

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Hewlett Neck held on Monday, June 27, 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:

Mayor Epstein called the meeting to order at 5:02 p.m.

2. Roll call:

	Mayor	Ross Epstein
	Deputy Mayor	Aron Schnell
	Trustee	Kenneth Frenkel
	Village Clerk/Treasurer	Michelle Blandino
	Village Attorney	Brian Stolar, Esq.
Excused	Trustee	Michael Levine
	Trustee	Moshe Blinder

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 May 23, 2022

On motion by Mayor Epstein, seconded by Trustee Frenkel and unanimously approved, the Board dispensed with the reading of the minutes of May 23, 2022 meeting as the Clerk had previously mailed such minutes and they are hereby approved.

5. 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

On motion by Mayor Epstein, seconded by Deputy Mayor Schnell and unanimously approved, the Board voted to hold a Public Hearing on July 25, 2022 at 5:00 pm, with respect to Proposed Bill HN-2203-, directed the publication of the required legal notice, 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

6. Fly Trap Update

Mayor Epstein updated the Board on the installation of the Fly Traps and reported that installation should be complete by mid July.

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

The Mayor updated the Board.

8. National Grid, PSEG and Optimum (Altice)Update

Clerk Blandino advised the Board that PSEG and National Grid will commence work in early fall and complete by December. Paving depending on weather conditions will be complete by Spring. Mayor Epstein updated the Board that Optimum (Altice) has begun the fiber optic installation.

9. Surveillance Video Cameras:

On motion by Mayor Epstein, seconded by Deputy Mayor Aron Schnell and unanimously carried the Board approved the Purchase of the ARLO Cameras from Verizon and directed the to purchase and set up the government account with Verizon to purchase seven (7) ARLO Solar operated cameras at a price of \$250 per camera plus the monthly data, and directed the. Clerk to find out the price for the 15 day storage and the 30 day data storage and report back to the Board.

10. Road Curbing – Tabled until July meeting

Tabled until July meeting.

11. Building Department Matters

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

The Board discussed the above Building Department matters.

12. Village Newsletter

The Mayor discussed the draft newsletter and asked that the Board review the draft and send in any comments or changes.

13. Street Sweeping/Village of Lynbrook

The Board discussed..

14. Reports:

A. Public Safety –May 2022

1. Police Activity Report

May	Arrests	0
	Crime Reports	0

B. Treasurer’s Report – May 2022

Cash status May 2022
 Bank balances Reg., Pay., M.M.
 As of 5/1/2022 \$796,144.01

Plus Receipts

Non Property Taxes	3,002.00	
Use of Money & Property	103.61	
Licenses and Permits	1,200.00	
Fines and Forfeitures	400.00	
AIM related payments	2,518.00	
State Aide	1,501.00	
		<u>8,724.72</u>
		\$804,868.62

Less Disbursements

General Government Support	16,494.72	
Judicial	600.00	
Public Safety	5,140.00	
Transportation	3,296.35	
Home and Community Services	1,631.99	
Employee Benefit	2,3498.48	
		<u>29,512.54</u>
		775,356.08

Proof Bank Balances:

Signature Regular	5,377.26
Signature Money Market	621,612.53
Signature Payroll	866.29
Signature- Trust Account	<u>147,500.00</u>
	775,356.08

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 Mayor Epstein, seconded by Deputy Mayor Schnell, and adopted unanimously, the Board authorized and directed the Village Clerk/Treasurer to pay the general fund claims in the total sum of \$91,904.31 set forth in abstract #681 (copy of the abstract is on file in the Village office).

15. New Business:

- A. State Audit Response
- B. Revised Fund Balance Policy

On motion by Mayor Epstein, seconded by Trustee Frankel and unanimously adopted, the Board adopted the following Fund Balance Policy:

Fund Balance Policy

1. Purpose. The Board of Trustees recognizes that the maintenance of a fund balance is essential to the preservation of the financial integrity of the Village and is fiscally advantageous for both the Village and the taxpayer. This policy establishes goals and provides guidance concerning the desired level of fund balance maintained by the Village to mitigate financial risk that can occur from unforeseen revenue fluctuations, unanticipated expenditures, and similar circumstances.
2. Definitions.

FUND BALANCE - A MEASUREMENT OF AVAILABLE FINANCIAL RESOURCES AND IS THE DIFFERENCE BETWEEN TOTAL ASSETS AND TOTAL LIABILITIES IN EACH FUND. GASB STATEMENT 54 DISTINGUISHES FUND BALANCE CLASSIFIED BASED ON THE RELATIVE STRENGTH OF THE CONSTRAINTS THAT CONTROL THE PURPOSES FOR WHICH SPECIFIED AMOUNTS CAN BE SPENT. BEGINNING WITH THE MOST RESTRICTIVE CONSTRAINTS, FUND BALANCE AMOUNTS WILL BE REPORTED IN THE FOLLOWING CATEGORIES:

NON-SPENDABLE FUND BALANCE – AMOUNTS THAT ARE NOT IN A SPENDABLE FORM (E.G., INVENTORY, PRE-PAIDS, LONG-TERM RECEIVABLES) OR ARE LEGALLY OR CONTRACTUALLY REQUIRED TO BE MAINTAINED INTACT (E.G., PERMANENT FUND PRINCIPAL).

