

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

BOARD MEETING  
MINUTES  
AUGUST 3, 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*; Gerard Glass, Esq., *Labor Counsel* (via telephone conference during Item #18 only; left the call at 7:18 p.m.) and Susan F. Alevas, Esq., *Village Clerk/Administrator*

STAFF PRESENT AND REPORTING:

Anne Abel, *Treasurer* (Item #9 only); Carlo Grover, *Fire Marshal* (Item #10 only); Deborah Slack, *Grants Technician* (Item #12 only)

INVITED GUESTS:

None

1. CALL TO ORDER AND WELCOME

Mayor Spery called the meeting to order at 6:00 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. ACKNOWLEDGMENT OF MINUTES**

Mayor **Sperry** polled the Board members to see if they have any comments/revisions to the July 19, 2016, and July 27, 2016, meeting minutes. Hearing, none the meeting minutes were accepted as presented.

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

A motion was made by **Maura Sperry** and seconded by **Elizabeth Manzella** to authorize the payment of claims, and a discussion followed.

**7. DEPARTURE AND RETURN OF TRUSTEE**

During the discussion of Item #6 above, Trustee **Johnson** left the meeting at 6:03 p.m. and returned at 6:04 p.m.

**8. ARRIVAL AND DEPARTURE OF TREASURER**

During Item #6 above, Treasurer **Abel** arrived at the meeting at 6:04 p.m. and, after responding to a Board question, left the meeting at 6:05 p.m.

**9. AUTHORIZATION FOR THE PAYMENT OF CLAIMS  
(Continued...)**

Thereafter, voting on the pending motion was as follows.

Motion offered by **Maura Sperry**, seconded by **Elizabeth Manzella** 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. A3-2016-17, in the total amount of \$93,653.38, a copy of which is annexed hereto and made a part hereof as **Attachment #1**.

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

**10. TEMPORARY ROAD CLOSURE – COMMUNITY EVENT**

Fire Marshal **Carlo Grover** requested that the Board authorize temporary road closures for the Annual Blue Claw Crab Festival as has been done in previous years. Accordingly, Mayor **Sperry** called for a related motion.

A motion was made by **Maura Sperry** and seconded by **Elizabeth Manzella** to authorize a temporary road closure for an upcoming community event. A discussion followed during which Fire Marshal **Grover** responded to Board members' questions. Thereafter, voting on the pending motion was as follows.

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

**WHEREAS,** the Blue-Claw Crab Festival (the "Festival") is scheduled for August 28, 2016; and

**WHEREAS,** in past years, the Festival has attracted a large number of visitors to the Village resulting in significantly-increased traffic on certain Village streets; and

**WHEREAS,** pursuant to Sections 510-8-33 and 510-8-34 of the Village Code and Title 8, Article 30 of the *New York State Vehicle and Traffic Law*, the Village has the authority to regulate parking; and

**WHEREAS,** parking restrictions during the Festival will be necessary to help ensure the free flow of traffic throughout the Village and to help protect the public safety of all visitors and residents; and

**WHEREAS,** at the request of Village Fire Marshal **Carlo Grover** and upon the recommendation of Mayor **Spery**; now, therefore, be it

**RESOLVED,** that the Board of Trustees authorizes that from the hours of 9:00 a.m. to 9:00 p.m. on August 28, 2016, parking shall be prohibited on the following streets:

Riviera Drive from Elm Road East to the Bay;  
Forest Road East from Riviera Drive to Woodland Drive;  
Lakeview Drive from Elm Road East to Dogwood Road; and be it further

**RESOLVED,** that from the hours of 9:00 a.m. to 9:00 p.m. on August 28, 2016, alternate-side parking shall be in effect for the following streets:

Orchid Drive from Elm Road East to Dogwood Road;  
Whittier Drive from Elm Road East to Dogwood Road;  
Woodland Drive from Dogwood Road to Forest Road East; and be it further

**RESOLVED,** that the Mayor of the Village of Mastic Beach is hereby authorized to carry out the purposes of this Resolution as she deems necessary; and be it further

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

Motion carried: 5-Yes; 0-No

**11. VOLUNTEER CONTRACTORS' LIST**

Trustee **Snyder** distributed and reviewed a Financial-Impact Statement, a copy of which is annexed hereto and made a part hereof as **Attachment #2**, regarding the creation of a list of volunteer contractors who are willing to deliver free services to low-income residents. A discussion followed during which the following motion to table was made and voted upon.

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

**WHEREAS,** the Board has received a proposal from Trustee **Snyder** to create and publish a volunteer contractors' list to assist low-income residents; now, therefore, be it

**RESOLVED,** that the Board of Trustees tables action on this matter in order for the Village Clerk/Administrator to obtain related recommendations from the Village's insurance broker.

Motion carried: 5-Yes; 0-No

**12. ZOMBIE-HOME GRANT APPLICATION**

Mayor **Sperry** led a discussion among the Board members about gaining consensus to enable Neighborhood Aide **Jennifer Rumsey** to work six hours of overtime to prepare a map detailing the location of zombie homes within the Village. This map is a critical component of a grant application the Village will be submitting in the next few weeks. Grants Technician **Deborah Slack** responded to related grant-application questions. Following a discussion, it was the Board's consensus that this overtime work be authorized. A copy of the related Financial-Impact Statement is annexed hereto and made a part hereof as **Attachment #3**.

