

THE INCORPORATED VILLAGE OF MASTIC BEACH
369 NEIGHBORHOOD ROAD
MASTIC BEACH, NY 11951

BOARD MEETING MINUTES
FEBRUARY 10, 2015

PRESIDING OFFICER: William Biondi, *Mayor*

MEMBERS OF THE BOARD OF TRUSTEES PRESENT AND VOTING:

Nick Busa, *Deputy Mayor*, Maura Sperry, Bruce Summa

MEMBERS OF THE BOARD OF TRUSTEES ABSENT: Gary Stiriz

OFFICIALS OF THE BOARD OF TRUSTEES PRESENT: Brian T. Egan, Esq., *Village Attorney*; Wendy Scharf, *Deputy Village Clerk*

ADMINISTRATIVE STAFF PRESENT AND REPORTING: None

INVITED GUESTS: Suffolk County Police Inspector **William Neubauer** and COPE Officer **Susan Cataldo**, *Seventh Precinct*

1. **CALL TO ORDER AND WELCOME**

Mayor **William Biondi** called the meeting to order at 7:02 p.m. and welcomed those in attendance.

2. **PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**

Mayor **Biondi** led the salute to the flag and asked for a moment of silence for U.S. service members both past and present.

3. **EMERGENCY-EVACUATION ANNOUNCEMENT**

Deputy Village Clerk **Wendy Scharf** reviewed the emergency procedure for exiting the building.

4. **ROLL CALL**

Deputy Village Clerk **Scharf** conducted a roll call of the Board of Trustees.

5. REPORT BY POLICE INSPECTOR

Suffolk County Police Inspector **William Neubaer**, from the 7th Precinct, reported to the Board of Trustees about Village police activity during the past month.

Following his presentation, he responded to questions from both the Board of Trustees and the audience. On behalf of the Board and the entire community, Mayor **Biondi** thanked Inspector **Neubauer** and all the members of the Suffolk County Police Department for the protection they offer to Village residents and visitors.

6. PUBLIC HEARINGS

A. SETTING A FEE FOR SEASONAL-RENTAL PERMITS

Pursuant to the Village's "Notice of Public Hearing", Mayor **Biondi** opened the discussion to those in the audience wishing to address the Board of Trustees about the Village's proposed local law to amend Sections 380-4(B)(9) and 380-4(F) of Chapter 380 of the Village Code and to add Article II to Chapter 380 of the Village Code to establish a seasonal-rental permit.

Village Attorney **Brian T. Egan, Esq.** provided an overview of the proposed change.

Following Mr. **Egan's** presentation, Mayor **Biondi** invited members of the public wishing to address the Board of Trustees to do so after they sign into the Comments/Questions Log that the Deputy Village clerk made available. In keeping with the Board's existing *Rules of Procedure*, each member of the public was given three (3) minutes to address the Board.

Accordingly, the following persons signed in to the log book to speak on this topic:

Name:

Gail Cappiello
Joseph Johnson
Donna Maurice
Darrin Harsch

Marsha Faison
Jill Gross
Ewa Wolmut-Stankiewicz
Leo Garvey

Motion offered by **William Biondi**, seconded by **Bruce Summa** to wit:

WHEREAS, the Board of Trustees has conducted a Public Hearing on the subject of setting a fee for seasonal-rent permits; and

WHEREAS, the Board of Trustees has received the benefit of public input; now, therefore, be it

RESOLVED, that the Board of Trustees closes its public hearing on the matter of a proposal to amend Sections 380-4(B)(9) and 380-4(F) of Chapter 380 of the Village Code and to add Article II to Chapter 380 of the Village Code to establish a seasonal rental permit.

Motion carried: 4-Yes; 0-No; 1-Absent (**G. Stiriz**)

At the conclusion of the public hearing, a motion was made by Trustee **Summa** to amend Sections 380-4(B)(9) and 380-4(F) of Chapter 380 of the Village Code and to add Article II to Chapter 380 of the Village Code to establish a seasonal rental permit, and a second to the motion was not received. Thus, a vote on the motion could not be taken.

B. ISSUANCE OF SPECIAL PERMITS UNDER ZONING CODE

Pursuant to the Village's "Notice of Public Hearing", Mayor **Biondi** opened the discussion to those in the audience wishing to address the Board of Trustees about the Village's proposal to add Article XVI to Chapter 530 of the Village Code to add criteria for the issuance of special-use permits under the Zoning Code.

During the public hearing, the following motion was made.

