

MINUTES OF THE REGULAR MEETING, PUBLIC MEETINGS AND PUBLIC HEARINGS HELD BY THE BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF MASTIC BEACH ON TUESDAY, JUNE 12, 2012 AT THE MASTIC BEACH FIRE DEPARTMENT AT 7:00 PM

The meeting was called to order at 7:15 PM by Mayor Biondi with approximately 80 residents in attendance.

Mayor Biondi led the audience in the Pledge of Allegiance and a Moment of Silence.

Roll Call was taken by the Village Clerk.

In attendance: Trustee Bissonette
Trustee Cappiello
Trustee Morrow
Trustee Stiriz
Mayor Biondi

Also in attendance: Village Attorney J. Lee Snead, Sgt. Bill O'Sullivan, S.C.P.D. Gang Unit

Sgt. O'Sullivan addressed the audience regarding gang activity within the Village. Residents questions regarding same were answered by Sgt. O'Sullivan.

Upon motion made by Mayor Biondi, seconded by Trustee Bissonette and unanimously carried, it was RESOLVED to Open the Public Hearing regarding Chapter 510 of the Village Code, STOP Intersections.

Village Attorney Snead read the proposed amendment to the Code regarding STOP Intersections and their locations within the Village.

The hearing was then opened to public comment.

Rich, Drury Lane: Is opposed to a four-way intersection at the corner of Laurel and Washington, citing that it would create a noise problem; no speed limit signs in place now on Washington Avenue; and a suggestion of placing STOP signs at Miller and Washington instead.

Mike Leonardi, King Rd: Asked if the Board would consider a four-way STOP at Cranberry and Elm.

Another resident asked if it were possible to consider a three-way STOP at Alder and Queen.

Upon motion made by Mayor Biondi, seconded by Trustee Bissonette and unanimously carried, it was RESOLVED to Close the Public Hearing regarding Chapter 510 of the Village Code, STOP Intersections.

Upon motion made by Mayor Biondi, seconded by Trustee Bissonette and unanimously carried, it was RESOLVED to Open the Public Hearing regarding Chapter 350 of the Village Code, regulating BAMBOO within the Village of Mastic Beach.

Attorney Snead stated that the local law would also amend Chapter 260, for residential properties as well.

The hearing was then opened to public comment.

Residents expressed various opinions regarding bamboo, its role in the migration of birds to the area, the inability to control certain variations of bamboo, and the affect it may have on neighboring properties. It was also expressed that it is used as privacy measures, especially between smaller parcels.

Another resident expressed that it was a quality of life issue and not one of life and safety.

Mayor Biondi stated that the Town of Brookhaven had just passed a similar law, and that not all homeowners were responsible for the maintenance of their properties and that it could adversely affect the neighbors.

Residents also suggested that growth shields should be required when planting bamboo. A resident from Orchid Drive reported to the Board a wall of bamboo that he has been fighting for three years, with running stalks which were not properly planted with barriers by his neighbor.

Upon motion made by Mayor Biondi, seconded by Trustee Bissonette and unanimously carried, it was RESOLVED to Close the Public Hearing regarding Chapter 350 of the Village Code, regulating BAMBOO within the Village of Mastic Beach.

PUBLIC MEETING, Chapter 390, YARD SALES

The Public Meeting regarding Chapter 390 of the Village Code, regulating YARD SALES within the Village of Mastic Beach was opened.

Village Attorney Snead read the proposed revision to Chapter 390, Yard Sales, with rear yard being stricken and inspection requirement repealed. Also, an increase to three (3) yard sales per year proposed.

Anne Leonardi: Inquired as to sign specifications for publicizing yard sales. Attorney Snead explained that signs are not permitted on telephone poles, as they are owned by utility company. As to enforcement, it is difficult to prove who placed sign for warning notice or violation. It was suggested that signs should be removed within a 24 hour period; failure to do so could affect the outcome of another yard sale permit being issued. Mrs. Leonardi also suggested a community sign board for the advertisement of yard sales within the Village.

Attorney Snead then read the proposed changes to Chapter 390-9, regarding outside sales of items on sidewalks by businesses within the Village. Items would be allowed to be displayed outside, and then brought in the evening.

Susan Steinmann: Suggests that code should be more specific, especially regarding the amount of merchandise to be allowed outside display, space needed, etc.

The Public Meeting regarding Chapter 390 of the Village Code, regulating YARD SALES within the Village was closed.

PUBLIC MEETING, Chapter 170, SKATEBOARDS, ROLLERBLADES & BICYCLES

The Public Meeting regarding Chapter 170 of the Village Code, regulating SKATEBOARDS, ROLLERBLADES AND BICYCLES within the Village of Mastic Beach was opened.

Village Attorney Snead explained the Chapter 170, stating that bicycles cannot be ridden on sidewalks and cannot stand or be stored on roadways and sidewalks.

A resident stated there is a lack of courtesy between bicyclists and motorists and that parental discretion must be used.

Jeff Proctor: Bikes are not allowed on sidewalks as per New York State Law.

Another resident was concerned for school children's safety when on Mastic Road. Trustee Bissonette stated that bikes must yield to pedestrians and bicyclists are not comfortable riding on Neighborhood and Mastic Roads. It is common courtesy for bikes and cars to yield to pedestrians.

Jennifer Griffin: Sidewalks are for pedestrians.

Jeff Proctor: No bikes, skateboards and rollerblades allowed on a main street in an east end village.

