

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

BOARD MEETING
APRIL 6, 2016

PRESIDING OFFICER: Maura P. Spery, *Mayor*

MEMBERS OF THE BOARD OF TRUSTEES PRESENT AND VOTING:

Elizabeth “Betty” Manzella, *Deputy Mayor*; Christopher Anderson, Joseph H. Johnson and Anne Snyder, *Trustees*

MEMBERS OF THE BOARD OF TRUSTEES ABSENT: None

OFFICIALS OF THE BOARD OF TRUSTEES PRESENT:

Guy W. Germano, Esq., *Village Attorney*; G. William Germano, Jr., *Deputy Village Attorney*; Michael Cahill, Esq., *Village Counsel (Executive Session only; left at 8:03 p.m.)* Susan F. Alevas, Esq., *Village Clerk/Administrator*; Wendy Scharf, *Deputy Village Clerk*

INVITED GUESTS:

Deborah Slack, *Grants Technician (Item #12)*; Rhonda Kich and Donna Thomas (Item #10)

1. CALL TO ORDER AND WELCOME

Mayor Spery called the meeting to order at 6:05 p.m.

2. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

Mayor Spery led the pledge of allegiance that was followed by a moment of silence.

3. EMERGENCY-EVACUATION ANNOUNCEMENT

Village Clerk/Administrator **Alevas** reviewed the emergency-evacuation procedure.

4. ROLL CALL

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

5. ACKNOWLEDGEMENT OF MINUTES

Mayor **Spery** asked board members if they had any comments or questions about the meeting minutes for March 22, 2016, as presented to the Board by the Village Clerk/Administrator. Hearing none, the minutes were acknowledged as presented.

6. AUTHORIZATION FOR THE PAYMENT OF CLAIMS

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

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

RESOLVED, that the Board of Trustees authorizes the payment of claims as presented in Abstract No. A11-2016, in the total amount of \$165,242.71, a copy of which is annexed hereto and made a part hereof as **Attachment #1**.

Motion failed: 2-Yes; 3-No (**C. Anderson; J. Johnson; A. Snyder**)

7. FLEET POLICY

Pursuant to discussions at the February 3, 2016, and March 2, 2016, Board meetings, Mayor **Spery** led a discussion among the Board of Trustees regarding finalizing the Village's proposed fleet policy. A discussion ensued during which Mayor **Spery** asked Grants Technical **Deborah Slack** to respond to questions posed by members of the Board of Trustees. At the conclusion of the board members' discussion, no further action on the proposed fleet policy was taken.

8. INTERMUNICIPAL AGREEMENT WITH BROOKHAVEN TOWN

As a follow up to discussions at the March 2, 2016, Board meeting, Mayor **Spery** discussed with the Board the need to enter into an intermunicipal agreement (IMA) with the Town of Brookhaven for the disposal of the Village's street sweepings.

A motion was made by **Maura Spery** and seconded by **Elizabeth Manzella** to approve an intermunicipal agreement (IMA) with the Town of Brookhaven for street sweepings. During the discussion, the following motion to table this item was made and voted upon as follows.

Motion offered by **Anne Snyder**, seconded by **Christopher Anderson** to wit:

RESOLVED, that the Board of Trustees tables action on a proposed intermunicipal agreement (IMA) with the Town of Brookhaven for street sweepings; and be it further

RESOLVED, that this matter shall be presented to the Board of Trustees at its April 19, 2016, after the Village Attorney makes further corrections to the proposed contract.

Motion carried: 4-Yes; 0-No, with the Mayor advising she is not required to vote unless to break a tie among the Board members.

9. APPLICATION FOR EXTENSION OF BUILDING PERMIT

A. 157 CYPRESS DRIVE, MASTIC BEACH, NY 11951

At the request of **Long Island Housing Partnership**, with the support of Village Building Inspector **Richard Palazzotto**, Mayor **Spery** called for a motion to authorize an extension of a building permit for the premises located at 157 Cypress Drive, Mastic Beach, New York 11951.