Motion offered by **Maura Spery** and seconded by **Bruce Summa** to wit:

WHEREAS, a public hearing was held about the Village's proposal to add Article XVI to Chapter 530 of the Village Code to add criteria for the

issuance of special-use permits under the Zoning Code ; now, therefore, be it

RESOLVED, that the Board of Trustees tables action on the Village's proposal to add Article XVI to Chapter 530 of the Village Code to add criteria for the issuance of special-use permits under the Zoning Code

Motion carried: 4-Yes; 0-No; 1-Absent (**G. Stiriz**)

7. APPROVAL OF MINUTES

Motion offered by **William Biondi**, seconded by **Maura Spery** to wit:

WHEREAS, the Board of Trustees has been presented with a copy of its meeting minutes, dated February 4, 2015; now, therefore, be it

RESOLVED, that the Board of Trustees approves the February 4, 2015, meeting minutes, as presented; and be it further

RESOLVED, that the Board of Trustees authorizes the Village Clerk to insert the February 4, 2015, meeting minutes with annexed attachments into the official Meeting Minute books maintained by the Village of Mastic Beach and that the same shall remain a permanent Village record.

Motion carried: 4-Yes; 0-No; 1-Absent (**G. Stiriz**)

8. AUTHORIZATION FOR THE PAYMENT OF BILLS

Motion offered by **William Biondi**, seconded by **Maura Spery** to wit:

WHEREAS, upon the recommendation of the Village Treasurer; now, therefore, be it

RESOLVED, that the Board of Trustees authorizes the payment of claims as presented in Abstract No. A9-2015(a), in the total amount of \$216,969.06¹, a copy of which is annexed hereto and made a part hereof as Attachment #3.

Motion carried: 4-Yes; 0-No; 1-Absent (**G. Stiriz**)

¹ Check #12637, in the amount of \$18,999.00, payable to Imperial Cars, was approved at the Board of Trustees' February 4, 2015, meeting, and is appearing on this abstract for recording purposes.

9. VILLAGE SNOW-PLOW/SANDER CONTRACTORS

Mayor **Biondi** discussed with the Board of Trustees the need to amend prior Board Resolutions appointing several snow-plow contractors as the individuals who were appointed subsequently submitted invoices in a business name.

Motion offered by **William Biondi**, seconded by **Maura Spery** to wit:

WHEREAS, by Resolution of the Board of Trustees, enacted at its December 3, 2014, meeting, Mr. **Giovanni Mussi** was authorized to serve as a snow-plow contractor for the Village during the 2014-15 winter season; now, therefore, be it

RESOLVED, that the Board of Trustees authorizes Mr. **Giovanni Mussi's** appointment as a Village snow-plow contractor under the following business name for the 2014-15 winter season:

Giovanni Mussi, Tender Landscaping, 148 Southaven Avenue, Mastic, NY 11950; and be it further

RESOLVED, that the Board of Trustees authorizes, upon the submission of completed Village vouchers, payment to the afore-mentioned at the rates set forth in the "Snow Plow Contractor/Sub-Contractor Application Packet 2014", a copy of which is annexed hereto and made a part hereof as Attachment 4; and be it further

RESOLVED, that this Resolution shall take effect retroactive to the date of the original appointment Resolution on December 3, 2014.

Motion carried: 4-Yes; 0-No; 1-Absent (**G. Stiriz**)

Motion offered by **Maura Spery**, seconded by **William Biondi** to wit:

WHEREAS, by Resolution of the Board of Trustees, enacted at its December 3, 2014, meeting, Mr. **Jerry Cortes** was authorized to serve as a snow-plow contractor for the Village during the 2014-15 winter season; now, therefore, be it

RESOLVED, that the Board of Trustees authorizes Mr. **Jerry Cortes's** appointment as a Village snow-plow contractor under the following business name for the 2014-15 winter season:

Jerry Cortes, Green Acres Landscaping, 433 Sleepy Hollow Drive, Shirley, NY 11967; and be it further

RESOLVED, that the Board of Trustees authorizes, upon the submission of completed Village vouchers, payment to the afore-mentioned at the rates set forth in the “Snow Plow Contractor/Sub-Contractor Application Packet 2014”, a copy of which is annexed hereto and made a part hereof as Attachment 5; and be it further

RESOLVED, that this Resolution shall take effect retroactive to the date of the original appointment Resolution on February 4, 2015.

Motion carried: 4-Yes; 0-No; 1-Absent (**G. Stiriz**)

10. SETTING 2015 CHARGE-BACK FEE SCHEDULE

Mayor **Biondi** discussed how Code-Enforcement Coordinator **Anthony Prudenti** has updated the Village’s created a charge-back schedule for costs associated with Village personnel cleaning up Code violations within the Village that has been reviewed by Village Counsel. Accordingly, Mayor **Biondi** called for a related Resolution.