**13. APPOINTMENT CHANGE FOR VILLAGE ATTORNEY**

A motion was made by **Joseph Johnson** and seconded by **Christopher Anderson** to make an appointment change for the Village Attorney and a discussion followed. Thereafter, the pending motion was voted upon as follows.

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

**RESOLVED,** that the Board of Trustees directs that the work of Village Attorney **Guy W. Germano, Esq.**, Deputy Village Attorney **G. William Germano, Jr., Esq.** and the firm of **Germano Cahill, P.C.** cease effective August 4, 2016; and be it further

**RESOLVED,** that the Board of Trustees appoints **J. David Eldridge, Esq.** as Interim Village Attorney, at Mr. **Eldridge's** existing hourly rate of

\$225.00 as special counsel, until such time as the Board of Trustees' makes an appointment of a new Village Attorney; and be it further

**RESOLVED,** that the Board of Trustees will leave it to the incoming Interim Village Attorney to determine what involvement is needed from **Germano Cahill, P.C.** during the transition period; and be it further

**RESOLVED,** that the Mayor, Village Clerk/Administrator and Treasurer are authorized to undertake all actions necessary to effectuate this Resolution.

Motion carried: 3-Yes; 2-No (**E. Manzella; M. Spery**)

**14. PUBLIC COMMENTS**

Mayor **Spery** invited those members of the public who signed in to speak to address the Board of Trustees. In keeping with the Board's existing *Rules of Procedure*, each member of the public will be given five (5) minutes to address the Board of Trustees.

The following individuals addressed the Board of Trustees.

**Name:**

**Frank Fugarino**

**Topic:**

*South Shore Press* article and Mayor's statements; Requested to know Mayor's and Deputy Mayor's vote on whether to dissolve the Village

**Ewa Wolmut Stankiewicz**

Dissolution of Village

**Alan Chasinov**

Litigation settlement with the Mastic Beach Property Owners' Association (MBPOA); Mayor should resign; Dissolution of Village

**William Biondi**

Grant to raise Riviera Drive and approximately 200 homes and related discussions with Congress Member **Lee Zeldin**;

**Tom Fox**

Need for plan to protect the waterfront  
FEMA and NY Rising; Cohesive action needed by Board and better communication with the public

Following Mr. **Fox's** comments, a discussion ensued among members of the Board.

**Alan Chasinov**

Shorefront issues; Ethics code and Mayor's conflict-of-interest vote

**15. LEXIS NEXIS REPORT**

Trustee **Snyder** inquired about the Lexis Nexis report. Pursuant to the Board's established procedures, a related item will appear on the meeting agenda for the second scheduled meeting of each month.

**16. PUBLIC COMMENTS (*Continued...*)**

**Name:**

**Darrin Harsch**

**Topic:**

Status of auction property on Mastic Road; Need to clean up the Village; Dissolution of the Village

Following Mr. **Harsch's** comments, a discussion ensued among members of the Board regarding the property on Mastic Road being auctioned.

**17. 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 particular labor-contractual matters, as is permitted under the *New York State Public Officers Law*.

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

**RESOLVED,**

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

Motion carried: 5-Yes; 0-No

Upon passage of the foregoing Resolution, Mayor **Spery** adjourned the public session at 7:12 p.m. and convened the Board of Trustees' meeting in executive session at 7:13 p.m.

**18. EXECUTIVE SESSION**

Mayor **Spery**, Deputy Mayor **Manzella**, Trustees **Anderson**, **Johnson** and **Snyder**, Village Attorney **Guy W. Germano, Esq.**, Labor Counsel **Gerard Glass, Esq.** (via telephone conference) and Village Clerk/Administrator **Susan F. Alevas, Esq.** were present in executive session. The Board of Trustees discussed labor-contractual matters.

Mr. **Glass** participated in the executive session via telephone conference and that call, and his participation, ended at 7:18 p.m.

**19. 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 7:32 p.m. and re-convened the Board of Trustees' meeting in public session at 7:33 p.m.

**20. APPRECIATION**

Mayor **Spery** expressed appreciation and thanks to outgoing Village Attorney **Guy W. Germano, Esq.**, Deputy Village Attorney

**G. William Germano, Jr., Esq.**, Attorney **Michael J. Cahill, Esq.** and the team at **Germano Cahill, P.C.** for admirably representing the Board as a whole, the Mayor and the residents of the Village of Mastic Beach. Deputy Mayor **Manzella** shared her appreciation as well.

**21. 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 **Anne Snyder** to wit:

**RESOLVED,** that the Board of Trustees adjourn its meeting at 7:34 p.m.

Motion carried: 5-Yes; 0-No

Respectfully submitted,

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

DRAFT - SUBJECT TO REVIEW/REVISION BY BOARD OF TRUSTEES/VILLAGE COUNSEL