

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

**BOARD MEETING MINUTES  
AUGUST 5, 2015**

**PRESIDING OFFICER:** Maura Spery, *Mayor*

**MEMBERS OF THE BOARD OF TRUSTEES PRESENT AND VOTING:**

Bruce Summa, *Deputy Mayor*; Elizabeth Manzella and Anne Snyder, *Trustees*

**MEMBERS OF THE BOARD OF TRUSTEES ABSENT:**

Christopher Anderson, *Trustee*

**OFFICIALS OF THE BOARD OF TRUSTEES PRESENT:**

Guy Germano, Esq., *Village Attorney*; G. William Germano, Esq., *Deputy Village Attorney*; Susan F. Alevas, Esq., *Village Clerk/Administrator*

**STAFF PRESENT AND REPORTING:**

Hedy Bluth, *Treasurer*

**INVITED GUESTS:**

None

**1. CALL TO ORDER AND WELCOME**

Mayor **Maura Spery** called the meeting to order at 6:03 p.m. and welcomed those in attendance.

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

Mayor **Spery** 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**

Village Clerk **Susan Alevas, Esq.** reviewed the emergency procedure for exiting the building.

**4. ROLL CALL**

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

**5. APPROVAL OF MINUTES**

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

**WHEREAS,** the Board of Trustees has been presented with a copy of its meeting minutes, dated July 14, 2015; now, therefore, be it

**RESOLVED,** that the Board of Trustees approves the July 14, 2015, meeting minutes, as presented; and be it further

**RESOLVED,** that the Board of Trustees authorizes the Village Clerk/Administrator to insert the July 14, 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 (**C. Anderson**)

Motion offered by **Maura Spery**, seconded by **Elizabeth Manzella** to wit:

**WHEREAS,** the Board of Trustees has been presented with a copy of its meeting minutes, dated July 27, 2015; now, therefore, be it

**RESOLVED,** that the Board of Trustees approves the July 27, 2015, meeting minutes, as presented; and be it further

**RESOLVED,** that the Board of Trustees authorizes the Village Clerk/Administrator to insert the July 27, 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: 3-Yes; 0-No; 1; Abstention (**A. Snyder**);  
1-Absent (**C. Anderson**)

**6. AUTHORIZATION FOR THE PAYMENT OF CLAIMS**

Treasurer **Hedy Bluth** presented the Board of Trustees with the payment of claims that are due for approval.

Motion offered by **Maura Spery**, seconded by **Bruce Summa** 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. A2-2015(a), in the total amount of \$38,035.03, a copy of which is annexed hereto and made a part hereof as **Attachment #1**.

Motion carried: 4-Yes; 0-No; 1-Absent (**C. Anderson**)

**7. TREASURER'S REPORT**

Pursuant to a motion to table action on the June 2015 Treasurer's Report taken at the July 14, 2015, meeting, Treasurer **Bluth** presented the Board of Trustees the Treasurer's Report for June 2015. A motion was made by **Maura Spery** and seconded by **Bruce Summa**, after which there was a question on the motion. Thereafter, voting on the pending motion was as follows.

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

**WHEREAS,** the Board of Trustees has been presented with a copy of the June 2015 Treasurer's report; and

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

**RESOLVED,** that the Board of Trustees approves the June 2015 Treasurer's Report, as presented, a copy of which is annexed hereto and made a part hereof as **Attachment #2**.

Motion carried: 4-Yes; 0-No; 1-Absent (**C. Anderson**)

**8. PERSONNEL ACTIONS**

**A. SEPARATION OF EMPLOYMENT**

Motion offered by **Maura Spery**, seconded by **Elizabeth Manzella** to wit:

**RESOLVED,** pursuant to authority granted to the Mayor under *New York State Village Law*, Laborer **Richard Contin** has been separated from employment, effective July 17, 2015; now, therefore, be it

**RESOLVED,** that should Mr. **Contin** be entitled to receive any payout for unused, accrued sick or vacation time, the same will be included on a future agenda following the Village Clerk/Administrator's receipt of a related audit from the Finance Department; and be it further

**RESOLVED,** that the Village Clerk/Administrator, Village Counsel and the Treasurer 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 (**C. Anderson**)

**B. LEAVE PAYOUT**

At the July 8, 2015, meeting, the Board of Trustees approved a resignation accepting part-time Clerk-typist **Stephen Colaianni's** resignation, effective June 23, 2015. The Village Clerk/Administrator has received the Finance Department's audit of this former employee's accrued, unused leave, and Mayor **Spery** called for a related Resolution.