Motion offered by **Nicholas Busa**, seconded by **Bruce Summa** to wit:

WHEREAS, it is in the best interest of the Village to recoup costs associated with having Village personnel undertake clean-up activities in response to unaddressed Code violations within the Village; and

WHEREAS, upon the recommendations of Code-Enforcement Coordinator **Anthony Prudenti** and Mayor **William Biondi**; now, therefore, be it

RESOLVED, that the Board of Trustees authorizes the charge-back schedule for the balance of the 2015 calendar year, a copy of which is annexed hereto and made a part hereof as **Attachment #6**, in order for the Village to recoup costs when it is necessary for Village personnel to undertake clean-up activities to remedy Village-Code violations that are unaddressed by the property owners; and be it further

RESOLVED, that Village officials are authorized to take all actions necessary to effectuate this Resolution; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Motion carried: 4-Yes; 0-No; 1-Absent (**G. Stiriz**)

11. ENERGY-AUDIT THERMAL-IMAGERY REPORT

Trustee **Spery** discussed with the Board of Trustees the results of an energy-audit thermal-imagery report conducted at Village Hall at the request of the Village's Green Committee, a copy of which is attached hereto and made a part hereof as **Attachment #7**.

Additionally, Trustee **Spery** discuss with the Board of Trustees the implementation of a daily Building-Energy Monitor Checklist, a copy of which is attached hereto and made a part hereof as **Attachment #8**.

12. TRUSTEE REPORTS

The following reports were made:

Buildings – Deputy Mayor **Busa**
Parks and Recreation – Trustee **Spery**
Public Safety – Trustee **Summa**
General Announcements – Mayor **Biondi**

13. ADDENDUM

Mayor **Biondi** called for various Resolutions that were added since the time the Board-Meeting agenda was finalized.

A. AUTHORIZATION TO ATTEND CONFERENCE

Motion offered by **William Biondi**, seconded by **Nicholas Busa** to wit:

WHEREAS, the Fire Academy and Regional Technical Rescue is conducting mandatory training; and

WHEREAS, upon the recommendation of Mayor **Biondi**; now, therefore, be it

RESOLVED, that the Board of Trustees authorizes the attendance of Fire Marshal **Carlo Grover** to attend the Fire/Arson Investigation Seminar on November 4, 2015, through November 6, 2015, inclusive, at the New York State Academy of Fire Science, 600 College Avenue, Montour Falls, NY 14865-9634, at cost of \$55.00, that includes a \$25.00

registration fee; a \$10.00 materials fee and a \$20.00 accommodations fee; and be it further

RESOLVED, that the Board of Trustees authorizes the payment of related hotel accommodations at the Hampton Inn, Horseheads, NY, at the government daily-room rate of \$83.00 for three nights beginning November 3, 2015, and with check-out on November 6, 2015, for a total hotel cost of \$332.00; and be it further

RESOLVED, that all workshop fees, hotel-room costs and and travel-related expenses (mileage-reimbursement expenses at the prevailing Internal Revenue Service [IRS] rate shall be paid by the Village in accordance with its travel policy; and be it further

RESOLVED, that the Board of Trustees authorizes Village officials to take all necessary actions to effectuate this Resolution, which shall take effect immediately, including the use of the Village credit card to pay for workshop registration and hotel accommodations, in accord with related Village policy, to register Mr. Grover for this required training.

Motion carried: 4-Yes; 0-No; 1-Absent (**G. Stiriz**)

B. TREASURER'S REPORTS

Mayor **Biondi** made a motion to accept the Treasurer's Reports for the months of December 2014 and January 2015, and a second to the motion was not received. Thus, a vote on the motion could not be taken.

C. RE-POST REQUEST FOR PROPOSALS

Trustee **Spery** discussed with the Board of Trustees her recommendation to re-post solicitations for Request-for-Proposals for Marketing and Public Relations.

Motion offered by **Maura Spery**, seconded by **Bruce Summa** to wit:

WHEREAS, at the December 16, 2014, Board of Trustees meeting, the Board approved a Resolution to solicit Requests-for-Proposals (RFP's) for marketing and public relations; and

WHEREAS, after the Board's December 16, 2014, meeting, it was discovered that there were conflicting dates in the Proposal materials; now, therefore, be it

RESOLVED, that the Board of Trustees authorizes the Village Clerk to solicit RFP's for Marketing and Public Relations, a copy of which is annexed hereto and made a part hereof as **Attachment #10**; and be it further

RESOLVED, that the Village Clerk is authorized to take all necessary actions in accord with established Village procedure; and be it further

RESOLVED, that the Board of Trustees authorizes the Village Clerk to contact all individuals and firms who recently filed an RFP submission for the afore-mentioned services and further provide each with the new RFP documents; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Motion carried: 4-Yes; 0-No; 1-Absent (**G. Stiriz**)

D. UNSAFE STRUCTURES – CALL FOR PUBLIC HEARINGS

Mayor **Biondi** called for the following three Resolutions relating to unsafe structures within the Village of Mastic Beach.

