The Board held its regular monthly meeting on January 28, 2010 at 8:00 p.m. The meeting was called to order at 8:14 p.m. by Mayor Michael T. Meehan, with the following in attendance:

Michael T. Meehan  Mayor
Patrick Brostowin  Deputy Mayor
John M. DiLeo, Jr.  Trustee
Rita DiLucia  Trustee
Brendan Fahey  Trustee
Gerard Terry, Esq.  Village Attorney
Jonathan P. Fielding  Village Clerk-Treasurer
David L. Mammina  Superintendent of Buildings

Thirty-three members of the public were present. The Mayor asked Ms. Claire DiNapoli to lead the assembly in reciting the Pledge of Allegiance.

The Mayor and the Board of Trustees reviewed the proposed minutes of the regular meeting held on December 17, 2009. Trustee Fahey made a motion to accept these minutes as presented. Trustee DiLeo seconded the motion. The Board was polled as follows:

Trustee Fahey  Aye
Trustee DiLucia  Aye
Trustee DiLeo  Aye
Deputy Mayor Brostowin  Aye
Mayor Meehan  Aye

The Mayor and the Board of Trustees reviewed and considered the abstract of claims for January 2010. Trustee DiLucia made a motion to approve the abstract of claims. Trustee Fahey seconded the motion, which passed unanimously.

The Mayor and Board of Trustees reviewed and considered the departmental reports. Deputy Mayor Brostowin made a motion to accept the departmental reports, seconded by Trustee DiLeo. The motion carried on unanimous approval.

The Mayor read a prepared statement to the public regarding the monopole tower being constructed at 41 Pequot Avenue, and then proceeded to the resolution calendar.
RESOLUTION NO. 1 – JANUARY 28, 2010
A RESOLUTION SCHEDULING A PUBLIC HEARING

Trustee Fahey offered the following resolution and moved for its adoption. Trustee DiLucia seconded the motion.

BE IT RESOLVED, that the Board of Trustees of the Inc. Village of Manorhaven shall conduct a public hearing on Introductory Local Law A – 2010, “A Local Law to Amend Chapter 155 of the Code of the Inc. Village of Manorhaven – Administration”, on Thursday, February 25, 2010, 7:30 pm, at the Village Hall, 33 Manorhaven Boulevard, Port Washington, NY; and

BE IT FURTHER RESOLVED, that the provisions of this Resolution shall take effect immediately.

The Board was polled as follows:

Trustee Fahey               Aye
Trustee DiLucia             Aye
Trustee DiLeo               Aye
Deputy Mayor Brostowin Aye
Mayor Meehan                Aye

RESOLUTION NO. 2 – JANUARY 28, 2010
A RESOLUTION ADOPTING A LOCAL LAW

Trustee DiLucia offered the following resolution, seconded by Deputy Mayor Brostowin.

BE IT RESOLVED, that Introductory Local Law F – 2009, “A Local Law to Amend Chapter 147 of the Code of the Inc. Village of Manorhaven – Vehicles and Traffic”, be and hereby is adopted; and

BE IT FURTHER RESOLVED, that the provisions of this Resolution shall take effect immediately.

The Board was polled as follows:

Trustee Fahey               Aye
Trustee DiLucia             Aye
Trustee DiLeo               Aye
Deputy Mayor Brostowin Aye
Mayor Meehan                Aye
RESOLUTION NO. 3 - JANUARY 28, 2010
A RESOLUTION AUTHORIZING A GRANT APPLICATION

Trustee DiLeo offered the following resolution, seconded by Deputy Mayor Brostowin:

BE IT RESOLVED, that the Mayor and the Village Clerk-Treasurer be and hereby are authorized and directed to file or cause to be filed the following application for a grant:

Agency: NYS Education Department - NYS Archives
Program: “Local Government Records Management Improvement Fund”
Filing Date: February 1, 2010
Purpose: Records Management

; and

BE IT FURTHER RESOLVED, that the provisions of this Resolution shall take effect immediately.

The Board was polled as follows:

Trustee Fahey Aye
Trustee DiLucia Aye
Trustee DiLeo Aye
Deputy Mayor Brostowin Aye
Mayor Meehan Aye

RESOLUTION NO. 4 - JANUARY 28, 2010
A RESOLUTION AUTHORIZING A GRANT APPLICATION

Trustee DiLucia offered the following resolution, seconded by Deputy Mayor Brostowin.

BE IT RESOLVED, that the Mayor and the Village Clerk-Treasurer be and hereby are authorized and directed to file or cause to be filed the following application for a grant:

Agency: NYS Energy and Research Development Authority (NYSERDA)
Program: “Implementation Funding for Small Municipalities”
Filing Date: February 17, 2010
Purpose: Upgrade of Village Street Lighting

; and
BE IT FURTHER RESOLVED, that the provisions of this Resolution shall take effect immediately.