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

WHEREAS, at the request of applicant **Long Island Housing Partnership** and with the support of the Village Building Inspector and Mayor **Spery's** recommendation; now, therefore, be it

RESOLVED, that, pursuant to Village Code Chapter 178-4, *Building Permits*, the Board of Trustees authorizes the granting of an additional building permit to applicant **Long Island Housing Partnership** for the premises located at 157 Cypress Drive, Mastic Beach, New York 11951, for a six-month period; and be it further

REOSLVED, that the Village Building Inspector is authorized to take all appropriate actions necessary to effectuate this Resolution; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Motion carried: 3-Yes; 2-No (**C. Anderson; A. Snyder**)

10. PRESENTATION – EQUITY FIRST

At the request of Mayor **Sperry**, Ms. **Rhonda Kich** reviewed with the Board of Trustees the firm's proposal. Ms. **Donna Thomas** was also at the Board meeting in this regard.

Following a discussion and upon receiving comments from the Village Attorney, it was the consensus of the Board of Trustees that the Village would not enter into any formal agreement with Equity First. Rather, it might be possible for the Equity First organization to conduct community meetings at Village Hall.

11. ADDENDUM

A. FINANCIAL-IMPACT STATEMENT FORM

Deputy Mayor **Manzella** distributed to the Board members a copy of the financial-impact statement the County of Suffolk utilizes when bringing matters before the Suffolk County Legislature. A discussion followed, and it was agreed Board members will review the sample form and this matter will be placed on the April 19, 2016, Board agenda for possible adoption.

B. SUSPEND STIPENDS FOR BOARD MEMBERS

A motion was made by **Anne Snyder** and seconded by **Joseph Johnson** to stop immediately the payment of stipends to

the Mayor, Deputy Mayor and Trustees (\$18,000.00 annually for the Mayor and \$6,000.00 each annually for the Deputy Mayor and Trustees). Following a discussion during which Village Attorney **Germano** advised that such an action would require the adoption of a local law subject to referendum, the following motion to table this matter was made and voted upon as follows.

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

RESOLVED, that the Board of Trustees tables action on formally rescinding the Mayor's, Deputy Mayor's and Trustees annual stipends; and be it further

RESOLVED, the Board of Trustees authorizes the Village Attorney to research this matter further and advise the Board of Trustees at a later date.

Motion carried: 5-Yes; 0-No

It was the consensus of the Board members that all would voluntarily agree to have their stipends suspended, effective April 7, 2016, until further notice.

C. CITIZENS' BUDGET-ADVISORY COMMITTEE

Trustee **Johnson** introduced a discussion about modifying the Board's April 4, 2016, action to now restrict membership on the Citizens' Budget-Advisory Committee to Village residents. Further, Trustee **Johnson** introduced a discussion about permitting the public to attend said committee meetings and advertise them in accord with the Open-Meetings Law.

A motion was made by **Joseph Johnson** and seconded by **Christopher Anderson** to limit advisory-committee membership to Village residents and to notice all advisory-committee meetings in accord with the Open-Meetings Law. Following a discussion including comments from Village Attorney **Germano**, the pending motion was amended and voted upon as follows.

Motion offered by **Joseph Johnson**, seconded by **Christopher Anderson** to wit:

RESOLVED, that the Board of Trustees modifies its April 4, 2016, Resolution concerning the Citizens' Budget-Advisory Committee to the extent that Village residence will now be a requirement; and be it further

RESOLVED, that the Board of Trustees may attend all such advisory-committee meetings, even if a quorum of the Board is present, so long as no Board business is undertaken at said advisory-committee meetings; and be it further

RESOLVED, that the Board of Trustees requires that all Village advisory-committee meetings be open to the public with notice of the meetings to be placed on the Village website and posted at Village Hall and not require the publication of a legal notice; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Motion carried: 5-Yes; 0-No

D. MODIFY DATE/TIME – ANNUAL REORGANIZATION MEETING

Trustee **Johnson** introduced a discussion about moving up the date of the Annual Reorganization Meeting. After a discussion among the Board members, the following motion was made and voted upon.

Motion offered by **Joseph Johnson**, seconded by **Maura Spery** to wit:

RESOLVED, that the Board of Trustees authorizes a change in date and time for its Annual Reorganization Meeting from 7:00 p.m. on Tuesday, May 17, 2016, to 6 p.m. on Monday, April 25, 2016, at Village Hall, 369 Neighborhood Road, Mastic Beach, New York 11951; and be it further

RESOLVED, that the Board of Trustees authorizes the Village Clerk/Administrator to take all actions necessary to effectuate notice of this meeting change; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Motion carried: 5-Yes; 0-No

E. COMPREHENSIVE PLAN

Trustee **Johnson** introduced a discussion about canceling the April 23, 2016, public meeting relating to the development of the Village's Comprehensive Plan. Following the discussion, it was the consensus of the Board members that the Village Attorney review the terms and conditions of the Village's contract with **Wendel Architecture, Engineering, Surveying & Landscape Architecture, P.C.** Additionally, the Village Clerk/Administrator will circulate to the Board of Trustees a copy of the related contract.