Motion offered by **Maura Spery**, seconded by **Elizabeth Manzella** to wit:

**WHEREAS,** the Village has received a resignation letter from part-time Clerk-Typist **Stephen Colaianni**, that was accepted via Resolution of the Board of Trustees on July 8, 2015; now, therefore, be it

**RESOLVED,** that pursuant to the Deputy Treasurer's audit of Mr. **Colaianni's** accrued leave, a payout of 7.26 hours of accrued, unused sick time is approved for Mr. **Colaianni**; and be it further

**RESOLVED,** that he is not owed any payout for unused, accrued vacation time; and be it further

**RESOLVED,** that the Village Clerk/Administrator, Village Attorney and the Finance Department 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 (**C. Anderson**)

### **C. PART-TIME APPOINTMENTS**

A motion was made by **Maura Spery** and seconded by **Bruce Summa** to authorize a part-time appointment, after which there was a question on the motion. Thereafter, voting on the pending motion was as follows.

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

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

**RESOLVED,** that the Board of Trustees ratifies the Mayor's interim appointment of Ms. **Norma Jean Burg** to the part-time position of Clerk-typist (Suffolk County Civil Service Title #0021; Suffolk County Civil Service Duties Statement #11-1106), at an hourly salary of \$14.00 per hour, maximum of twenty (20) hours, effective July 27, 2015, with accrued leave benefits at the rate currently in effect for part-time Village employees; and be it further

**RESOLVED,** that the Village Clerk/Administrator and the Treasurer 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 (**C. Anderson**)

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

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

**RESOLVED,** that the Board of Trustees ratifies the Mayor's interim appointment of Ms. **Jennifer Rumsey** to the part-time position of Clerk-typist (Suffolk County Civil Service Title #0021; Suffolk County Civil Service Duties Statement #11-1106), at an hourly salary of \$14.00 per hour, maximum of twenty (20) hours, effective July 27, 2015, with accrued leave benefits at the rate currently in effect for part-time Village employees; and be it further

**RESOLVED,** that the Village Clerk/Administrator and the Treasurer 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 (**C. Anderson**)

#### **D. LEAVE-WITHOUT-PAY**

Mayor **Spery** called for a Resolution to authorize a recently-hired employee to take leave-without-pay to accommodate scheduling needs that existed prior the employee's appointment with the Village.

Motion offered by **Maura Spery**, seconded by **Elizabeth Manzella** to wit:

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

**RESOLVED,** that the Board of Trustees authorizes an unpaid leave-of-absence for part-time Clerk-Typist **Kristina Pirozzolo** for the period August 10, 2015, through August 14, 2015, inclusive, to accommodate scheduling needs that pre-dated Ms. **Pirozzolo's** employment appointment in the Village; and be it further

**RESOLVED,** that the Village Clerk/Administrator and the Treasurer 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 (**C. Anderson**)

**9. AUTHORIZATION TO ATTEND CONFERENCE**

A motion was made by **Maura Spery** and seconded by **Bruce Summa**, after which there was a question on the motion. Thereafter, voting on the pending motion was as follows.