The Board was polled as follows:

Trustee Fahey       Aye
Trustee DiLucia     Aye
Trustee DiLeo       Aye
Deputy Mayor Brostowin Aye
Mayor Meehan        Aye

RESOLUTION NO. 5 - JANUARY 28, 2010
A RESOLUTION ACCEPTING A RESIGNATION

Trustee Fahey offered the resolution, seconded by Trustee DiLeo:

BE IT RESOLVED, that the resignation of Karen Marero from the position of Clerk to Justice (Court Clerk) be and hereby is accepted, with an effective date of January 19, 2010; and

BE IT FURTHER RESOLVED, that the provisions of this Resolution shall take effect immediately.

The Board was polled as follows:

Trustee Fahey       Aye
Trustee DiLucia     Aye
Trustee DiLeo       Aye
Deputy Mayor Brostowin Aye
Mayor Meehan        Aye

RESOLUTION NO. 6 - JANUARY 28, 2010
A RESOLUTION DECLARING PROPERTY OF THE VILLAGE AS SURPLUS AND AUTHORIZING THE DISPOSITION THEREOF

Trustee DiLeo offered the resolution, seconded by Trustee DiLucia:

BE IT RESOLVED, that the Board of Trustees finds and determines that the following property of the Inc. Village of Manorhaven is surplus in nature, lacking any use or value to the Village:

Two (2) snow plows located at Village Pump Station
and;
BE IT FURTHER RESOLVED, that the Village Clerk-Treasurer be and hereby is authorized to dispose of said surplus property in a manner that, in his sole discretion, is in the best interest of the Village; and

BE IT FURTHER RESOLVED, that the provisions of this Resolution shall take effect immediately.

The Board was polled as follows:

Trustee Fahey Abstain
Trustee DiLucia Aye
Trustee DiLeo Aye
Deputy Mayor Brostowin Aye
Mayor Meehan Aye

RESOLUTION NO. 7 - JANUARY 28, 2010
A RESOLUTION MAKING AN AWARD OF CONTRACT

Trustee Fahey offered the resolution, seconded by Trustee DiLucia:

WHEREAS, the Board of Trustees has previously authorized and directed the Village Clerk-Treasurer to advertise and solicit for bids in connection with the cleaning and maintenance of the sanitary sewer system of the Village, pursuant to section 103 of the General Municipal Law; and

WHEREAS, the final date and time for submission of bids was January 7, 2010, 11:00 am; and

WHEREAS, the Village received two bids in response to said solicitation; and

WHEREAS, at the foregoing date and time, said bids were publicly opened and read aloud by the Village Clerk-Treasurer;

NOW, THEREFORE, BE IT RESOLVED, that an award of contract be made to Dejana Industries, Inc., having an address at 30 Sagamore Hill Drive, Port Washington, New York 11050, said Dejana Industries, Inc., being the lowest responsible bidder for all years; and

BE IT FURTHER RESOLVED, that the period of said contract shall be from June 1, 2010 to May 31, 2015; and
BE IT FURTHER RESOLVED, that the Mayor be and hereby is authorized and directed to execute said contract on behalf of the Village; and

BE IT FURTHER RESOLVED, that the Village Clerk-Treasurer be and hereby is authorized and directed to take immediate action to effectuate the award of contract set forth herein, including notification to said Dejana Industries, Inc.; and

BE IT FURTHER RESOLVED, that the provisions of this Resolution shall take effect immediately.

The Board was polled as follows:

Trustee Fahey Aye
Trustee DiLucia Aye
Trustee DiLeo Aye
Deputy Mayor Brostowin Abstain
Mayor Meehan Aye

RESOLUTION NO. 8 – JANUARY 28, 2010
A RESOLUTION MODIFYING A PRIOR RESOLUTION

Deputy Mayor Brostowin offered the resolution, seconded by Trustee DiLucia:

WHEREAS, upon the application of Ressa Family LLC, by Resolution No. 3 of September 26, 2007, the Board of Trustees previously approved a subdivision and lot line adjustment in connection with real property known and identified on the Nassau County Land and Tax Map as Section 4, Block 75, Lots 108-120, otherwise described as “west side of Sands Point Road” within the Village; and

WHEREAS, said determination had the effect of approving a six (6) lot residential subdivision with respect to that part of the application pertinent to Sands Point Road; and

WHEREAS, the Board of Zoning Appeals of the Village subsequently granted said applicant Ressa Family LLC relief in respect to such real property to permit a five (5) lot residential subdivision or, in the alternative, a six (6) lot residential subdivision; and

