

**MINUTES OF THE REGULAR BOARD MEETING
AND PUBLIC HEARINGS HELD BY THE BOARD OF TRUSTEES OF THE
INCORPORATED VILLAGE OF MASTIC BEACH ON TUESDAY,
FEBRUARY 12, 2013 AT THE MASTIC BEACH FIRE DEPARTMENT,
265 NEIGHBORHOOD ROAD, MASTIC BEACH, NEW YORK AT 7:00PM**

The Regular Meeting was called to order at 7:14 PM by Mayor Biondi with approximately 50 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: Mayor Biondi
Trustee Cappiello
Trustee Morrow
Trustee Bissonette
Deputy Mayor Stiriz

Also Present: Village Attorney Brian T. Egan, Esq.
Village Clerk Virgilia Gross

Mayor Biondi welcomed the residents and invited Inspector Neubauer, SCPD 7th Precinct Commander to report to the audience. Inspector Neubauer reported that the Village had handled the snow storm well, with compliments of the officers on call. John Doyle, Mike Wilken and Bob Striehl were introduced, along with new Lieutenant Tom Kennealy, William Floyd graduate who reported on the "Shrimp Caper of 2013." Inspector Neubauer answered questions from the residents regarding communications with the school district and money for surveillance cameras.

Upon motion made by Mayor Biondi, seconded by Deputy Mayor Stiriz and unanimously carried, it was RESOLVED to Accept the Minutes of the January 2, 2013 Work Session.

Upon motion made by Mayor Biondi, seconded by Trustee Morrow and unanimously carried, it was RESOLVED to Accept the Minutes of the January 8, 2013 Regular Meeting and Public Hearings.

Upon motion made by Mayor Biondi, seconded by Trustee Bissonette and unanimously carried, it was RESOLVED to Accept the Minutes of the January 16, 2013 Work Session.

Upon motion made by Mayor Biondi, seconded by Deputy Mayor Stiriz with Trustee Bissonette abstaining, it was RESOLVED to Accept the Minutes of the January 23, 2013 Work Session.

Upon motion made by Mayor Biondi, seconded by Trustee Bissonette and unanimously carried, it was RESOLVED to Accept the Minutes of the January 30, 2013 Planning Board Work Session.

Upon motion made by Mayor Biondi, seconded by Deputy Mayor Stiriz and unanimously carried, it was RESOLVED to Accept the Minutes of the January 30, 2013 Work Session.

Upon motion made by Mayor Biondi, seconded by Deputy Mayor Stiriz and unanimously carried, it was RESOLVED to Authorize the Payment of Presented Bills as per Abstract No. 09-2012 in the amount of \$296,905.43.

Upon motion made by Mayor Biondi, seconded by Trustee Morrow with Deputy Mayor Stiriz and Trustee Bissonette abstaining, it was RESOLVED to Authorize the Payment of Presented Bills as per Abstract No. 09A-2012 in the amount of \$130,236.99.

Upon motion made by Mayor Biondi, seconded by Trustee Cappiello and unanimously carried, it was RESOLVED to Set Tuesday, March 5, 2013 from 3:00 p.m. until 7:00 p.m. as Village Grievance Day, to be held at Village Hall, 427 Neighborhood Road, Mastic Beach, New York.

Upon motion made by Mayor Biondi, seconded by Deputy Mayor Stiriz and unanimously carried, it was RESOLVED to Set a Public Hearing to be held on March 12, 2013 at 7:00 p.m.

regarding a proposed amendment to Section 178-1 of Chapter 178 of the Village Code to Adopt the New York State Building Code.

Upon motion made by Mayor Biondi, seconded by Trustee Morrow and unanimously carried, it was RESOLVED to Set a Public Hearing to be held on March 12, 2013 at 7:00 p.m. regarding a proposed amendment to Section 178-6(E) of Chapter 178 of the Village Code to Detail the Penalties for Violations of a Stop Work Order.

Upon motion made by Mayor Biondi, seconded by Trustee Cappiello and unanimously carried, it was RESOLVED to Set a Public Hearing to be held on March 12, 2013 at 7:00 p.m. regarding a proposed amendment to Section 178-7 of Chapter 178 of the Village Code to Require a Certificate of Occupancy.

Upon motion made by Mayor Biondi, seconded by Trustee Bissonette and unanimously carried, it was RESOLVED to Set a Public Hearing to be held on March 12, 2013 at 7:00 p.m. regarding the proposed addition of Chapter 195 of the Village Code to Require Contractor Licenses.

Upon motion made by Mayor Biondi, seconded by Trustee Morrow and unanimously carried, it was RESOLVED to Set a Public Hearing to be held on March 12, 2013 at 7:00 p.m. regarding a proposal to Repeal Section 270-13 of Chapter 270 of the Village Code to Repeal the License Review Committee.

Upon motion made by Mayor Biondi, seconded by Deputy Mayor Stiriz and unanimously carried, it was RESOLVED to Set a Public Hearing to be held on March 12, 2013 at 7:00 p.m. regarding proposed amendment to Section 380-4-A of Chapter 380 of the Village Code to Create an Affirmative Defense for Renting to Immediate Family Without a Permit.

Upon motion made by Trustee Morrow, seconded by Mayor Biondi and unanimously carried, it was RESOLVED to Set a Public Hearing to be held on March 12, 2013 at 7:00 p.m. regarding a proposed amendment to Section 510-8-53 of Chapter 510 of the Village Code to Prohibit Parking Unregistered Boats, Vessels, Motorboats or Trailers on Front or Side Lawns of any Property.