Motion offered by **Nicholas Busa**, seconded by **Maura Spery** to wit:

WHEREAS, in 2011, the Building Inspector of the Village did request the declaration of a structure located at **4 Lafayette Drive, Mastic Beach, New York** ("Premises") as dangerous and unsafe to the public; and

WHEREAS, pursuant to Section 180-7 of the Village Code the Board may conduct a public hearing to assess the Building Inspector's previous and current findings and issue an order affirming, modifying, or revoking the Building Inspector's findings and proposed order for remediation; now, therefore, be it

RESOLVED, that pursuant to Section 180-7 of the Mastic Beach Village Code, the Board of Trustees shall hold a public hearing on Tuesday, March 10, 2015, at 7:00 p.m. at Village Hall, 369 Neighborhood Road, Mastic Beach, New York to assess the Building Inspector's report for the structure(s) located at 4 Lafayette Drive, Mastic Beach, New York (S.C.T.M. # 0209-032.00-02.00-036.000) and issue an

order affirming, modifying, or revoking the Building Inspector's findings and proposed order for remediation; and be it further

RESOLVED, that the Board of Trustees authorizes the Village Clerk to publish and send any notices required under Chapter 180; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Motion carried: 4-Yes; 0-No; 1-Absent (**G. Stiriz**)

Motion offered by **Nicholas Busa**, seconded by **Maura Spery** to wit:

WHEREAS, in 2011, the Building Inspector of the Village did request the declaration of a structure located at **51 Daisy Drive, Mastic Beach, New York** ("Premises") as dangerous and unsafe to the public; and

WHEREAS, pursuant to Section 180-7 of the Village Code the Board may conduct a public hearing to assess the Building Inspector's previous and current findings and issue an order affirming, modifying, or revoking the Building Inspector's findings and proposed order for remediation; now, therefore, be it

RESOLVED, that pursuant to Section 180-7 of the Mastic Beach Village Code, the Board of Trustees shall hold a public hearing on Tuesday, March 10, 2015, at 7:00 p.m. at Village Hall, 369 Neighborhood Road, Mastic Beach, New York to assess the Building Inspector's report for the structure(s) located at 51 Daisy Drive, Mastic Beach, New York (S.C.T.M. # 0209-026.00-05.00-006.000) and issue an order affirming, modifying, or revoking the Building Inspector's findings and proposed order for remediation; and be it further

RESOLVED, that the Board of Trustees authorizes the Village Clerk to publish and send any notices required under Chapter 180; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Motion carried: 4-Yes; 0-No; 1-Absent (**G. Stiriz**)

Motion offered by **Nicholas Busa**, seconded by **Maura Spery** to wit:

WHEREAS, in 2011, the Building Inspector of the Village did request the declaration of a structure located at **168 Lynbrook Drive, Mastic Beach, New York** (“Premises”) as dangerous and unsafe to the public; and

WHEREAS, pursuant to Section 180-7 of the Village Code the Board may conduct a public hearing to assess the Building Inspector’s previous and current findings and issue an order affirming, modifying, or revoking the Building Inspector’s findings and proposed order for remediation; now, therefore, be it

RESOLVED, that, pursuant to Section 180-7 of the Mastic Beach Village Code, the Board of Trustees shall hold a public hearing on Tuesday, March 10, 2015, at 7:00 p.m. at Village Hall, 369 Neighborhood Road, Mastic Beach, New York to assess the Building Inspector’s report for the structure(s) located at 168 Lynbrook Drive, Mastic Beach, New York (S.C.T.M. # 0209-024.00-06.00-044.000) and issue an order affirming, modifying, or revoking the Building Inspector’s findings and proposed order for remediation; and be it further

RESOLVED, that the Board of Trustees authorizes the Village Clerk to publish and send any notices required under Chapter 180; and

RESOLVED, that this Resolution shall take effect immediately.

Motion carried: 4-Yes; 0-No; 1-Absent (**G. Stiriz**)

14. PUBLIC COMMENTS/QUESTIONS

Mayor **Biondi** invited members of the public wishing to address the Board of Trustees to do so after they sign into the Comments/Questions Log that the Deputy Village Clerk shall make available. In keeping with the Board’s existing *Rules of Procedure*, each member of the public was given three (3) minutes to address the Board.

