

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

BOARD MEETING
MINUTES
APRIL 29, 2016

PRESIDING OFFICER: Maura P. Spery, *Mayor*

MEMBERS OF THE BOARD OF TRUSTEES PRESENT AND VOTING:

Elizabeth “Betty” Manzella, *Deputy Mayor*; Christopher Anderson (arrived at 6:10 p.m. during Item #6), 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*; Susan F. Alevas, Esq., *Village Clerk/Administrator*

STAFF PRESENT AND REPORTING:

Anne Abel, *Treasurer*

INVITED GUESTS:

None

1. CALL TO ORDER AND WELCOME

Mayor Spery called the meeting to order at 5:12 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. CORRESPONDENCE TO BOARD OF TRUSTEES

At the direction of Mayor **Sperry**, Village Clerk/Administrator **Alevas** read into the record correspondence to the Board of Trustees from Suffolk County Legislator **Kate Browning** and Local 342 Union President and General Manager **William M. Hennessey**, copies of which are annexed hereto and made a part hereof as **Attachment #1 and #2**, respectively.

6. PUBLIC COMMENTS

Mayor **Sperry** recognized the following individuals who addressed the Board of Trustees about the proposed 2016-17 budget:

Name:

Theresa Donnelly
Aileen Markowsky
William Hennessey
Frank Perino
Teresa Madarasz
Michael Lostritto
George Fina
Susan Steinmann
John Mutt
William Biondi
Alan Chasinov

Following the close of public comments, Trustees **Johnson** and **Snyder**, Deputy Mayor **Manzella** and Mayor **Sperry** each spoke on the topic of the proposed 2016-17 budget.

7. ARRIVAL OF TRUSTEE

During the discussion of Item #6 above, Trustee **Anderson** arrived at the meeting at 6:10 p.m.

8. ADOPT LOCAL LAW TO PERMIT PIERCING OF TAX CAP

A motion was made by **Maura Spery** and seconded by **Elizabeth Manzella** to adopt a local law to permit the Board of Trustees to pierce the tax cap if needed. After a discussion, roll-call voting on the pending motion was as follows.

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

WHEREAS, the Board of Trustees desires to adopt a Local Law 4-2016 and thereby add a new local law to the Village Code pursuant to *New York State General Municipal Law, §3-c*, that would authorize the Board of Trustees to adopt a budget for the 2016-17 fiscal year that requires a real-property tax levy in excess of the amount otherwise prescribed in *New York State General Municipal Law, §3-c*;

WHEREAS, the Board of Trustees has conducted a Public Hearing on April 19, 2016, on the adoption of Local Law 4-2016; and

WHEREAS, it is hereby determined that it is in the interest of the Village of Mastic Beach to proceed with the adoption of Local Law 4-2016; now, therefore, be it

RESOLVED, that the Local Law 4-2016 that shall be added to the Village Code shall read as follows:

Local Law authorizing a property tax levy in excess of the limit established in *New York State General Municipal Law, §3-c*

Section 1. Legislative Intent

It is the intent of this local law to allow the Village of Mastic Beach to adopt a budget for the fiscal year commencing June 1, 2016, that

requires a real property tax levy in excess of the “tax levy limit” as defined by *New York State General Municipal Law §3-c*.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of *New York State General Municipal Law, §3-c*, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Board of Trustees of the Village of Mastic Beach, County of Suffolk, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2016, that requires a real property tax levy in excess of the amount otherwise prescribed in *New York State General Municipal Law, §3-c*.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the New York State Secretary of State; and be it further

RESOLVED,

that the Village Clerk/Administrator is hereby authorized to execute any and all documents necessary to complete the adoption of Local Law 4-2016.

Roll-call voting was as follows:

Name:
Trustee **Christopher Anderson**
Trustee **Joseph Johnson**

Voting:
Nay
Nay

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Trustee Anne Snyder	Nay
Deputy Mayor Elizabeth Manzella	Nay
Mayor Maura Spery	Aye

The foregoing motion failed for lack of three affirmative votes.

9. ADOPTION OF 2016-17 BUDGET

A motion was made by **Anne Snyder**, seconded by **Christopher Anderson** to adopt the changes to the Mayor's tentative budget as proposed in Trustees **Johnson** and **Snyder's** 2016-17 budget plan. A discussion followed among the Board members with Treasurer **Abel** responding to various budgetary points and related questions. After a discussion, roll-call voting on the pending motion was as follows.

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

WHEREAS, the Board of Trustees has received the benefit of public input as it developed the 2016-17 budget; now, therefore, be it

RESOLVED, that the Board of Trustees adopts the changes to the Mayor's tentative budget as proposed in Trustees **Johnson** and **Snyder's** 2016 budget plan, a copy of which is annexed hereto and made a part hereof as **Attachment #3**; and be it further

RESOLVED, that the Mayor, Treasurer and Village Clerk/Administrator are authorized to take all actions necessary to effectuate this Resolution; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Roll-call voting was as follows:

<u>Name:</u>	<u>Voting:</u>
Trustee Christopher Anderson	Aye
Trustee Joseph Johnson	Aye
Trustee Anne Snyder	Aye
Deputy Mayor Elizabeth Manzella	Aye
Mayor Maura Spery	Nay

The foregoing motion passed.

Trustee **Johnson** thanked Treasurer **Abel** for her efforts.

10. MEETING ADJOURNMENT

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

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

RESOLVED, that the Board of Trustees adjourn its meeting at 6:51 p.m.

Motion carried: 5-yes; 0-No

Respectfully submitted,

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

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