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

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

**RESOLVED,** that the Board of Trustees authorizes the attendance of the following Village employees at the New York State Conference of Mayors and Municipal Officials' (NYCOM's) 2015 Fall Training School for City and Village Officials:

**Susan F. Alevas, Esq.,** *Village Clerk/Administrator;*  
**Hedy Bluth,** *Village Treasurer;*  
**Dawn McNeil,** *Village Deputy Treasurer;* and  
**Wendy Scharf,** *Village Deputy Clerk;* and be it further

**RESOLVED,** that the Board of Trustees authorizes the afore-mentioned employees to attend this conference from September 28, 2015, through and including October 2, 2015; and be it further

**RESOLVED,** that the Board of Trustees further authorizes the payment of related hotel accommodations at the Crowne Olympic Drive, Lake Placid, New York 12946, at the government daily-room rate for a total of \$1,239.20, per employee for a total of five nights, beginning September 27, 2015, through and including October 1, 2015 (with check-out on October 2, 2015); and be it further

**RESOLVED,** that all workshop fees, in the total amount for these four employees of \$1,140.00 (\$285 per employee), hotel-room costs and travel-related expenses (mileage-reimbursement expenses at the prevailing Internal Revenue Service [IRS] rate or use of the Village Mayor's vehicle and reimbursement of gas costs upon submission of original receipts) shall be paid by the Village in accordance with its travel policy; and be it further

**RESOLVED,** that the Board of Trustees authorizes the Village Clerk/Administrator and Village Treasurer to take all necessary actions to effectuate this Resolution, which shall take effect immediately, including the issuance of Village checks to cover the afore-described expenses relating to the payment for workshop registration and hotel accommodations and employee reimbursement of meals and gasoline purchases, in accord with

related Village policy, to register Mss. **Alevas, Bluth, McNeil** and **Scharf** for this training.

Motion carried: 4-Yes; 0-No; 1-Absent (**C. Anderson**)

**10. SET PUBLIC HEARINGS**

**A. BAMBOO REGULATION**

Pursuant to the Board's most recent discussion at the July 14, 2015, Board of Trustees' meeting, Mayor **Spery** called for a motion to set a public hearing on amending Village Code pertaining to bamboo.

A motion was made by **Maura Spery** and seconded by **Elizabeth Manzella**, after which there was a question on the motion. Thereafter, voting on the pending motion was as follows.

Motion offered by **Maura Spery**, seconded by **Elizabeth Manzella** to wit:

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

**RESOLVED,** that the Board of Trustees authorizes that a public hearing be set for 7:00 p.m. on Tuesday, September 8, 2015, at Village Hall, 369 Neighborhood Road, Mastic Beach, NY 11951, for the purpose of considering an amendment to Village Code regarding the regulation of bamboo; and be it further

**RESOLVED,** that the Board of Trustees authorizes the Village Clerk/Administrator to take all actions necessary to effectuate this Resolution, including the publication of a related legal notice, a copy of which is annexed hereto and made a part hereof as **Attachment #3**.

Motion carried: 4-Yes; 0-No; 1-Absent (**C. Anderson**)

**B. SECURING FUEL TANKS**

Mayor **Sperry** shared with the Board that upon the advice of the Village Attorney, it would be prudent for the Village to have its engineers devise a proposed code for the securing of fuel tanks for homeowners and businesses located within the AE Flood Zone. Accordingly, Mayor **Sperry** withdrew her interest in calling for a motion to set a public hearing on any proposed code changes in this area at this time.

**C. CLOSING PORTION OF RIVIERA DRIVE**

Pursuant to the Board's recent discussions, Mayor **Sperry** called for a motion to set a public hearing on the closing of a portion of Riviera Drive.

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

**WHEREAS,**

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

**RESOLVED,**

that the Board of Trustees authorizes that a public hearing be set for 7:00 p.m. on Tuesday, September 8, 2015, at Village Hall, 369 Neighborhood Road, Mastic Beach, NY 11951, for the purpose of considering the closing of a portion of Riviera Drive; and be it further

**RESOLVED,**

that the Board of Trustees authorizes the Village Clerk/Administrator to take all actions necessary to effectuate this Resolution, including the publication of a related legal notice, a copy of which is annexed hereto and made a part hereof as **Attachment #4**.

Motion carried: 4-Yes; 0-No; 1-Absent (**C. Anderson**)

**11. REQUESTS-FOR-PROPOSAL (RFP's)**

Mayor **Sperry** shared with the Board that upon the advice of the Village Attorney, it would be prudent for the Village to utilize

previously-bid contracts through other municipalities. Accordingly, Mayor **Spery** withdrew her interest in calling for a motion to authorize the soliciting of Requests-for-Proposals (RFP's) for tree-cutting and home-demolition services.