RESTRICTED FUND BALANCE – AMOUNTS THAT ARE SUBJECT TO EXTERNALLY ENFORCEABLE LEGAL RESTRICTIONS, SUCH AS LIMITATIONS IMPOSED BY CREDITORS, GRANTORS, CONTRIBUTORS, LAWS AND REGULATIONS OF OTHER GOVERNMENTS, CONSTITUTIONALLY OR THROUGH ENABLING LEGISLATION (E.G., GRANTS, DONATIONS, GENERAL MUNICIPAL LAW RESERVES).

COMMITTED FUND BALANCE – AMOUNTS THAT CAN BE USED ONLY FOR THE SPECIFIC PURPOSES DETERMINED BY A FORMAL ACTION OF THE BOARD OF TRUSTEES, WHICH MAY BE CHANGED OR LIFTED ONLY BY REFERRING TO THE FORMAL ACTION THAT IMPOSED THE CONSTRAINT ORIGINALLY. ADDITIONALLY, THE UNDERLYING ACTION THAT IMPOSED THE LIMITATION WOULD NEED TO OCCUR BEFORE THE CLOSE OF THE REPORTING PERIOD. (E.G. ESTABLISHMENT OF LOCAL LAW)

ASSIGNED FUND BALANCE – AMOUNTS *INTENDED* TO BE USED BY THE VILLAGE FOR SPECIFIC PURPOSES. INTENT CAN BE EXPRESSED BY THE BOARD OF TRUSTEES OR BY A DESIGNEE TO WHOM THE GOVERNING BODY DELEGATES THE AUTHORITY. (E.G. DESIGNATED FOR ENSUING YEARS BUDGET) IN GOVERNMENTAL FUNDS OTHER THAN THE GENERAL FUND, ASSIGNED FUND BALANCE REPRESENTS THE AMOUNTS IN EXCESS OF NON-SPENDABLE, RESTRICTED AND COMMITTED FUND BALANCE. THIS INDICATES THAT RESOURCES IN OTHER GOVERNMENTAL FUNDS ARE, AT A MINIMUM, INTENDED TO BE USED FOR THE PURPOSE OF THAT FUND. (E.G. HIGHWAY)

UNASSIGNED FUND BALANCE – INCLUDES ALL AMOUNTS NOT CONTAINED IN OTHER CLASSIFICATIONS AND IS THE RESIDUAL CLASSIFICATION OF THE GENERAL FUND ONLY. UNASSIGNED AMOUNTS ARE AVAILABLE FOR ANY LEGAL PURPOSE. IN FUNDS OTHER THAN THE GENERAL FUND, THE UNASSIGNED CLASSIFICATION SHOULD ONLY BE USED TO REPORT A DEFICIT BALANCE.

3. POLICY. THE BOARD OF TRUSTEES SHALL HAVE THE SOLE AUTHORITY TO DESIGNATE FUNDS TO SPECIFIC CLASSIFICATIONS, INCLUDING, WITHOUT LIMITATION, COMMITTEE FUND BALANCE, ASSIGNED FUND BALANCE, AND TO AUTHORIZE THE USE OF RESTRICTED, COMMITTED AND ASSIGNED OR UNASSIGNED FUND BALANCE.
4. ORDER OF EXPENDITURES OF FUNDS. WHEN MULTIPLE CATEGORIES OF FUND BALANCE ARE AVAILABLE FOR EXPENDITURE, THE VILLAGE WILL START WITH THE MOST RESTRICTED CATEGORY AND SPEND THOSE FUNDS FIRST BEFORE MOVING DOWN TO THE NEXT CATEGORY WITH AVAILABLE FUNDS.
5. MINIMUM UNASSIGNED FUND BALANCE. IT IS THE GOAL OF THE VILLAGE TO ACHIEVE AND MAINTAIN AN UNASSIGNED FUND BALANCE IN THE GENERAL FUND AT FISCAL YEAR-END OF NOT LESS THAN 10% OF EXPENDITURES. THIS WILL ENSURE THE VILLAGE MAINTAINS A PRUDENT LEVEL OF FINANCIAL RESOURCES TO PROTECT AGAINST REDUCING SERVICE LEVELS OR RAISING TAXES AND FEES BECAUSE OF TEMPORARY REVENUE SHORTFALLS, UNEXPECTED ONE-TIME EXPENDITURES, EMERGENCIES AND DISASTERS. IF THE UNASSIGNED FUND BALANCE AT FISCAL YEAR-END FALLS BELOW THE GOAL, THE VILLAGE SHALL DEVELOP A RESTORATION PLAN TO ACHIEVE AND MAINTAIN THE MINIMUM FUND BALANCE.

On motion by Mayor Epstein and seconded by Trustee Frankel and unanimously approved the Board authorized the Mayor to sign the State Audit Response and Action Plan and directed the Clerk to send to the New York State Comptroller.

16. Next Meeting: July 25, 2022 at 5:00 PM

17. Executive Session:

At 6:50pm, on motion made by the Mayor, seconded by Deputy Mayor Schnell, and adopted unanimously, the Board voted to convene in executive session to obtain legal advice. The Board returned to public session at 6:06pm.

18. 240 Dolphin Drive:

The Board discussed existing fencing located on the 240 Dolphin Drive property. On motion made by the Mayor, seconded by Trustee Frenkel, and adopted unanimously, the Board directed the Village Attorney to discuss existing fencing located within a drainage reserve area and the retention of such fencing subject to an agreement to remove fencing when determined necessary by the Village.

17. Adjournment:

As there was no further business the meeting was adjourned 6:09 P.M.

Village Clerk
Michelle Blandino