WHEREAS, said proposed five (5) lot residential subdivision is contained and set forth in a certain Plot Plan identified as “Option A”, as prepared by Paul Russo, A.I.A. Architect, P.C.,

Inc. Village of Manorhaven - Board of Trustees
Minutes January 28, 2010 - Page 6 of 9
114 Birch Hill Road, Locust Valley, NY 11560, dated “5/2009”, which Plot Plan the Board of Zoning Appeals of the Village relied upon in making its determinations in this matter; and

WHEREAS, in the interest of creating a less dense and more aesthetically pleasing residential development, the Board of Trustees desires to conform its prior determination with that of the Board of Zoning Appeals of the Village; and

WHEREAS, by correspondence dated December 29, 2009, the legal representative of Ressa Family LLC has requested that the Board of Trustees consider the action contemplated herein;

NOW, THEREFORE, BE IT RESOLVED, that Board of Trustees Resolution No. 3 of September 26, 2007 be and hereby is modified and amended in accordance with the foregoing, to provide for a five (5) lot subdivision and lot line adjustment with respect to that part of the application pertinent to Sands Point Road; and

BE IT FURTHER RESOLVED, that the provisions of this Resolution shall take effect immediately.

The Board was polled as follows:

<table>
<thead>
<tr>
<th>Trustee</th>
<th>Result</th>
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<tbody>
<tr>
<td>Trustee Fahey</td>
<td>Aye</td>
</tr>
<tr>
<td>Trustee DiLucia</td>
<td>Nay</td>
</tr>
<tr>
<td>Trustee DiLeo</td>
<td>Nay</td>
</tr>
<tr>
<td>Deputy Mayor Brostowin</td>
<td>Aye</td>
</tr>
<tr>
<td>Mayor Meehan</td>
<td>Aye</td>
</tr>
</tbody>
</table>

RESOLUTION NO. 9 - JANUARY 28, 2010
A RESOLUTION MAKING A DETERMINATION UNDER STATE ENVIRONMENTAL QUALITY REVIEW

Trustee DiLeo offered the resolution, seconded by Trustee Fahey:

BE IT RESOLVED, that pursuant to State Environmental Quality Review ("SEQR"), the Board of Trustees declares itself “lead agency” in connection with the action known and identified as “A Resolution Amending a Prior Resolution”, dated January 28, 2010; and

BE IT FURTHER RESOLVED, that having thoroughly and carefully considered the issue, the Board of Trustees finds and determines that said matter constitutes an “unlisted action” under SEQR, the approval of which will not have a significant impact on the environment; and
BE IT FURTHER RESOLVED, that the provisions of this Resolution shall take effect immediately.

The Board was polled as follows:

Trustee Fahey  Aye
Trustee DiLucia Abstain
Trustee DiLeo  Nay
Deputy Mayor Brostowin Aye
Mayor Meehan  Aye

RESOLUTION NO. 10 - JANUARY 28, 2010
A RESOLUTION ENGAGING A TESTING LABORATORY ON BEHALF OF THE BUILDING DEPARTMENT

Trustee Fahey offered the resolution, seconded by Trustee DiLeo:

BE IT RESOLVED, that at the request of the Superintendent of Buildings, Municipal Testing Laboratory, Inc., having an office at 102 New South Road, Hicksville, NY, be and hereby is engaged for the purpose of performing "concrete coring" tests in respect to the foundation of the tower situate at 41 Pequot Avenue within the Village, pursuant to a written proposal dated January 27, 2010; and

BE IT FURTHER RESOLVED, that the provisions of this Resolution shall take effect immediately.

The Board was polled as follows:

Trustee Fahey  Aye
Trustee DiLucia Aye
Trustee DiLeo  Aye
Deputy Mayor Brostowin Aye
Mayor Meehan  Aye

At 8:55 p.m., Trustee Fahey left the meeting. The Mayor opened the Floor to public comment. Comments were offered by Ms. Victoria Spielman, Mr. Mark Lazarovic, Mr. Arthur Lampus, Ms. Angela Militana, Ms. Linda Dlugolecki, Ms. Alice Vigliotti, Ms. Jan Rosen, Mr. Jeffrey Zeh, and Ms. Tricia Jester.

At 9:56 p.m., Trustee DiLucia made a motion to adjourn the meeting. Deputy Mayor Brostowin seconded the motion. The Board was polled as follows:
Trustee DiLucia    Aye
Trustee DiLeo      Aye
Deputy Mayor Brostowin  Aye
Mayor Meehan       Aye

Dated: Manorhaven, New York
       February 4, 2010

Respectfully submitted,

Jonathan P. Fielding
Village Clerk-Treasurer