Upon motion made by Deputy Mayor Stiriz, seconded by Trustee Cappiello and unanimously carried, it was RESOLVED to Set a Public Hearing to be held on March 6, 2013 at 5:00 p.m. to consider an application submitted by Sarwar Ghulam requesting a Change of Zone from J-2 to J-5 for the purpose of constructing a Fueling Station and Restaurant at 211 Mastic Beach Road, Mastic Beach, New York.

Brent Shaum of Roof Diagnostics Solar presented to the Board of Trustees and residents his company's program for solar energy. This program is at no cost to the homeowner and interested residents were offered the opportunity to sign up for a pre-qualification.

PUBLIC HEARINGS

Village Attorney Brian Egan presented and explained the proposed amendment to Chapter 220 to the Board of Trustees, thanking Village Administrator Brojer and Fire Marshal Andrew Brofman for their assistance. The changes proposed reflect duplicities in New York State Building and Fire Code, definitions were strengthened and Code Enforcement Officers would be able to write under the Village Code.

The floor was opened for questions and Attorney Egan answered questions from residents regarding the proposed amendment to Chapter 220.

Upon motion made by Trustee Bissonette, seconded by Mayor Biondi and unanimously carried, it was RESOLVED to Adopt a Local Law of 2013 Amending Chapter 220 of the Mastic Beach Village Code to comply with New York State Code Department Standards.

Village Attorney Brian Egan presented and explained the proposed amendment to Chapter 260 to the Board of Trustees and the residents, explaining that definitions were streamlined to be more in line with New York State Code and that the New York State property maintenance code changes frequently. New York State would like villages to modify their codes as well.

Structural requirements will be village code along with signage, parking lot lines, peeling paint and broken windows. The Village Code will also require extermination prior to rental or leasing.

The floor was opened for questions with Attorney Egan responding to residents' queries.

Upon motion made by Mayor Biondi, seconded by Deputy Mayor Stiriz and unanimously carried, it was RESOLVED to Adopt a Local Law of 2013 Amending Chapter 260 of the Mastic Beach Village Code to comply with New York State Code Department Standards.

Village Attorney Brian Egan presented and explained the proposed amendment to Amendment to Chapter 350 explaining potential failure to maintain properties and the penalties of same; Attorney Egan stated that it was important for the Village of Mastic Beach to have an opportunity to address the look of the neighborhood.

The floor was opened for public comment and questions, with a resident suggesting that local laws be made readily available for residents before fines are issued; the Board of Trustees will consider printing a few in the next newsletter.

Upon motion made by Mayor Biondi, seconded by Deputy Mayor Stiriz and unanimously carried, it was RESOLVED to Adopt a Local Law of 2013, Amending Chapter 350 of the Village Code to Comply with New York State Code Department Standards.

TRUSTEE REPORTS

Mayor Biondi reported on the significant snow event and the Village's retention of 15 independent contractors to remove snow. Mayor Biondi thanked all for a tremendous effort and an excellent job well done.

Trustee Morrow reported the following for the Code Enforcement Department for the month of January:

- 128 Complaints received
- 18 Appearance Tickets issued
- 27 Unfounded
- 26 Closed by Compliance
- 37 Warnings were issued

Deputy Mayor Stiriz explained that many are inquiring as to the Village's successful snow removal, with an explanation of how the village is broken into sections and that snow removal teams were brought in beforehand for review of same. All plans were in place well before the snowfall.

Trustee Cappiello reported the following for the Building Department for the month of January:

- 16 Building Permits issued
- 37 Rental Permits issued
- 1 Certificate of Compliance issued
- 33 Property Searches conducted

Trustee Cappiello also reported that 135 Jefferson is in the process of demolition by Habitat for Humanity; 180 Huguenot is in the process of asbestos abatement; 62 & 80 Lynbrook are in the process of a Chapter 180 proceeding which can take between 60 and 90 days. There are also six FEMA inspectors in the village assessing homes to be raised, which is proving to be a costly venture.

PUBLIC COMMENT

Richard Westhoff: Asked for clarification of abstaining and why two trustees had voted no. Attorney Egan explained that an abstention is not a no and that it does not require a reason.

Michelle Wilkinson: Reported a huge flooding puddle at Aspen and Mastic Beach Road near Whittier Drive; Mayor Biondi will send someone to look into same.

Frank Cappiello: Shared information regarding IRS Publication 547

Marsha Faison: commented on the pothole patching and that it was raised too high off the roadway surface. Deputy Mayor Stiriz explained that it is quick patch, which has to be left higher this time of year. Also, CHIPS funding is available for the Village as well for future roadwork.

Frank Fugarino: Asked why the village was not taking down more dilapidated homes and asked the Board to consider getting grants for surveillance cameras.

Barbara Scalafani: Thanked the Board of Trustees for a wonderful job.

Ray Hubschmitt: Noted that you could see the village boundary by driving on Neighborhood Road and how it was like driving on the moon outside of Mastic Beach.

Upon motion made by Mayor Biondi, seconded by Deputy Mayor Stiriz and unanimously carried, it was RESOLVED to Close the Regular Meeting and Public Hearings at 8:51 p.m.

Respectfully submitted,

Virgilia C. Gross
Village Clerk

DATED: February 20, 2013