F. TRANSPARENCY RESOLUTION, DATED APRIL 4, 2016

Trustee **Johnson** introduced a discussion concerning the Board of Trustees' Transparency Resolution, dated April 4, 2016, and an email he received prior to this Board meeting. Trustee **Johnson** also raised the matter of **Radius Investigations LLC** documents referred to in the Board's April 4, 2016, Resolution and Village Attorney **Germano** responded. Following a discussion, it was agreed that Village Attorney **Germano** would look into the matter further.

12. MOTION TO ENTER INTO EXECUTIVE SESSION

Mayor **Sperry** requested a motion for the Board of Trustees to enter into executive session for the purpose of discussing legal and contractual matters, as is permitted under the *New York State Public Officers Law*.

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

RESOLVED, that the Board of Trustees enter into executive session for the purpose of discussing legal and contractual matters, as is permitted under *New York State Public Officers Law*.

Motion carried: 5-Yes; 0-No

Following the vote on the motion, Trustee **Johnson** inquired as to the parties who attend executive session. Mayor **Sperry** advised that the Board members, the attorneys, the Village Clerk/Administrator and the Deputy Village Clerk attend. Trustee **Johnson** advised he would feel more comfortable if only counsel was permitted to attend the executive session. Mayor **Sperry** advised the Village Clerk/Administrator and the Deputy Village Clerk they were excused from attending the executive session.

Mayor **Sperry** then adjourned the public session at 7:11 p.m. p.m. and convened the Board of Trustees in executive session.

13. EXECUTIVE SESSION

Mayor **Sperry**, Deputy Mayor **Manzella**, Trustees **Anderson**, **Johnson** and **Snyder**, Deputy Village Attorney **G. William Germano, Jr.**, and **Michael Cahill, Esq.**, Village Counsel (left at 8:03 p.m.) were present in executive session. The Board of Trustees discussed particular legal matters. At 9:15 p.m., at the Mayor's request, Village Clerk/Administrator **Alevas** and Deputy Village Clerk **Scharf** were invited into executive session and they remained for the balance of the executive session.

During the executive-session discussions, Mayor **Sperry** left the meeting at 8:57 p.m. and returned to the meeting at 8:58 p.m.

Pursuant to discussions held in executive session, the following motion was made and voted upon.

Motion offered by **Maura Sperry**, seconded by **Joseph Johnson** to wit:

RESOLVED,

that the Board of Trustees authorizes the settlement of an administrative order.

Motion carried: 5-Yes; 0-No

14. ADJOURNMENT OF EXECUTIVE SESSION

Motion offered by **Maura Spery**, seconded by **Christopher Anderson** to wit:

RESOLVED, that the Board of Trustees adjourn its executive session.

Motion carried: 5-Yes; 0-No

Upon passage of the foregoing Resolution, Mayor **Spery** adjourned the executive session at 9:17 p.m. and re-convened the Board of Trustees in public session at 9:18 p.m.

15. ACTIONS ARISING OUT OF EXECUTIVE SESSION

At the request of Mayor **Spery**, Village Clerk/Administrator **Alevas** reported to the public the nature of the motion that was made and voted upon in executive session pertaining to the settlement of an administrative order.

16. FORMER MAYOR PAUL BRESCHARD REQUEST

Former Mayor **Paul Breschard** distributed through the Village Clerk/Administrator a letter to the Mayor and Board requesting he be permitted to serve on the Citizens' Budget-Advisory Committee. It was the consensus of the Board that former Mayor **Breschard** be permitted to join this Committee, effective immediately.

17. MEETING ADJOURNMENT

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

Motion offered by **Maura Spery**, seconded by **Christopher Anderson** to wit:

April 6, 2016

RESOLVED, that the Board of Trustees adjourn its meeting at 9:20 p.m.

Motion carried: 5-yes; 0-No

Respectfully submitted,

Susan F. Alevas, Esq.,
Village Clerk/Administrator

DRAFT -- SUBJECT TO MODIFICATION BY BOARD OF TRUSTEES AND VILLAGE COUNSEL