Alan Chasinov: Suggested that moms and small children with bicycles be allowed on the sidewalk rather than on Mastic Road.

Attorney Snead advised that the Village can regulate and allow bicyclists to use or restrict riding on sidewalks.

Upon motion made by Mayor Biondi, seconded by Trustee Stiriz and unanimously carried, it was RESOLVED to Accept a negative declaration for the purposes of SEQRA regarding a Local Law of 2012 amending Chapter 510 of the Village Code, establishing "STOP" Intersections within the Village of Mastic Beach (see attached).

Upon motion made by Mayor Biondi, seconded by Trustee Stiriz and unanimously carried, it was RESOLVED to Adopt a Local Law of 2012 amending Chapter 510 of the Village Code, establishing "STOP" Intersections within the Village of Mastic Beach (see attached).

Upon motion made by Trustee Bissonette, seconded by Mayor Biondi and unanimously carried, it was RESOLVED to TABLE A RESOLUTION Accepting a negative declaration for the purposes of SEQRA regarding a Local Law of 2012 amending Chapter 350 of the Village Code, regarding "BAMBOO" within the Village of Mastic Beach.

Upon motion made by Trustee Stiriz, seconded by Trustee Bissonette and unanimously carried, it was RESOLVED to TABLE A RESOLUTION Adopting a Local Law of 2012 amending Chapter 350 of the Village Code, regarding "BAMBOO" within the Village of Mastic Beach.

Upon motion made by Mayor Biondi, seconded by Trustee Bissonette and unanimously carried, it was RESOLVED to Authorize the Village of Mastic Beach to enter into an Intermunicipal Agreement with the Town of Brookhaven for Snow and Ice Removal Services through December 31, 2012 (see attached).

Upon motion made by Trustee Morrow, seconded by Trustee Stiriz, with Trustee Bissonette voting in the negative and carried, it was RESOLVED to Authorize the payment of presented bills as per Abstract No. 01-2012 in the amount of \$ 328,899.59 (see attached).

Upon motion made by Trustee Cappiello, seconded by Mayor Biondi and unanimously carried, it was RESOLVED to Appoint Nicholas Busa as the voluntary Village Justice Court Facilitator (see attached).

Upon motion made by Trustee Stiriz, seconded by Trustee Morrow and unanimously carried, it was RESOLVED to Authorize an additional payment of \$25 per session to Justice Court Officers when on duty for Village Court Trials (see attached).

Upon motion made by Mayor Biondi, seconded by Trustee Cappiello and unanimously carried, it was RESOLVED to Accept the Minutes of the May 8, 2012 Regular Meeting and Public Hearing (see attached).

Upon motion made by Trustee Bissonette, seconded by Trustee Cappiello with Trustee Stiriz abstaining, it was RESOLVED to Accept the Minutes of the May 16, 2012 Work Session (see attached).

Upon motion made by Trustee Morrow, seconded by Trustee Cappiello and unanimously carried, it was RESOLVED to Accept the Minutes of the May 23, 2012 Work Session (see attached).

Upon motion made by Trustee Stiriz, seconded by Trustee Morrow with Trustee Bissonette and Mayor Biondi abstaining, it was RESOLVED to Accept the Minutes of the June 6, 2012 Work Session (see attached).

Mayor Biondi announced the members of the Zoning Commission as follows: Mrs. Jennifer Griffin, Mr. Ernest Hoffstatter, Mr. Ray Hubschmitt, Mr. Edward Hughes, Mr. John Mensch, Mr. Evan Proios and Mr. Victor Viola.

Upon motion made by Mayor Biondi, seconded by Trustee Cappiello and unanimously carried, it was RESOLVED to Appoint the Zoning Commission for the Village of Mastic Beach (see attached).

Trustee Morrow reported that the Code Enforcement Department had received the following during the month of May: 139 Complaints received of which 69 were unfounded, 21 warnings issued and 48 appearance tickets were issued.

Trustee Cappiello reported that the Building Department issued 41 Rental permits, 25 building permits, 4 Certificates of Occupancy, 3 Certificates of Existing Use, 1 Certificate of Compliance and conducted 26 property searches.

Aida Wietzel: Inquired as to the handling of high grass at vacant homes, code enforcement of same and the high weeds at intersections.

Trustee Stiriz reported that due to the high volume of rain, demonstrations of paving equipment were rescheduled, with a pothole filling demo expected for Madison Avenue. A specialized mower has been ordered for the Highway Department and will be delivered this week. The equipment will also have the capability of clearing Village sidewalks of snow.

The Board answered various questions from the residents regarding sidewalk plowing, mosquito control, etc.

Anne Leonardi: Inquired as to the legality of the 5 family home rental in the Village. Village Administrator Brojer responded that it was a legal rental.

Upon motion made by Mayor Biondi, seconded by Trustee Stiriz and unanimously carried, it was RESOLVED to Appoint Paul Feuer as Deputy Village Prosecutor at a rate of \$175.00 per hour (see attached).

Upon motion made by Mayor Biondi, seconded by Trustee Stiriz and unanimously carried, it was RESOLVED to Cancel the weekly Work Session scheduled for June 13, 2012 (see attached).

Upon motion made by Mayor Biondi, seconded by Trustee Cappiello and unanimously carried, it was RESOLVED to End the Regular Meeting at 10:20 PM.

Respectfully submitted,

Virgilia C. Gross
Village Clerk

June 26, 2012

