

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

SPECIAL BOARD MEETING
MINUTES
SEPTEMBER 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:

J. David Eldridge, Esq., *Village Attorney*; Brian Sokoloff, Esq., *Village Insurance Counsel* (Item #6 only); Mark Radi, Esq., *Village Insurance Counsel* (Item #6 only) and Susan F. Alevas, Esq., *Village Clerk/Administrator*

STAFF PRESENT AND REPORTING:

None

INVITED GUESTS:

None

1. CALL TO ORDER AND WELCOME

Mayor Spery called the meeting to order at 5:44 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. MOTION TO ENTER INTO EXECUTIVE SESSION

Mayor **Spery** requested a motion for the Board of Trustees to enter into executive session for the purpose of discussing pending litigation, as is permitted under the *New York State Public Officers Law*.

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

RESOLVED,

that the Board of Trustees enter into executive session for the purpose of discussing pending litigation, 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 5:46 p.m. and convened the Board of Trustees' meeting in executive session at 5:47 p.m.

6. EXECUTIVE SESSION

Mayor **Spery**, Deputy Mayor **Manzella**, Trustees **Anderson**, **Johnson** and **Snyder**, Village Attorney **J. David Eldridge, Esq.**, Insurance Counsel **Brian Sokoloff, Esq.** and **Mark Radi, Esq.** and Village Clerk/Administrator **Susan F. Alevas, Esq.** were present in executive session. The Board of Trustees discussed pending litigation matters.

Messrs. **Sokoloff** and **Radi** left the meeting at the conclusion of executive session at 6:56 p.m.

7. ADJOURNMENT OF EXECUTIVE SESSION

Motion offered by **Maura Spery**, seconded by **Joseph Johnson** 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 6:56 p.m. and re-convened the Board of Trustees' meeting in public session at 6:57 p.m.

8. ACTIONS ARISING OUT OF EXECUTIVE SESSION – PRELIMINARY-INJUNCTION LITIGATION SETTLEMENT

Pursuant to discussions conducted in executive session, Mayor **Spery** called for a motion to authorize the settlement of a preliminary-injunction action against the Village.

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

RESOLVED, that the Board of Trustees authorizes its Counsel **Brian Sokoloff, Esq.** and **Mark Radi, Esq.**, to move forward with a settlement agreement involving the preliminary-injunction action brought against the Village by Mr. **Donald Polinski, et al**; and be it further

RESOLVED, that the Mayor and Village counsel are authorized to undertake all actions necessary to effectuate this Resolution, which shall take effect immediately.

Motion carried: 5-Yes; 0-No

9. 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 6:57 p.m.

Motion carried: 5-Yes; 0-No

Respectfully submitted,

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

CONFIDENTIAL DRAFT -- SUBJECT TO MODIFICATION BY BOARD OF TRUSTEES