

Minutes of the public meeting of the Board of Trustees of the Incorporated Village of Hewlett Neck held on Monday, July 25, 2022 at 5:00 PM. At Village Hall, 30 Piermont Avenue, Hewlett NY 11557

The public had a right to speak at this meeting.

1. Calling the meeting to order:

Trustee Schnell called the meeting to order at 5:04 p.m.

2. Roll call:

Mayor	Ross Epstein- arrived via zoom at 5:08pm
Trustee	Aron Schnell
Trustee	Kenneth Frenkel
Trustee	Moshe Blinder
Trustee	Michael Levine
Village Clerk/Treasurer	Michelle Blandino
Village Attorney	Brian Stolar, Esq.

3. Notice of Meeting–Nassau Herald:

Clerk Blandino reported that notice of this evening’s public meeting was sent to the Nassau Herald, posted on website, posted on the bulletin board outside Village Hall and sent out in email notification.

4. Minutes –Minutes for Meeting June 27, 2022

On motion by Trustee Schnell, seconded by Trustee Frenkel and unanimously approved, the Board dispensed with the reading of the minutes of June 27, 2022 meeting as the Clerk had previously mailed such minutes and they are hereby approved.

5. Public Hearing for Proposed Bill HN 2203 – A local law to amend Chapter 195 of the Code of the Village of Hewlett Neck, in relation to construction proximate to drainage easement areas

Trustee Schnell opened the public hearing. The Mayor arrived at the commencement of the public hearing. The Village Attorney explained the proposed local law. After confirming that the hearing notice was published in the Nassau Herald and posted on the bulletin board outside of Village Hall and in the lobby of Village Hall and Village Website. Affidavits of posting and publication of the hearing notices are on file at the Village Clerk’s office, and hearing comments from Mark Podval who resides at 165 Dolphin Drive and Dan Feldman who resides at 155 Dolphin Drive, on motion duly made by Trustee Schnell, seconded by Trustee Levine, and adopted unanimously, the Board closed the public hearing and adopted the following resolution:

RESOLVED, that the Board hereby finds and concludes that

- (a) Proposed Law HN-2203 is an Unlisted Action under the State Environmental Quality Review Act and its regulations;
- (b) the Board is the lead agency with respect to environmental review of this proposed action;
- (c) the Board has considered the following factors in respect to its review of the environmental impacts of the proposed action:
 - (i) whether the proposed action would result in any substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, nor any substantial increase in solid waste production, nor create a substantial increase in the potential for erosion, flooding, leaching or drainage problems;
 - (ii) whether the proposed action would result in the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on a significant habitat area, substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or other significant adverse impacts to natural resources;
 - (iii) whether the proposed action would impair the environmental characteristics of any Critical Environmental Area;
 - (iv) whether the proposed action would conflict with the community's current plans or goals as official approved or adopted;
 - (v) whether the proposed action would impair the character or quality of important historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character;
 - (vi) whether the proposed action would result in a major change in the use of either the quantity or type of energy;
 - (vii) whether the proposed action would create a hazard to human health;
 - (viii) whether the proposed action would create a substantial change in the use, or intensity of use, of land, including agricultural, open space or recreational resources, or in its capacity to support existing uses;
 - (ix) whether the proposed action would encourage or attract large numbers of persons to any place for more than a few days, compared to the number who would come to such place without such action;
 - (x) whether the proposed action would create changes in two or more elements of the environment, no one of which would have a significant impact on the environment, but when taken considered together would result in a substantial adverse impact on the environment;
 - (xi) whether the proposed action would create substantial adverse impacts when considered cumulatively with any other actions, proposed or in process;
 - (xii) whether the proposed action would result in substantial adverse impact with respect to any relevant environmental consideration, including noise, aesthetics, traffic, air quality, water quality or adequacy of water supply, drainage, soil conditions, or quality of life in the community in general and the immediate neighborhood in particular;
- (d) the proposed action, would not have a significant adverse environmental impact, as that impact is considered under SEQRA; and
- (e) no further environmental review is required with respect to the proposed action

RESOLVED, that the Board adopts Proposed Bill HN-2203 as Local Law HN -5-2022, and directs the Village Clerk to file Local Law HN-5-2022 with the New York Secretary of State and take all actions required by law.

6. Appointments

A. Mayor Epstein appointed Aron Schnell as Deputy Mayor.

Mayor Epstein signed off from zoom and left the meeting at 5:17pm

B. Deputy Mayor Schnell made the following appointments for the terms indicated

Village Clerk Treasurer	2 years	Michelle Blandino
Deputy Village Clerk	1 year	Karen Quintavalle
Deputy Village Treasurer	1 year	Dana Garraputa
Court Clerk	1 year	Karen Quintavalle
Deputy Court Clerk	1 year	Dana Garraputa
Clerk – Design Review Board	1 year	Dana Garraputa
Clerk- Board of Appeals	1 year	Dana Garraputa
Deputy Registrar	1 year	Karen Quintavalle
Chair – Board of Appeals	1 year	Allan Sexter
Member – Board of Appeals	5 years	Allan Sexter
Alternate Member – Board of Appeals	1 year	Cathy Levine
Alternate Member – Board of Appeals	1 year	Jack Hollander
Alternate Member – Board of Appeals	1 year	Karen Orenstein
Alternate Member – Design Review Board	1 year	Cathy Levine
Alternate Member – Design Review Board	1 year	Jack Hollander
Alternate Member – Design Review Board	1 year	Karen Orenstein
Road Commissioner	1 year	Neiv Ziarno

On motion by Trustee Levine, seconded by Deputy Mayor Schnell, the above appointments were unanimously approved.