Accordingly, the following persons signed in to the log book relating to the following topics:

<u>Name</u>	<u>Topic</u>
Victor Zeleny	Open discussion
Dean Denninger	Open discussion
Jim McGuiness	Open discussion
Maureen DiMeo	St. Jude Food Pantry donations
Katelynn Denninger	Unlisted
Kris Denninger	Unlisted
Ashlee Denninger	Unlisted
John Mutt	Public Safety/Ethic Committee
Frank Fugerino	Several issues
Anne Snyder	Quality of life
Marsha Faison	Unlisted
Jill Gross	Unlisted
Art Kruse	Unlisted
Darrin Harsch	Unlisted
Ewa Wolmut-Stankewicz	Unlisted
Victor Viola	Unlisted

15. WILLIAM FLOYD PAINTINGS

A brief discussion about donated paintings of William Floyd that have been stored in the Village's Department of Public Works took place after which the following motion was made and voted upon.

Motion offered by **William Biondi** and seconded by **Maura Spery** to wit:

WHEREAS, the Board of Trustees has received a request to transfer custody of several donated paintings of William Floyd presently in the Village's custody; now, therefore, be it

RESOLVED, that he Board of Trustees authorizes the transfer of custody of several donated paintings of William Floyd, at no cost, from the Village to the Mastic Beach Cultural Arts Guild for wider public display.

Motion carried: 4-Yes; 0-No; 1-Absent (**G. Stiriz**)

16. MOTION TO ENTER INTO EXECUTIVE SESSION

Mayor **Biondi** requested a motion for the Board of Trustees to executive session for the purpose of discussing particular personnel and legal matters.

Motion offered by **William Biondi**, seconded by **Maura Spery** to wit:

RESOLVED,

that the Board of Trustees enter into executive session for the purpose of discussing particular personnel and legal matters.

Motion carried: 4-Yes; 0-No; 1-Absent (**G. Stiriz**)

Upon passage of the foregoing Resolution, Mayor Biondi adjourned the public session at 9:37 p.m. and convene the Board of Trustees in executive session at 9:44 p.m.

16. EXECUTIVE SESSION

Mayor **Biondi**, Deputy Mayor **Busa**, Trustees **Spery** and **Summa**, Village Attorney **Brian Egan** and Deputy Village Clerk **Wendy Scharf** were present in executive session.

The Board of Trustees discussed particular personnel and legal matters.

17. ADJOURNMENT OF EXECUTIVE SESSION

There being no further items to be discussed in executive session, Mayor **Biondi** called for a motion to adjourn the executive session and to re-convene the meeting in public session.

Motion offered by **Maura Spery**, seconded by **Bruce Summa** to wit:

RESOLVED,

that the Board of Trustees adjourn its executive session.

Motion carried: 4-Yes; 0-No; 1-Absent (**G. Stiriz**)

Upon passage of the foregoing Resolution, Mayor Biondi adjourned the executive session at 10:12 p.m. and re-convened the Board of Trustees in public session at 10:14 p.m.

18. ACTIONS ARISING OUT OF EXECUTIVE SESSION

APPOINTMENT OF SPECIAL COUNSEL/ETHICS COMMITTEE

Pursuant to discussions conducted in executive session, Mayor **Biondi** called for a motion to appoint special counsel to the Village's Ethics Committee.

Motion offered by **Maura Spery**, seconded by **Bruce Summa** to wit:

WHEREAS, the Board of Trustees has received a request from the Village's Ethics Committee requesting that the Committee have the benefit of special counsel; now, therefore, be it

RESOLVED, that the Board of Trustees appoints **Scott Augustine, Esq.**, with offices at 11 Station Road, Suite 11, Bellport, NY 11713, as special counsel to the Village's Ethics Committee, at an hourly rate of \$225.00; and be it further

RESOLVED, that the Board of Trustees authorizes the Mayor to execute the retainer agreement with Mr. **Augustine** in order to effectuate this Resolution; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Motion carried: 4-Yes; 0-No; 1-Absent (**G. Stiriz**)

19. MEETING ADJOURNMENT

There being no further items to come before the Board of Trustees, Mayor **Biondi** called for a motion to adjourn the public meeting.

Motion offered by **William Biondi**, seconded by **Maura Spery** to wit:

RESOLVED, that the Board of Trustees adjourn its meeting at 10:15 p.m.

Motion carried: 4-Yes; 0-No; 1-Absent (**G. Stiriz**)

Respectfully submitted,

Wendy Scharf, *Deputy Village Clerk*