by Sept. 16th

Frank Capiello – has concerns regarding green zoning areas on Neighborhood and Mastic Roads.

Ray Hubschmitt – Recommended that zoning be changed piece by piece, starting with a new zoning commission to be seated immediately.

Susan Steinmann – Village zoning must be more stringent than Town of Brookhaven and give neighbors chance to purchase small undeveloped lots.

Sean Schwab - Nicest new addition to Neighborhood Rd is Beach Burger and understands that all parcels need to be zoned something.

James Griffin – believes that Code of Ethics standard is reasonable and that village officials would have to file.

Chris Ricciardi – Did not think that throwing out zoning commission report would be helpful and the main body of report should be kept in.

Mario Vigliotta – 2 downtown business areas in green are residence business that has to look like a home.

Alan Chasinov – Housing on Mastic and Neighborhood Roads should not be residential business, traffic concerns.

Michele Wilkinson – would not like residential day care centers to be moved out of residential areas, as they help prevent pedophiles from moving into the area.

Jennifer Griffin – once zoned commercial, commercial forever, zone as wetlands instead.

Aida Wetzel – believes board should make a timely decision.

John Bivona – don't throw everything out and make changes slowly.

Trustee Morrow stated the following:

In order to quell despair and calm people, the Board of Trustees of the Incorporated Village of Mastic Beach, in a duly noticed public meeting, hereby RESOLVE:

That the Board of Trustees:

Having reviewed the zoning code proposed by the Village Zoning Commission;

Having taken and heard public comment during the period February 6, 7 & 8 2012;

Having significant concerns about several significant issues identified in the proposed zoning code which deserve additional study;

Having obtained a separate legal review of the compliance with environmental procedures undertaken in regard to the present proposed zoning code with regard to State Environmental Quality Review and,

Having received an opinion from outside counsel that environmental review on the proposed zoning code is lacking and that such failure of review is fatal to the approval of the proposed zoning code at this time;

HEREBY leave the public hearing on the proposed first zoning code of the Incorporated Village of Mastic Beach open for further public comment, and note the Village Board's intention to engage consultants to assist the Village Board, its Village counsel, and a new Zoning Commission to be created in the next two months, for the purpose of performing appropriate environmental review pursuant to the State Environmental Quality Review Act to include the likely preparation of an Environmental Impact Statement, and for additional public work sessions and public hearings as will be required prior to any final vote on the approval of the

Village's first zoning code. So moved by Trustee Morrow, seconded by Trustee Olivo and unanimously carried by Roll Call vote of the Board of Trustees.

Trustee Biondi stated that there is a plan to have a meth clinic open on Neighborhood Road under the current zoning and that there are major issues in the village that need to be addressed.

Arthur Kruse: asked Trustee Biondi what can be done to stop the clinic. Trustee Biondi suggested a letter writing campaign to upstate officials.

Upon motion made by Trustee Olivo, seconded by Trustee Stiriz and unanimously carried, the Public Hearing was closed at 9:00PM.

DATED: February 22, 2012
MASTIC BEACH, NEW YORK



VIRGILIA C. GROSS
Village Clerk