C. Deputy Mayor Schnell made the following Appointments to serve at the Pleasure of the Mayor

Associate Village Justice	Steven Hochberg
Prosecuting Attorney	Mindy Roman
Deputy Village Prosecutor	Richard S. Prisco
Building Inspector	Dennis Fromigia
Plumbing Inspector	Joseph Montilli
Deputy Plumbing Inspector	Dennis Fromigia
Village Engineers	West Side Engineering/ Jim Antonelli
Village Engineers	Nelson & Pope
Historian	Bertram Kalisher
Electrical Inspectors	Alliance Electrical Inspections, Ltd Certified Electrical Inspections, Inc. Electrical Inspection Service Inc. Electrical Inspectors Inc. NYS Electrical Inspections, Inc. Suffolk Bureau of Electrical Inspectors, Inc.

On motion by Trustee Levine seconded by Deputy Mayor Schnell, the above appointments were unanimously approved.

D. The Deputy Mayor made the following Appointment to serve at the pleasure of the Mayor:

Brian S. Stolar as Village Attorney

On motion by Trustee Levine and seconded by Trustee Frenkel, the following resolution was unanimously approved:

RESOLUTION RETAINING VILLAGE ATTORNEY
AND SPECIAL COUNSEL

RESOLVED, that the Board of Trustees hereby approves the Deputy Mayor's appointment of BRIAN S. STOLAR as Village Attorney to serve at the pleasure of the Mayor, and it is further

RESOLVED, that the compensation for the services of the Village Attorney and other attorneys associated with their law firm designated by either Village Attorney as Deputy Village Attorneys, for retainer legal services (all legal services required by the Village other than legal services in connection with litigation matters, or Village acquisition or sale of real estate) to be performed by the Village Attorney or under his direction, shall be \$265 per hour, plus reimbursement of all reasonable and necessary disbursements incurred in connection with the performance of such retainer legal services, which sums will be billed to the Village monthly by the Village Attorney or any law firm with which he may be associated, and it is further

RESOLVED, that the Board of Trustees hereby retains MEYER, SUOZZI, ENGLISH & KLEIN, P.C. as special counsel to the Village for non-retainer legal services as may be required, the services of such special counsel to be compensated at the rate of \$265 per hour, plus reimbursement of all reasonable and necessary disbursements incurred in connection with the performance of such non-retainer legal services, which sums shall be billed to the Village monthly, and be it further

RESOLVED, that the Mayor is authorized to sign the retainer agreement with Brian S. Stolar and Meyer, Suozzi, English & Klein, P.C..

7. Designations:

On motion by Deputy Mayor Schnell, seconded by Trustee Levine, the Board unanimously approved the following resolution:

"BE IT HEREBY RESOLVED that the following banks be designated as depositories of Village funds, provided that such banks have provided the Village with an approved collateral agreement as required by law:"

A. Bank Depositories

Signature Bank- Regular Account
Signature Bank- Payroll Account
Signature Bank- Money Market
Signature Bank- Trust Account
Signature Bank- Village Justice

B. Signatures on Checks

Revised Payment of Claims Policy

On motion by Deputy Mayor Schnell and seconded by Trustee Levine and unanimously carried the Board passed the following resolution

Whereas, pursuant to Village Law 5-524 and subject to certain exceptions as authorized by that statute, the Board of Trustees is required to audit all claims against the Village prior to payment; and

Whereas, the Board of Trustees wishes to establish in documented form the policy of the Village with respect to payment of claims,

Now, therefore, be it

RESOLVED, that except as otherwise provided in this resolution, no claim against the Village shall be paid and no instrument of payment of a claim shall be issued by the Village unless and until the claim is (a) in writing, (b) certified or verified under oath of the claimant or the claimant's duly authorized agent, (c) itemized to the satisfaction of the Board of Trustees, (d) approved by the officer or employee whose action gave rise or origin to the claim, and (d) audited and approved by the Board of Trustees, and it is further

RESOLVED, that notwithstanding the foregoing, and pursuant to Village Law 55-524(5), the following claims may be paid without prior audit and approval by the Board of Trustees:

- (a) fixed salaries;
- (b) debt service;
- (c) amounts becoming due upon lawful contracts for periods exceeding one year;
- (d) compensation for services of employees or officers regularly engaged by the Village at agreed wages by the hour, day, week, month or year;

provided, however, that with respect to items (a) and (d) in this paragraph, no such payment shall be made unless the payroll or other claim for compensation for personal services rendered to the Village by any person other than an elective Village officer shall be certified by the Village officer or employee having direct supervision of the claimant to the effect that such services were actually performed by the person or persons mentioned therein; and it is further