**12. ACCEPTANCE OF GRANT**

Mayor **Spery** called for a motion to accept a Justice Court Assistance Program Grant, the details of which are described in a January 16, 2015, letter from the State of New York Unified Court System.

Motion offered by **Maura Spery**, seconded by **Elizabeth Manzella** to wit:

**WHEREAS,** upon the request of Village Court Judge **Barbara O'Malley** and upon the recommendation of Mayor **Spery**; now, therefore, be it

**RESOLVED,** that the Board of Trustees authorizes the acceptance of a grant, in the amount of \$1,463.98, for the reasons stipulated in the grant-award document, from the New State Unified Court System 2014-15 Justice Court Assistance Program, a copy of which is annexed hereto and made a part hereof as **Attachment #5**; and be it further

**RESOLVED,** that the Village Clerk/Administrator, Village Judge, Mayor and Village Treasurer are authorized to undertake all actions necessary to accept and administer this grant in accord with the Village's financial policies; and be it further

**RESOLVED,** that this Resolution shall take effect immediately.

Motion carried: 4-Yes; 0-No; 1-Absent (**C. Anderson**)

**13. SEX-OFFENDER CONCERNS**

Mayor **Spery** discussed with the Board of Trustees the need for lobbying efforts with local, regional and state representatives about the exceedingly high number of sex offenders who are housed in the Village of Mastic Beach as compared to statistics in other

surrounding communities and the need for enhanced laws to protect Village citizens. Such lobbying efforts should include a call for a special New York State legislative session at which this matter could be addressed. Mayor **Spery** called upon the community to call, email and correspond with their elected officials in this regard. Additionally, Village Attorney **Guy Germano** suggested that the Village lobby the Parole Office and Police Department to avoid a concentration of sex offenders being placed within the Village.

**14. INCREASED RENTAL FEES FOR NON-RESIDENT OWNERS**

Mayor **Spery** discussed with the Board a recommendation offered by Mr. **Frank Fugarino** that the Village of Mastic Beach adopt a local law similar to that in place in Islandia, New York, whereby non-resident owners who rent out their properties are charged a higher rental-permit fee. A discussion followed during which Village Attorney **Germano** cautioned the Board about the legal ramifications to the Village should it adopt a differentiated rental-fee schedule for non-resident owners.

**15. DEPARTURE AND RETURN OF TRUSTEE**

During the discussion of Item #14 above, Trustee **Anne Snyder** left the room at 6:35 p.m. and returned to the room at 6:36 p.m.

**16. INCREASED FEE PENALTIES – QUALITY-OF-LIFE ISSUES**

Mayor **Spery** discussed with the Board Mr. **Frank Fugarino's** request that the Board consider raising its fee penalties for quality-of-life, including property-maintenance, issues. Mayor **Spery** requested Trustee **Snyder**, who is the Public-Safety Board liaison, to review the Town of Brookhaven's fees in this area and report back to the Board of Trustees.

**17. ADDENDUM**

**PERSONNEL ACTION -- PART-TIME APPOINTMENT  
(SEASONAL)**

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

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

**RESOLVED,** that the Board of Trustees ratifies the Mayor's interim appointment of Ms. **Jacqueline Pendleton** to the part-time, seasonal position of Clerk-typist (Suffolk County Civil Service Title #0021; Suffolk County Civil Service Duties Statement #11-1106), at an hourly salary of \$14.00 per hour, maximum of twenty (20) hours, effective July 23, 2015, with accrued leave benefits at the rate currently in effect for part-time Village employees; and be it further

**RESOLVED,** that the Village Clerk/Administrator and the Treasurer 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 (**C. Anderson**)

**18. MEETING ADJOURNMENT**

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

Motion offered by **Maura Spery**, seconded by **Anne Snyder** to wit:

**RESOLVED,** that the Board of Trustees adjourn its meeting at 7:04 p.m.

Motion carried: 4-Yes; 0-No; 1-Absent (**C. Anderson**)

Respectfully submitted,

Susan F. Alevas, Esq.  
Village Clerk/Administrator