RESOLVED, that notwithstanding the foregoing and pursuant to Village Law 5-524(6), the following claims may be paid in advance of audit and approval of the Board of Trustees, provided such claims are presented for audit and approval at the next regular meeting of the Board of Trustees:

- (a) public utility services;
- (b) postage
- (c) freight and express charges;
- (d) charges for expenses incurred with the approval of the Board of Trustees where there is a discount for timely payment and audit of such claims is not feasible prior to the date for

such discounted payment; and it is further

RESOLVED, that two (2) signatures shall be required on all checks. The Mayor, or in the Mayor's absence the Deputy Mayor, and the Treasurer, or in the Treasurer's absence the Deputy Treasurer, shall be the two (2) signatories, and be if further

RESOLVED, that the policy established by this resolution shall be reviewed at each ensuing organizational meeting of the Board of Trustees, and shall remain in effect until amended by resolution of the Board of Trustees at any duly convened meeting of the Board of Trustees.

C. Official Newspaper: Nassau Herald

Deputy Mayor Schnell made a motion to designate the Nassau Herald the official newspaper of the Village. The motion was seconded by Trustee Levine and unanimously approved.

D. Village Auditor- Satty Levine, Ciacco, CPA

Deputy Mayor Schnell made a motion to designate the firm of Satty, Levine, Ciacco, CPA the official auditors of the Village, and to retain Satty, Levine in accordance with the terms of their written proposal dated July 14 2022. The motion was seconded by Trustee Levine and unanimously approved.

8. Annual Policies:

Each of the following policies was readopted, on motion by Deputy Mayor Schnell, seconded by Trustee Levine and adopted unanimously:

Procurement Policy revised 7/19/2021
Investment Policy revised 7/19/2021
Renew Violence in the Workplace Policy adopted October 28, 2013
Renew Standard Workday Policy adopted October, 2014
Renew Sexual Harassment Policy adopted October 5, 2018
Fund Balance Policy – Adopted 6/27/2022

9. Woodbine Ditch/Village Drain Improvement Update (Bid Update)

The Clerk updated the Board.

10. Letter received from Brian Getzler who resides at 980 Smith Lane regarding the puddling in front of 970 & 980 Smith Lane

The Board discussed

11. Road Curbing – Tabled until July meeting

Tabled

12. Building Department Matters

A. Permit Fee Schedule

- B. Construction without Permit
- C. Special Events without Permits
- D. Parking without waiver
- E. Proposed Parking Regulations

Tabled

13. Board Resolution authorize Mayor to sign engagement letter with Satty Levine Ciacco.,CPA's, P.C. for auditing services for fiscal year end May 31, 2022

On motion by Deputy Mayor Schnell, seconded by Trustee Blinder and unanimously approved, the Board authorized Mayor Epstein to sign the engagement letters with Satty, Levine & Ciacco, CPA's, P.C. in connection with the Village and Village Justice Court 2022 year-end audits.

14. Reports:

A. Public Safety –June 2022

1. Police Activity Report

June	Arrests	0
	Crime Reports	0

B. Treasurer's Report – June 2022

Cash status June 2022

Bank balances	Reg., Pay., M.M.	
As of 6/1/2022		\$775,356.08

Plus Receipts

Real Property taxes	226,346.43	
Departmental Income	375.00	
Use of Money & Property	126.98	
Licenses and Permits	3,800.00	
State Aide	2,628.63	
		<u>233,277.04</u>
		\$1,008,633.10

Less Disbursements

General Government Support	16,502.82	
Judicial	275.00	
Public Safety	5,240.00	
Transportation	2,997.22	
Home and Community Services	10,478.95	
Employee Benefit	3,921.21	<u>39,415.20</u>
		969,217.90
Trust Account Liability Ch# 1004,1005		<u>-15,000.00</u>
		916,717.90
Trust Account Deposit		<u>7,500.00</u>

Prepaid Payroll Entry	924,217.90
	<u>3,486.25</u>
	920,731.65

Proof Bank Balances:

Signature Regular	10,026.04
Signature Money Market	798,085.94
Signature Payroll	10,119.69
Signature- Trust Account	<u>102,500.00</u>
	920,731.67

1. Audit of Claims

The Board discussed the claims. Village Treasurer confirmed that the items in such abstract represented the purchase of goods and services actually received and/or performed and that each item contained in the abstract was for a proper Village purpose, on motion duly made by Deputy Mayor Schnell, seconded by Trustee Frenkel, and adopted unanimously, the Board authorized and directed the Village Clerk/Treasurer to pay the general fund claims in the total sum of \$58,073.44 set forth in abstract #682 (copy of the abstract is on file in the Village office).

C. Roads- No Report

15. New Business: none

16. Next Meeting: September 19, 2022 at 5:00 PM

17. Adjournment:

As there was no further business the meeting was adjourned 5:35 P.M.

Village Clerk
Michelle Blandino